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TEXTS ADOPTED

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**Experiencing backlash in women's rights and gender equality in the EU**  
**European Parliament resolution of 13 February 2019 on experiencing a backlash in**  
**women's rights and gender equality in the EU (2018/2684(RSP))**

*The European Parliament,*

- having regard to the question to the Commission on experiencing a backlash in women's rights and gender equality in the EU (O-000135/2018 – B8-0005/2019),
- having regard to the motion for a resolution of the Committee on Women's Rights and Gender Equality,
- having regard to the Treaty on the Functioning of the European Union (TFEU), and in particular Articles 8 and 153 (on equality between men and women), 10 and 19 (on non-discrimination) and 6, 9 and 168 (on health) thereof,
- having regard to the Treaty on European Union, and in particular Articles 2 and 3 thereof, which lay down the principle of gender equality and non-discrimination as a core value of the Union,
- having regard to the Charter of Fundamental Rights, and in particular Articles 21 (on non-discrimination), 23 (on equality between women and men) and 35 (on healthcare) thereof,
- having regard to the Beijing Declaration and Platform for Action of September 1995 and to the International Conference on Population and Development of September 1994 (Cairo Conference) and its Programme of Action, as well as to the outcomes of the respective review conferences,
- having regard to the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR),
- having regard to the UN Convention on the Elimination of Discrimination against Women (CEDAW),
- having regard to the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention),

- having regard to the conclusions of the 2017 Annual Colloquium on Fundamental Rights, ‘Women’s rights in Turbulent Times’, organised by the Commission,
  - having regard to Rules 128(5) and 123(2) of its Rules of Procedure,
- A. whereas a backlash can be defined as resistance to progressive social change, regression on acquired rights or maintenance of a non-egalitarian status quo, and whereas the backlash against women’s rights and gender equality is particularly worrying; whereas such resistance can be exercised regardless of one’s social background or age, can be of both a formal or informal nature, and can involve passive or active strategies to counter further progress by trying to change laws or policies which would ultimately limit citizens’ acquired rights; whereas this has been accompanied by the dissemination of fake news and harmful stereotypical beliefs;
  - B. whereas women’s rights are human rights;
  - C. whereas the level of gender equality is often indicative and serves as a first warning of the deteriorating situation of fundamental rights and values, including democracy and rule of law, in a given society; whereas efforts to restrict or undermine women’s rights are frequently a sign of broader societal conflict;
  - D. whereas all Member States have assumed obligations and duties under international law and the EU Treaties to respect, guarantee, protect and fulfil fundamental rights and the rights of women;
  - E. whereas equality between men and women is a fundamental value of the EU; whereas the right to equal treatment and non-discrimination is a fundamental right enshrined in the Treaties which should be applied in legislation, practice, case-law and everyday life;
  - F. whereas Article 8 TFEU states that: ‘In all its activities, the Union shall aim to eliminate inequalities, and to promote equality, between men and women.’; whereas the primary responsibility for the task of eliminating these inequalities rests with the Member States;
  - G. whereas the Gender Equality Index shows persistent inequalities with only marginal progress from 2005 to 2015; whereas significant improvements are still needed in all Member States in order to create gender-equal societies in which women and men are equally represented, respected and secure in all areas of life and work; whereas everybody benefits from the effects of gender equality policies, which have a positive impact on the whole of society; whereas if we stop making progress on women’s rights issues, we will go backwards;
  - H. whereas the development of equality policies should be based on access to equal opportunities for women and men, while at the same time supporting women and men in reconciling their work and family lives;
  - I. whereas progress in gender equality and in advancing women’s rights is not automatic or linear; whereas protecting and advancing gender equality requires constant efforts;
  - J. whereas discrimination against women can take many forms, including structural, workplace and economic discrimination, which can be hidden and silent because it is so ubiquitous;

- K. whereas the present decade is witnessing a visible and organised offensive at global and European level against gender equality and women's rights, including in the EU and particularly manifested in a number of Member States;
- L. whereas this backlash can also be seen at EU level and the fact that at the beginning of the present parliamentary term the Commission decided not to pursue the gender equality strategy it had hitherto been implementing continues to be a matter of regret;
- M. whereas the main targets of this backlash against women's rights and gender equality appear to be common across countries and include key areas of the institutional and policy framework for gender equality and women's rights, such as gender mainstreaming, social and labour protection, education, sexual and reproductive health and rights, preventing and combating violence against women and gender-based violence, LGBTI+ rights, the presence of women in political decision-making positions and working space, and adequate funding for women's and other human rights organisations and movements; whereas some anti-human rights campaigners and organisations aim through their strategies to overturn existing laws on basic human rights related to: sexuality and reproduction, including the right to access modern forms of contraception, assisted reproduction technologies or safe abortion; equality for lesbian, gay, bisexual, trans or intersex (LGBTI+) persons; access to stem-cell research; and the right to change one's gender or sex without fear of legal repercussions;
- N. whereas women are particularly affected by precarious work and various forms of atypical work; whereas unemployment rates soared in the period 2008-2014 owing to the profound economic crisis that raged across the EU, and in 2014 the female unemployment rate (10,4 %) was still higher than the rate for men (10,2 %); whereas the economic crisis has impacted on the entire European Union, with rural areas especially experiencing devastating levels of unemployment, poverty and depopulation, which affect women in particular;
- O. whereas women's organisations, groups and women's rights defenders have acted as catalysts of and leaders in legislative and policy developments in the past decade in the progression and implementation of women's rights; whereas they are experiencing significant challenges in accessing funding due to restrictive criteria and administrative burdens, as well as an increasingly hostile environment which no longer enables them to carry out their public interest missions effectively;
- P. whereas many Member States have still neither ratified nor transposed the Istanbul Convention, and whereas there are state restrictions on access to sexual and reproductive rights in the European Union;
- Q. whereas in the first half of 2018 a backlash against the Istanbul Convention occurred in several Member States, opening up space for hate speech and especially targeting LGBTI+ people; whereas this reaction has never been opposed in the Council or the European Council;
- R. whereas in 2017 the Council of Europe warned that women's sexual and reproductive rights were under threat as several of its members sought to restrict legislation on access to abortion and contraception; whereas in a similar vein, the UN Committee on the Elimination of Discrimination against Women (CEDAW) and the Committee on the Rights of Persons with Disabilities (CRPD) issued a joint statement in August 2018

emphasising that access to safe and legal abortion, as well as to related services and information, are essential aspects of women's reproductive health, while urging countries to stop regressing on the sexual and reproductive rights of women and girls, since this threatens their health and lives; whereas Parliament has recognised that denying guaranteed, legal access to abortion constitutes violence against women;

- S. whereas in some Member States, organisations actively opposed to sexual and reproductive rights for women receive the full support of governments in the form of public funding, which enables them to organise coordinated activities at international and European level;
  - T. whereas relationship, sexuality and gender equality education which complies with the World Health Organisation's Standards for Sexuality Education and its Action Plan on Sexual and Reproductive Health is not provided in all Member States, which amounts to falling short of international guidelines; is alarmed by the growing resistance to such education and the stigmatisation of those partaking in it on the part of certain political movements, the resistance often being due to disinformation campaigns on the content of sex education in many Member States which stand in the way of the provision of such informative, important and inclusive education for everyone;
  - U. whereas centuries-old, patriarchal structures throughout the world serve to suppress women and women's rights and perpetuate inequality between genders; whereas overcoming these structures will involve conflict with various positions and mechanisms of power worldwide;
  - V. whereas advancing gender equality and investing in women pays off for the whole of society, since women who have the economic resources and leadership opportunities will invest in the health, nutrition, education, and wellbeing of their children and families;
1. Urges the Commission and the Member States to remain strongly committed to and prioritise gender equality, women's rights and LGBTI+ rights, including the rights of the most vulnerable minorities; reminds all Member States of their obligations to uphold women's rights and promote gender equality; calls for the extensive denunciation of those discourses and measures undermining women's rights, autonomy and emancipation in every field; notes that an important way to combat the backlash is by proactively advancing rights-based gender equality and mainstreaming gender overall;
  2. Notes that the nature, intensity and effects of the backlash against women's rights have varied among countries and regions, in some cases remaining at the level of rhetoric while in others it has been concretised into measures and initiatives; whereas, nevertheless, it is noticeable in nearly all the Member States; takes the view that the backlash is also shaped by debate and policy options;
  3. Notes that women's independence through social and economic emancipation requires policies targeting the workplace, helping to combat major inequalities and discrimination at work and ensure better pay and greater regulation of work and working time, accompanied by measures to counter and prohibit all forms of precarious employment and defend the right to collective bargaining;

4. Notes that the most vulnerable to backlash are women in minority groups, including gender and sexual, ethnic and religious minorities;
5. Emphasises that gender equality cannot be achieved if not all women achieve equal rights, including women from religious and ethnic minority groups who face intersectional inequalities;
6. Condemns the reinterpretation and refocusing of gender equality policy in terms of family and motherhood policy which is happening in some Member States; notes that this applies only to certain groups and does not amount to an inclusive approach; notes further that this policy does not aim for a sustainable structural change which would result in sustainable improvements to women's rights and gender equality;
7. Calls on the Member States to ensure that women's rights and LGBTI+ rights are protected and recognised as equality principles in the framework of democracy and the rule of law; considers nevertheless that enshrining women's rights in law is not sufficient to achieve gender equality and that it cannot be achieved unless Member States transpose, adopt and finally implement and enforce the laws concerned in order to fully protect women's rights; regrets that women's rights are not dealt with holistically as a driving principle of all national and European public policies, accompanied by the corresponding budget; considers that prevention of backlash through education is key to invest in; calls on the Commission and the Member States to strengthen public awareness of the importance and benefits of safeguarding women's rights and gender equality and eliminating gender stereotypes for society, and to further support the development and dissemination of evidence-based research and information in the area of women's rights;
8. Calls on all Member States to commit to and abide by the international treaties and conventions concerned, as well as the principles enshrined in their fundamental laws, as a means to ensure respect for and enhance minority and women's rights, including sexual and reproductive health rights and gender equality in general;
9. Emphasises that the preventing and combating of all forms of violence against women, including traditional harmful practices and gender-based violence, continue to face numerous challenges; is concerned about the different forms of violence that have intensified, such as sexist and LGBTI-phobic hate speech, misogyny and online violence, including harassment and stalking, as well as violence towards women in the workplace or in the context of trafficking and prostitution; recalls the need to implement preventive and protective measures for women and girls in the face of gender-based violence and to bring the perpetrators to justice, while ensuring that women's shelters are adequately funded, staffed and supported; recalls the key importance of the implementation of the victims' rights directive, the European protection order directive and the anti-trafficking directive; underlines the need to tackle the lack of comparable data in order to properly inform policy developers about these new developments; calls for public awareness campaigns on combating gender-based and domestic violence to continue being initiated at EU and Member State level;
10. Calls on its Members to demonstrate a no-tolerance policy towards sexist hate speech during plenary sessions by amending the Rules of Procedure to include a ban on such speech;

11. Repeats the call for the implementation in the European Parliament of the most effective measures possible to combat sexual harassment in order to achieve real gender equality; calls for the implementation of an external audit to highlight the best operating rules in order to introduce compulsory training in 'Respect and dignity at work' for all Parliament's staff, including Members, and for the reconstitution of the two committees responsible for dealing with harassment so that they comprise independent experts and respect equality;
12. Considers working with men an important part of advancing equality between men and women and eliminating violence against women;
13. Condemns the campaign against the Istanbul Convention that targets violence against women and its misinterpretation; is worried about the rejection of the zero-tolerance norm for violence against women and gender-based violence, for which there is a strong international consensus; indicates that the very essence of the principles of human rights, equality, autonomy and dignity is being questioned; calls on the Council to conclude the EU's ratification and full implementation of the Istanbul Convention and to advocate its ratification by all the Member States;
14. Notes that domestic violence is considered the most widespread form of violence in some Member States, and expresses concern over the increasing number of women who experience domestic violence;
15. Expresses its abhorrence at the increase in violence against women, as brutally reflected in the alarming number of homicides;
16. Notes that victims of gender-based violence, including domestic violence, often have limited access to justice and proper protection, despite the legislation on combating all forms of violence, and that the laws are poorly implemented and enforced; calls on the Member States to ensure that all victims of gender-based and domestic violence receive gender-sensitive legal assistance in order to avoid revictimisation and impunity and to improve the reporting incidence of such crimes;
17. Points out the worrying tendency of shrinking space for civil society in the world and also in Europe and of increasing criminalisation, bureaucratisation and funds restrictions for fundamental rights organisations, including women's rights organisations and activists;
18. Expresses its strong support for and solidarity with the widespread initiatives, including grassroots initiatives, demanding gender equality promoted by women's organisations and movements; underlines the need for continuous financial support to ensure that their work can continue; calls, therefore, for an increase in funding from the Member States and the EU for the financial instruments available to these organisations; insists that access to these funds must involve less bureaucracy and should not be discriminatory with regard to the objectives and activities of the organisations;
19. Is therefore concerned at the news of a reduction in the resources available to women's rights organisations and women's shelters in many Member States;
20. Calls on the Member States to provide sufficient financial resources to implement instruments to combat all forms of violence, and particularly violence against women;

21. Points to the tendency in some Member States to establish a parallel NGO landscape consisting of pro-government individuals and organisations; underlines the importance of a critical, diverse NGO landscape for women's rights and gender equality and for the development of society as a whole;
22. Calls on the Commission and the Member States to review their mechanisms for the distribution, monitoring and evaluation of funding and to ensure that they are gender-sensitive and adapted to the problems that specific organisations and movements, especially small- and medium-sized ones, face at the time of backlash, and to apply such tools as gender impact assessments and gender budgeting where relevant; calls on the Commission and the Member States to increase funding for the protection and promotion of women's rights and gender equality, including for sexual and reproductive health and rights, in the EU and in the world;
23. Calls on the Commission to provide direct and significant financial support to women's organisations in those countries experiencing a systemic defunding and attacks by civil society organisations, in order to ensure the continuity of interrupted services protecting and supporting women and their rights, and to conduct an overview of funding to ensure that Member States' dispersal of EU funding supports organisations whose activities and services are non-discriminatory, inclusive and survivor-centred and do not perpetuate gender stereotypes, traditional gender roles, or intolerance;
24. Considers prostitution to be a serious form of violence and exploitation;
25. Calls on the Commission to encourage an assessment to be made of the current situation regarding prostitution in the EU, whose network of traffickers benefits from the single market, and to allocate financial resources to programmes enabling victims of human trafficking and exploitation to escape prostitution;
26. Calls on the Commission to include the promotion and improvement of sexual and reproductive health and rights in the next Public Health Strategy;
27. Calls on the Member States to end and reverse cutbacks that apply to gender equality programming, public services and, in particular, the provision of sexual and reproductive healthcare;
28. Regrets that in some Member States the length of maternity leave is determined by the economic sphere, without taking into account social and health factors that affect both women and children; recalls that safeguarding maternity, paternity and parental rights goes hand-in-hand with protecting labour rights and job security;
29. Recalls that ensuring gender equality and addressing the gender pay gap and gender pension gap have significant social and economic benefits for families and societies;
30. Calls for targeted initiatives for women's economic empowerment and to address gender segregation and women's access to labour markets, particularly in the fields of women's entrepreneurship, digitalisation and STEM, so as to combat the gender digital divide;
31. Stresses the need to empower and enable women to participate in decision-making and leadership in order to challenge negative stereotypes;

32. Calls for real action to be taken to close the gender pay gap, which has a negative impact on women's social and economic position; stresses that the safeguarding and active implementation of collective bargaining, the promotion of wages, the prohibition of all forms of precarious work and the regulation of labour rights are crucial steps in closing the gender pay gap;
33. Stresses that gender-disaggregated data collection needs to be further improved in areas such as informal employment, entrepreneurship and access to financing, access to healthcare services, violence against women, and unpaid work; emphasises the need to collect and make use of quality data and evidence for informed and evidence-based policymaking;
34. Regrets that gender budgeting has not been recognised as a horizontal principle in the Multiannual Financial Framework regulation for 2021- 2027, and calls on the Council to amend that regulation as a matter of urgency, thus reaffirming its commitment to gender equality; calls on the Commission and the Member States to implement gender-responsive approaches to budgeting in a way that explicitly tracks what proportion of public funds are targeted on women, and to fight against the gender backlash by ensuring that all policies for mobilising resources and allocating expenditure promote gender equality;
35. Notes that gender mainstreaming is part of an overall strategy on gender equality, and stresses, therefore, that the commitment of EU institutions in this area is fundamental; regrets in this context that no EU gender equality strategy for 2016-2020 was adopted, with the Strategic Engagement for Gender Equality downgraded to a staff working document; reaffirms its call on the Commission to adopt an EU Strategy for Women's Rights and Gender Equality;
36. Urges the Council to unblock the directive on gender balance among non-executive directors of companies listed on stock exchanges (the so-called women on boards directive), in order to address the considerable imbalance between women and men in economic decision-making at the highest level;
37. Urges the Council to unblock the directive on implementing the principle of equal treatment outside the labour market, irrespective of age, disability, sexual orientation or religious belief, which aims at extending protection against discrimination through a horizontal approach;
38. Reiterates its call on the Commission to revise the recast Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation<sup>1</sup>, and urges an adequate legislative follow-up based on the 2014 Commission recommendation on pay transparency, with a view to eliminating the persisting gender pay gap;
39. Deplores the fact that work on the maternity leave directive has been suspended;

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<sup>1</sup> OJ L 204, 26.7.2006, p. 23.



40. Calls on the Commission to develop a coherent and comprehensive roadmap for the achievement of gender equality and the protection of equal rights for women, including the elimination of all forms of violence against women;
41. Calls on the Commission to closely monitor the promotion and status of gender equality in the most affected Member States, with special regard to the institutional, policy and legislative framework;
42. Expresses concern that the opponents of reproductive rights and women's autonomy have had a significant influence on national law and policy, in particular in some Member States, seeking to undermine women's health and reproductive rights, particularly with regard to access to family planning and contraception as well as attempts to restrict or end the right to voluntary termination of pregnancy; reiterates the need to adopt policies for the protection of motherhood and parenthood, guaranteeing robust workplace and welfare support, along with policies providing family support infrastructures, preschool facilities and home care for the sick or elderly;
43. Is critical of the misuse of feminism and of the fight for women's rights for incitement to racism;
44. Recommends that Member States ensure that sexuality and relationships education is provided to all young people; believes that broader educational strategies are a key tool to prevent all forms of violence, particularly gender-based violence, especially in adolescence;
45. Instructs its President to forward this resolution to the Commission and the Council.