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on gender mainstreaming in the work of the committees
(2005/2149(INI))

Committee on Women's Rights and Gender Equality

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on gender mainstreaming in the work of the committees (2005/2149(INI))

The European Parliament,

- having regard to Article 2, Article 3, paragraph 2, Article 13 and Article 141, paragraph 4 of the EC Treaty,
 - having regard to the European Convention for the Protection of Human Rights and Fundamental Freedoms, the revised European Social Charter and the case-law of the European Court of Human Rights,
 - having regard to the work of the Directorate for Human Rights of the Council of Europe, and in particular of the Steering Committee for Equality between Women and Men of the Council of Europe,
 - having regard to its resolution of 13 March 2003 on gender mainstreaming in the European Parliament¹,
 - having regard to the working document of the Committee on Women's Rights and Gender Equality on the integrated approach to equality between men and women in the work of the committees, drawn up further to the analysis of the replies to the questionnaires sent to the chairmen and vice-chairmen responsible for gender mainstreaming, appointed by the 22 parliamentary committees,
 - having regard to Rule 45 of its Rules of Procedure,
 - having regard to the report of the Committee on Women's Rights and Gender Equality (A6-0000/2006),
- A. whereas the majority of committees always or sometimes attach some importance to gender mainstreaming, whilst a minority of committees rarely or never take an interest in the matter,
- B. having regard to the process set in motion in 2005 by the FEMM committee and the work of the high-level group on gender equality,
- C. whereas a chairman/chairwoman or vice-chairman/chairwoman responsible for implementing gender mainstreaming in the work of his or her respective parliamentary committee has actively participated in each meeting of the Committee on Women's Rights and Gender Equality,
- D. having regard to the continuous increase in the percentage of female Members of the European Parliament, rising from 17.5% in 1979 to 30.33% in 2004,
- E. whereas, within its administration, women are under-represented in positions of

¹ OJ C 61 E, 10.3.2004, p. 384.

responsibility in bodies which are responsible for taking political decisions,

- F. whereas, even though the majority of committees express views in favour of gender mainstreaming, most committees have established their future political priorities without including any mainstreaming strategy,
- G. whereas until now no committee has established any practical objectives for implementing such a strategy,
- H. whereas half the committees consider that their expertise is currently being built up, and the same proportion of committees are greatly interested in gender mainstreaming training in their secretariats,
- I. whereas political and administrative cooperation of the parliamentary committees with the Committee on Women's Rights ranges from regular to sporadic,
- J. whereas, in accordance with Rule 46(6) of its Rules of Procedure, the majority of committees regularly invite the draftspersons of the Committee on Women's Rights to attend the meetings of the committee responsible when the report concerned is being discussed,
- K. whereas, in order to improve lawmaking, the majority of committees express their approval of gender mainstreaming and half of them have already taken advantage of the consultations with gender equality experts,

Assessment of gender mainstreaming

1. Stresses that the demand for gender equality must take the form of a practical approach which does not set women against men;
2. Thanks the Austrian and Finnish Presidencies for having stressed in the Council of Ministers the importance of men in the implementation of gender mainstreaming;
3. Undertakes to adopt and apply within its administration a gender mainstreaming strategy in Community policies and assigns the committee responsible with the task of developing that strategy by the end of the current legislative term at the latest;
4. Calls on the high-level group on gender equality of the Bureau to continue encouraging and promoting this process overall, starting with the information regularly provided by the committees and by the chairwoman of the Committee on Women's Rights and Gender Equality;
5. Stresses the important role the political groups can play to encourage women's participation in public life by implementing and evaluating gender mainstreaming in their programmes and activities;
6. Congratulates the parliamentary committees which have put gender mainstreaming into practice in their work, and calls on the other committees to do likewise;
7. Thanks the Secretary-General for encouraging the training of officials in gender

mainstreaming;

8. Congratulates the Director-General for Internal Policies, responsible for the parliamentary committees, for having the highest percentage of female administrators;
9. Calls for each committee secretariat in the directorates of the DGs for internal and external policies to incorporate an official who is specially trained in gender mainstreaming and to encourage networking amongst those officials under the coordination of the secretariat of the Committee on Women's Rights and Gender Equality in order to conduct regular exchanges on best practices;
10. Regrets that the Staff Regulations of Officials of the European Communities do not make provision for sufficient measures to allow officials to make a true choice in terms of obtaining a work-life balance;

Future of the implementation of gender mainstreaming

11. Stresses the importance of using specific terminology and definitions which comply with international standards when using terms relating to gender mainstreaming;
12. Stresses the need, in parliamentary committees, to use appropriate tools for a sound knowledge of gender mainstreaming, such as indicators, data and statistics broken down by gender, and the allocation of budgetary resources from a gender equality viewpoint, by encouraging them to take advantage of internal expertise (secretariat of the relevant committee, thematic department, library, etc.) and external expertise in other local, regional, national and supranational institutions, be they public or private, in small, medium and large companies and in universities working in the area of gender equality;
13. Calls on the chairwoman of the committee responsible regularly to inform the Conference of Committee Chairmen so that it may assess the progress made;
14. Stresses that the implementation of gender mainstreaming should take account of the specific features of each parliamentary committee; calls for the assessments to be held every two years under the auspices of the Committee on Women's Rights and Gender Equality, on the basis of the questionnaire given to the chairmen and vice-chairmen responsible for gender mainstreaming in the 22 parliamentary committees, and including any shortcomings in the work of the committees and delegations as well as the progress made in implementing gender mainstreaming in each committee;
15. Instructs its President to forward this resolution to the Council, Commission and the Council of Europe.

EXPLANATORY STATEMENT

In the general context of protecting and promoting the rights of the individual, Europe's national and supranational institutions are responsible for promoting equality between men and women and enabling both sexes to play a full role in society, for combating any attempts to undermine women's freedom and dignity (by combating - for example - violence against women and trafficking in human beings), for eliminating gender discrimination and for encouraging balanced representation of men and women in public life.

The dignity and the role of women are a constant topic of discussion both for individuals and for institutions and in recent years that topic has acquired particular prominence, with particular regard to the Community's horizontal Lisbon Strategy policies and in relation to the demographic challenge and the work-life balance.

The respect for 'otherness'

Fully recognising the 'otherness' and complementarity of men and women can prevent human beings from demeaning themselves, over and beyond the simplistic logic of common market principles, since freedom is not limited to freedom of competition. It is indeed a more universal notion, based on the very nature of women and their involvement in all interpersonal relations which, in very different ways, create conviviality and cooperation between individuals in public life. In this broad and differentiated context, based primarily on the protection and promotion of human rights, women are of specific value, partly due to their essential nature as human beings and partly due to the very fact of their femininity, regardless of their cultural background, or their female spiritual, psychological or physical characteristics, such as age, health, education, occupation or marital status.

Fundamental rights in Europe

As far as fundamental rights are concerned, the right to non-discrimination is currently guaranteed under EU law by Article 14 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), which has been signed and ratified by all the EU Member States. At present, that convention constitutes the sole legal basis for outlawing any form of discrimination within Europe and enables the European Court of Human Rights to censure those countries which infringe those rights. Starting with the basic principle that all persons are equal before the law and are entitled to equal protection, we must urgently continue to promote legal instruments which guarantee women their fundamental freedom and dignity by condemning any discrimination based on gender.

The fight against discrimination

Furthermore, the international community has clearly reasserted that the principle of non-discrimination does not prevent those countries which are parties to the convention from taking measures to promote full and effective equality, providing that those measures are objectively and reasonably justified. In this regard, Protocol 12, which refers to Article 14 ECHR and has been open for signing by the Member States since 4 November 2000,

guarantees that nobody shall be discriminated against by any public authority on any ground. To clarify the concept of discrimination, the explanatory report for Protocol 12 reiterates the definition of the notion of discrimination, which has been interpreted consistently by the European Court of Human Rights, as follows: "*a difference of treatment is discriminatory if it has no objective and reasonable justification, that is, if it does not pursue a 'legitimate aim' or if there is not a 'reasonable relationship of proportionality between the means employed and the aim sought to be realised'*"¹.

Gender mainstreaming in Europe

However, imbalances between men and women are still a feature of all areas of public life. Gender mainstreaming is one of the strategies established in order to remedy this state of affairs. According to the Council of Europe definition (which is supported by all the Member States), *gender mainstreaming is the (re)organisation, improvement, development and evaluation of policy processes, so that a gender equality perspective is incorporated in all policies at all levels and at all stages, by the actors normally involved in policy-making*. Gender mainstreaming cannot replace specific policies designed to remedy situations resulting from gender inequality but, rather, should be viewed as a strategy complementary to traditional policies.

Community law and the policy measures of the European Union in this area are based on the deliberations of the Council of Europe and the action taken by that organisation. Community law incorporates those principles in Articles 2, 3, 13, 137 and 141 of the Treaty establishing the European Community (TEC), which are applied to numerous European directives and have served as a basis for some of the case-law of the European Court of Justice on Community labour law. The Commission has implemented a number of measures designed to promote equality between men and women - as demonstrated by the Green Paper on equality and non-discrimination - and each year it submits a report on the progress achieved in the incorporation of gender mainstreaming in strategic areas. In order to set its own political commitment within an institutional framework, Parliament has adopted a resolution on gender mainstreaming in the European Parliament. That resolution provides the starting point for this report.

Mainstreaming in the European Parliament

This report has the merit of being the first Parliament document devoted to a specific assessment of gender mainstreaming in the political work of Parliament's committees.

Two basic comments first need to be made about the substance and future prospects. Firstly, committee members cannot disguise the political and technical dynamic inherent in each topic with which they deal - a dynamic which depends both on the powers provided for under the Rules of Procedure and on members' interests. This internal dynamic also determines the attention paid to the specific challenge posed by gender mainstreaming in Parliament's various committees and also the nature of the replies furnished by the

¹ Case of Abdulaziz, Cabales and Balkandali v. the United Kingdom, judgment of 28 May 1985, Series A, No. 94, paragraph 72.

vice-chairmen in connection with the assessment process. Parliament itself should first ask itself a few questions about the way in which it promotes gender mainstreaming. This should not under any circumstances result in a moral condemnation of individuals. The rapporteur nonetheless appeals to her colleagues' goodwill and calls on them to show creativity in devising and implementing strategies with a view to making gender mainstreaming a reality, where such a policy aspect proves appropriate.

The assessment initiated here will become operational as the committee members submit regular reports on the implementation of gender mainstreaming. Accordingly, as the committees respond twice per legislative term to enquiries from the committee responsible, gender mainstreaming should become consolidated within the committees and consideration could be given to the idea of drawing up useful recommendations for each of those committees. This should be emphasised on account of the fact that the assessment must of necessity avoid making a comparison between, for example, DEVE, ITRE and CULT by virtue of their different powers and responsibilities laid down in the Rules of Procedure. Future assessment will highlight the way in which each committee strives to implement gender mainstreaming in the context of its powers and responsibilities.

Methodology

The chairwoman of the committee responsible has set out along a twin track.

Firstly, she has regularly throughout the year invited the vice-chairmen in charge of gender mainstreaming within each committee to attend exchanges of views with members of the committee responsible. By virtue of its originality, this initiative has been welcomed by all the members concerned. Thanks are also due to the Director-General of internal policies for having responded to this concern within the committee secretariats, which often facilitated cooperation with the secretariat of the committee responsible. On 10 July 2006, all the vice-chairmen were invited to attend an exchange of views with the committee responsible. The purpose of that exchange was threefold: firstly, familiarisation with the assessment of gender mainstreaming in the context of parliamentary business; secondly, clarification of the questionnaire devised for the purpose; thirdly, joint adoption of the timetable to be applied.

Secondly, in order to obtain reliable data concerning the work of Parliament's committees the rapporteur asked the vice-chairmen to answer a 25-question questionnaire comprising four main parts: (1) the scope of the committee responsible; (2) the gender equality strategy and short and long-term objectives to be achieved; (3) implementation of the equality principle in the context of the committees' work, and (4) expert assessment of equality between men and women, and consultation and cooperation between the committee responsible and other departments inside and outside Parliament. This report continues the analysis in terms of the quantity and quality of the replies received.