

CREATING “A UNION OF EQUALITY”

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EU Gender Acquis - milestones

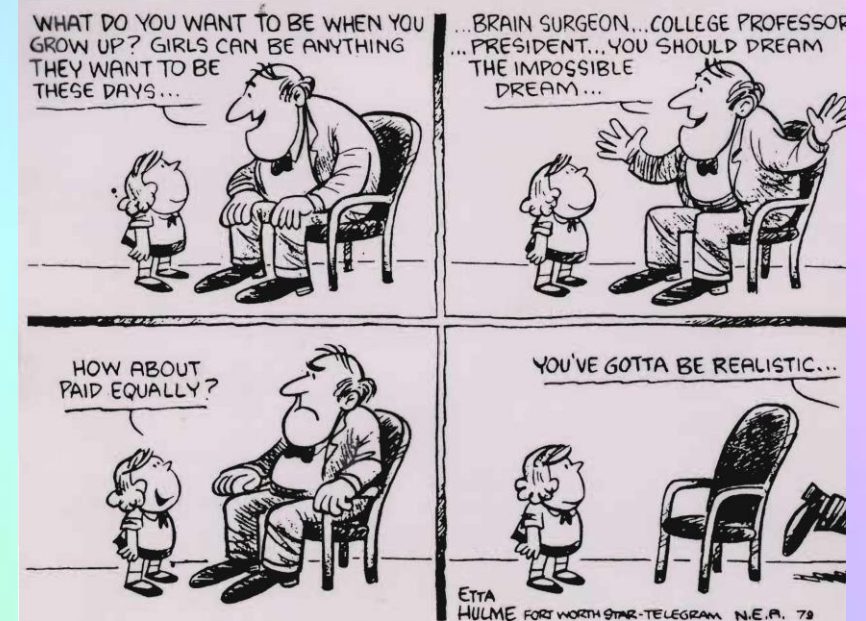
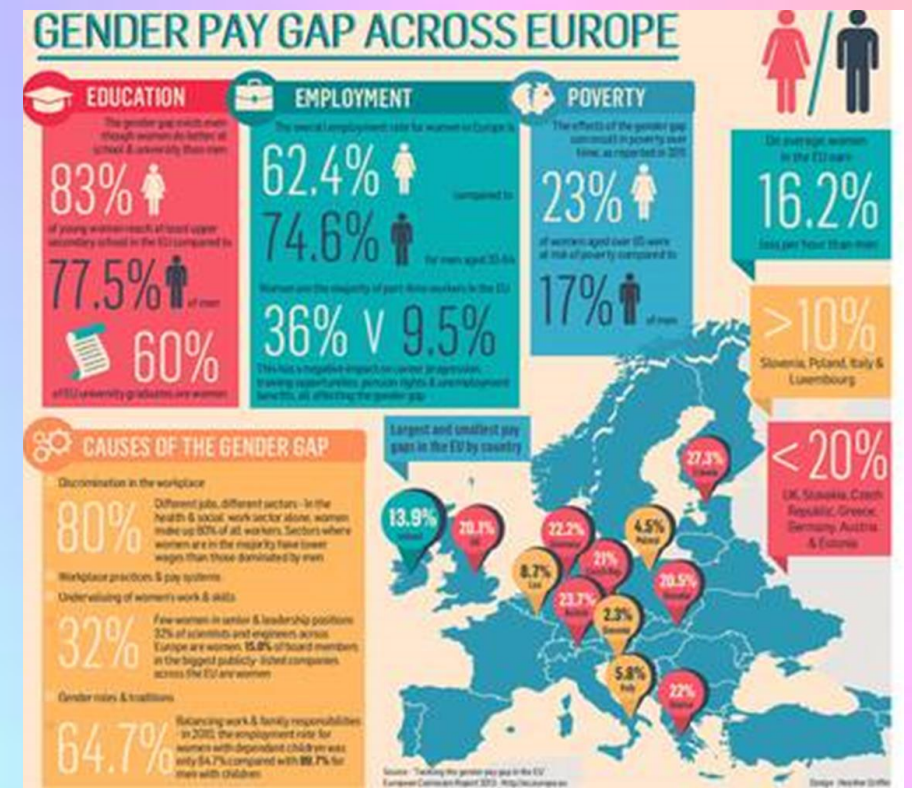
- **1957 Art. 119 EEC Treaty**
- 1975 Equal Pay Directive
- 1976 Equal Treatment Directive
- 1979 Social Security Directive
- 1986 Occupational Social Security Directive and Self-Employment Directive
- 1992 Pregnant Workers Directive
- **1996 Gender Mainstreaming Principle**
- 1996 Parental Leave Directive
- 1996 Second Occupational Social Security Directive
- 1997 Burden of Proof Directive
- **1997 Amsterdam Treaty, Art. 13**
- 2000 Racial Equality & Employment Equality Directives
- 2002 Implementation of Equal Treatment Directive
- 2004 Access to Goods and Services Directive
- 2006 Recast Directive
- 2009 Charter of Fundamental Rights (Art. 6 TEU)



Evolution of EU Gender Policy Models:

1. Equal Treatment 1970s-1980s

- Based on Art. 119, Rome Treaties
- had to be connected to the paid labor force
- Concept: based on liberal principle of equal rights and treatment → **“the same” (input)**
- Key objective: *de jure* gender equality
- equal rights & conditions by eliminating formal barriers
- **Soft Law** = Public policies: Directives, Action Plans, pilot projects, equal opportunities policies
- **Hard Law** = Court of Justice verdicts, inclusion in Treaties (1997: Article 13, Amsterdam Treaty)



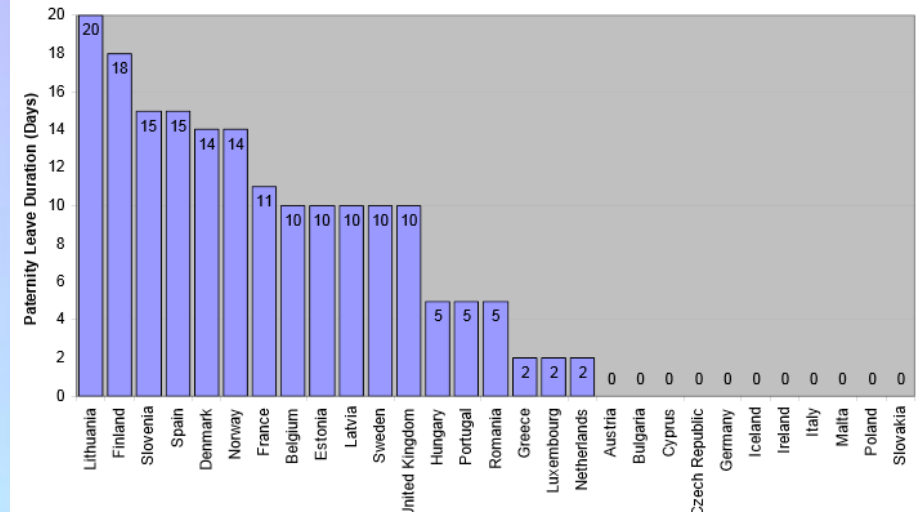
Positive (Affirmative) Action → 1980s-1990s

Equality of Outcome

- * Broader conceptualization of equality that considers *differences* between men & women
- * Key objective: secure equality of access to labor market by helping women overcome decades of exclusion from certain occupations
- * Supplementary policies to level the playing field: Action Programs, women-targeted training, “family-friendly” employment & leave options

Paternity leave provision

Statutory Paternity Leave EU27+ Iceland and Norway 2009



As of 2013, all EU workers have a right to at least four months of parental leave irrespective of their type of employment:

- * Leave can be taken full-time or part-time
- * can be taken in one block of time or in several blocks
- * can be taken for a shorter period with a higher benefit or for a longer period with a lower benefit
- * can be transferred to a non-parent
- * All or a part of the leave can be taken at any time until a child reaches a certain age
- * Both parents can take some leave at the same time
- * Other forms of flexibility such as additional leave in case of multiple births

3. Gender Mainstreaming (1996)

- Concept: recognizes broader gender differences determining the socio-economic status & family responsibilities of women/men
- Key objective: empower women, by Taking gender effects into account in *all policy domains, at ALL stages of the policy process* (equal participation in planning, formulation, decision-making, implementation, monitoring)

STILL MISSING:

4. Gender Budgeting

Gender Mainstreaming of the European Commission for its Proposals

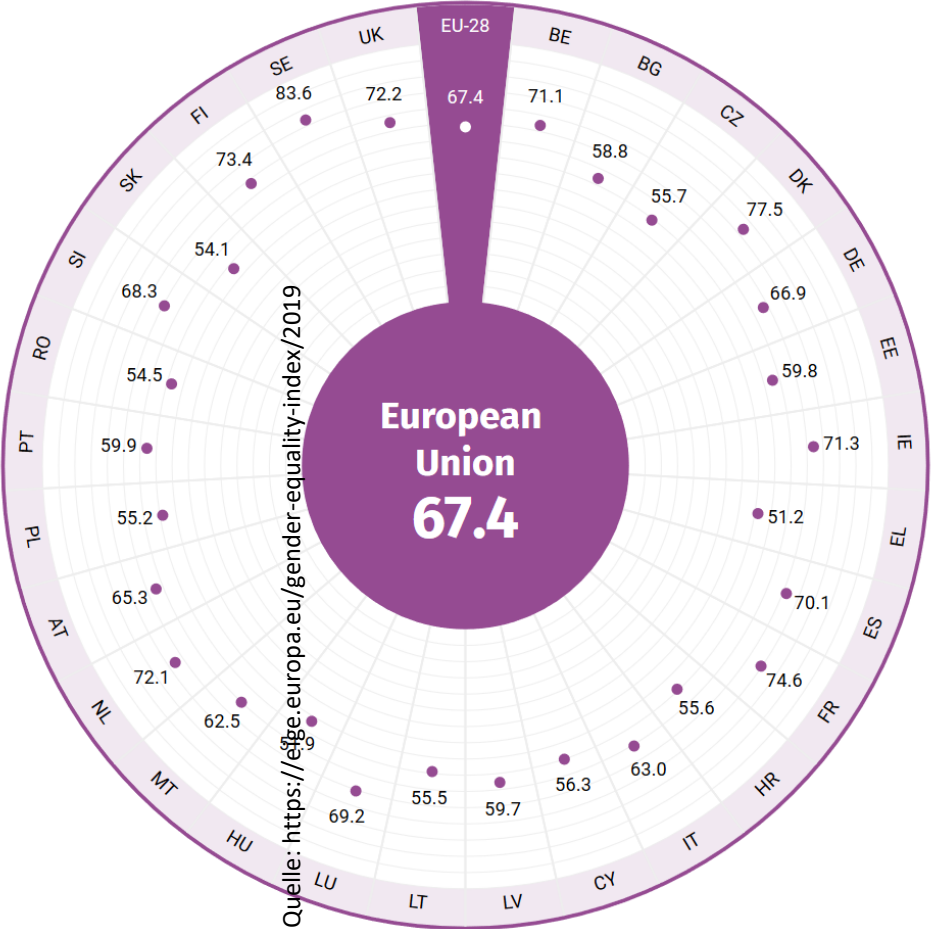
Steps	Requirements
Step 1 Evaluation of gender relevance	requires sex-specific data Q1 Does proposal concern one or more target groups? Does it affect every-day life? Q2 Are there differences between men and women in this sector? If answer to either Q1 or Q2 is YES, then there is a gender component and systematic gender impact assessment is necessary
Step 2 Gender impact assessment according to several criteria	Criteria for gender impact assessment, e.g. <ul style="list-style-type: none">- participation- resources- norms and values influencing gender roles- legal rights and access to rights
Step 3 Implementation of results; GM of respective policy	How can the proposed policy contribute to eliminating gender inequalities and foster equal opportunities for men and women?

Still far from the finish line...



European Institute for Gender Equality

Index score for European Union ▼ for 2019 ▼



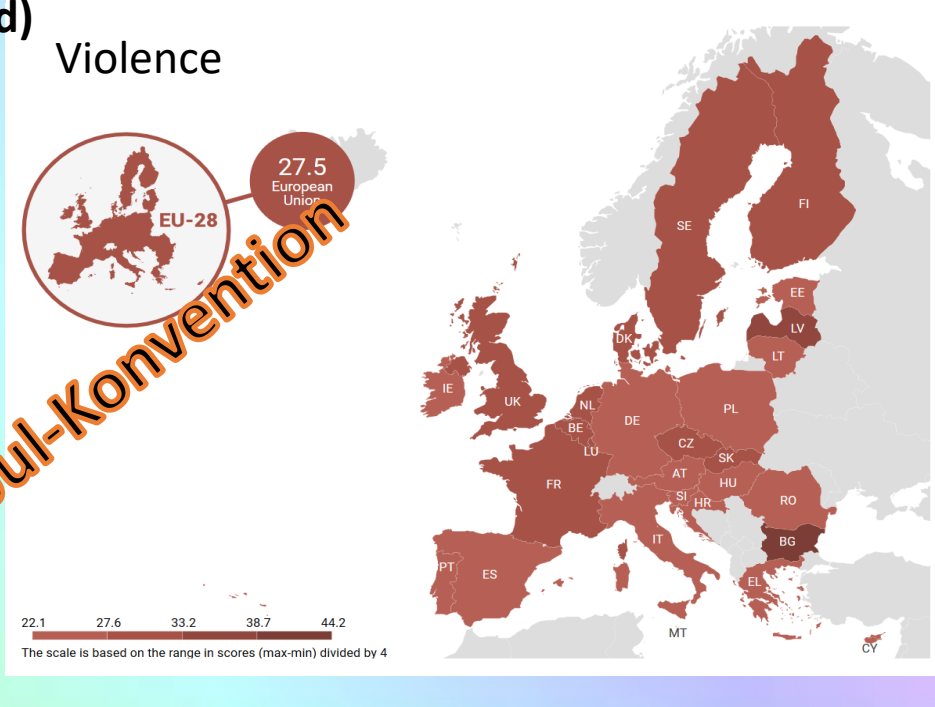
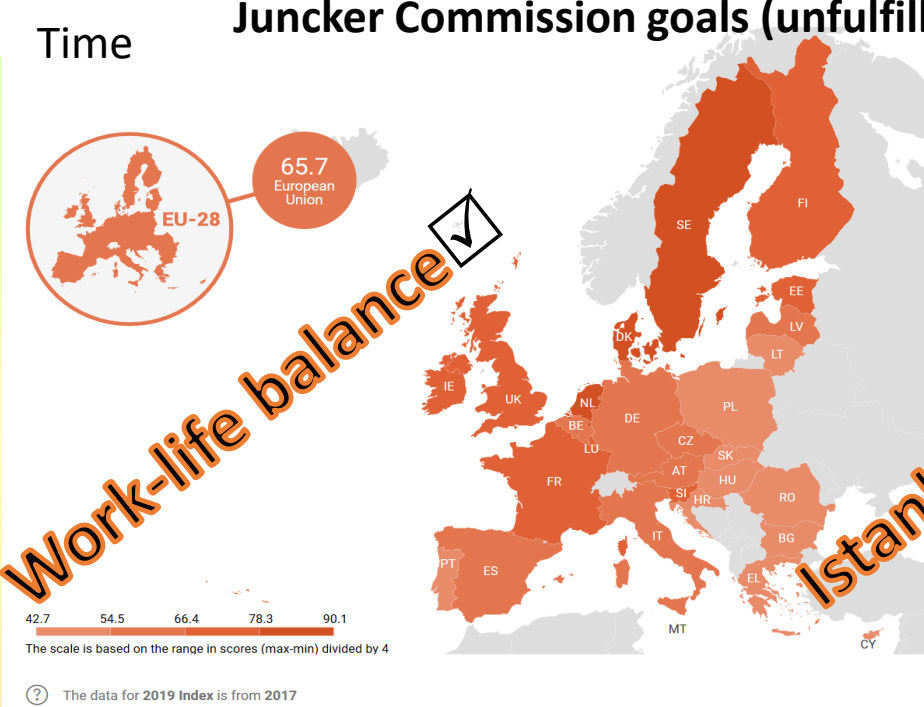
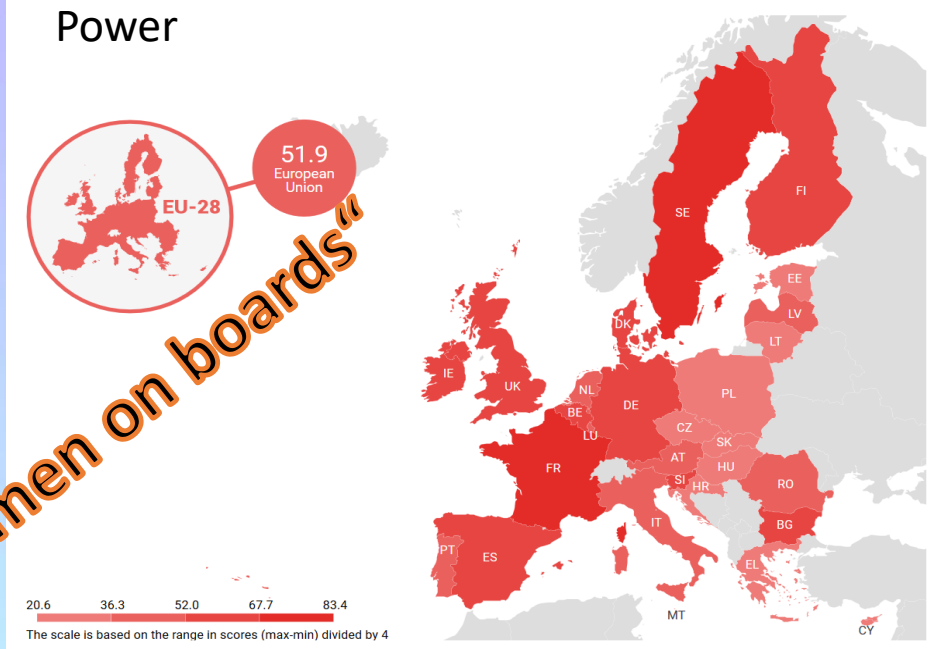
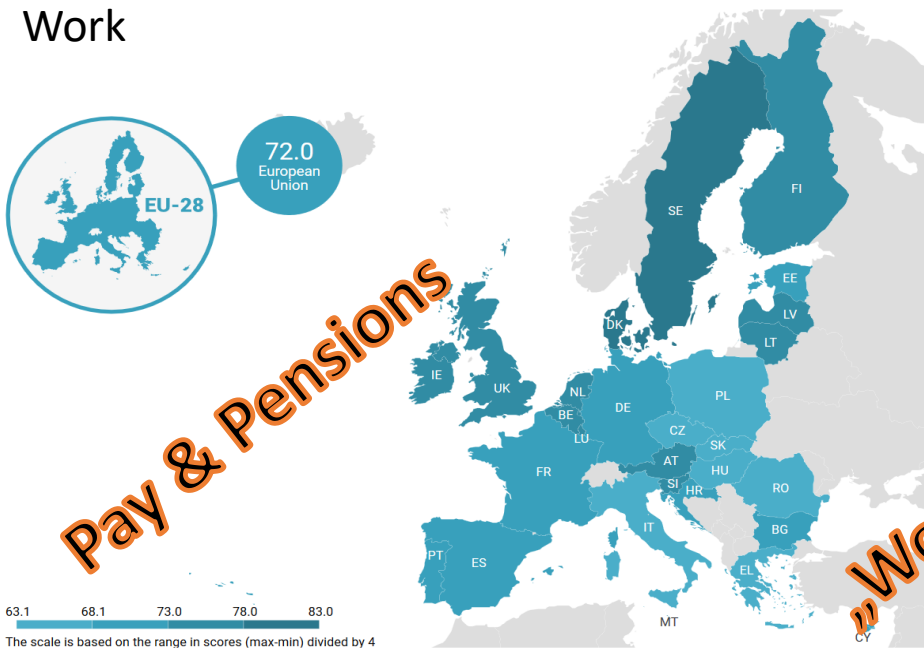
Quelle: <https://eige.europa.eu/gender-equality-index/2019>

The data for 2019 Index is from 2017



See EU-28's performance in work-life balance

Juncker Commission goals (unfulfilled)





Gender Equality Strategy Goals under Commission President Ursula von der Leyen, 2020-2025

- 1) employ a dual approach, combining women-targeted measures, gender mainstreaming & intersectionality
- 2) combat gender-based violence, sexual harassment, female genital mutilation, forced marriage, compulsory abortions or sterilizations
- 3) eliminate gender stereotypes; bolster women's participation in the arts, media & Artificial Intelligence domain.
- 4) mainstream gender in public administration, state budgeting & financial management; end financial disincentives for second earners in taxation & social protection systems
- 6) ensure gender-equal participation in start-ups, innovation initiatives, management of private equity and venture capital funds
- 7) close the gender care gap, to free women for decision-making roles in business, industry and on corporate boards (40%)
- 8) reach gender balance (50%) at all levels of EU management by 2024, with quantitative targets for female appointments

Committee ¹⁵	Expected legislative initiative	Presentation (Quarter) ¹⁶	Assumed type of initiative	Impact Assessment Expected
Foreign Affairs (AFET)	European democracy action plan (N)	Q4 2020	New initiative	YES
AFET/ Human Rights (DROI)	Action plan on human rights and democracy (2020-2024) (N)	Q1 2020	New initiative	NO
AFET/ International Trade (INTA)	Signature and conclusion of the Agreement between the EU and the countries of Africa, the Caribbean and the Pacific (N)	Q3 2020	New initiative	NO ¹⁷
	Action Plan to fight tax evasion and to make taxation simple and easy (N)	Q2 2020	New initiative	YES
	Review of the Capital Requirements legislation (N)	Q2 2020	Existing legislation	YES
Economic & Monetary Affairs (ECON)	Proposal on Crypto Assets (N)	Q3 2020	New initiative	YES
	Review of the regulatory framework for investment firms and market operators, including the establishment of an EU consolidated tape (N)	Q3 2020	Existing legislation	YES
	Cross-sectoral financial services act on operational and cyber resilience (N)	Q3 2020	New initiative	YES
	Review of the Benchmark Regulation (N)	Q3 2020	Existing legislation	YES
	Uniform rounding rules (R)	Q4 2020	Existing legislation	YES
Employment & Social Affairs (EMPL)	European unemployment reinsurance scheme (N)	Q4 2020	New initiative	YES
Environment, Public Health & Food Safety (ENVI)	European climate law enshrining the 2050 climate neutrality objective (N)	Q1 2020	New initiative	NO
	8th Environmental action programme (N)	Q2 2020	New initiative	NO
ENVI/ECON	Just Transition Fund (N)	Q1 2020	New initiative	NO

Committee ¹⁵	Expected legislative initiative	Presentation (Quarter) ¹⁶	Assumed type of initiative	Impact Assessment Expected
ENVI/Internal Market and Consumer Protection (IMCO)	Empowering the consumer for the green transition (N)	Q2 2020	New initiative	YES
	Commission Proposal to review Directive 2002/65/EC on the distance marketing of consumer financial services (R)	Q4 2020	Existing legislation	YES
	Revision of the General Product Safety Directive 2001/95/E (R)	Q4 2020	Existing legislation	YES
	Revision of the EU Battery Directive (R)	Q4 2020	Existing legislation	YES
ENVI/Transport and Tourism (TRAN)	ReFuelEU aviation (N)	Q2 2020	New initiative	YES
	FuelEU maritime (N)	Q2 2020	New initiative	YES
Women's Rights & Gender Equality (FEMM)	Binding pay transparency measures following European gender equality strategy (N)	Q1 2020	New initiative	YES
IMCO	Review of the NIS Directive (N)	Q2 2020	Existing legislation	YES
	Proposal on customs single window (N)	Q3 2020	New initiative	YES
	Consortia Block Exemption (Commission) Regulation (R)	Q2 2020	Existing legislation	NO
	Targeted modification of the General Block Exemption (Commission) Regulation (R)	Q3 2020	Existing legislation	NO
	Follow-up to the White Paper on artificial intelligence (N)	Q2 2020	New initiative	YES
Industry, Research and Energy (ITRE)	Common chargers for mobile phones and similar devices (N)	Q3 2020	New initiative	YES
	Review of the Roaming Regulation (N)	Q4 2020	Existing legislation	YES
	Revision of the Trans-European Energy Networks (TEN-E) Regulation (R)	Q4 2020	Existing legislation	YES
	Proposal for additional measures on critical infrastructure protection (N)	Q4 2020	New initiative	YES

VON DER LEYEN'S GENDER EQUALITY PROMISES: “EQUALITY FOR ALL, AND IN ALL SENSES...”

- 1) “Balanced participation of women and men” in the Commission/Cabinets
- 2) Equal pay and binding “pay transparency” rules (fair minimum wage)
- 3) Tougher anti-discrimination legislation (intersectionality, work-life balance)
- 4) Achieving gender-balance on company boards (economic decision-making)
- 5) Embedding the criminalization of domestic violence in the EU Treaty
- 6) Protection of all minority groups (Youth Guarantee, poverty mitigation, constitutionalizing the European Social Pillar; European Cancer initiative)
- 7) Fair taxation (“everybody pays”)

EU COMMISSIONER FOR EQUALITY HELENA DALLI: MISSION STATEMENT

- * **strengthen Europe's commitment to inclusion and equality in all of its senses, irrespective of sex, racial or ethnic origin, age, disability, sexual orientation or religious belief....**
- * **lead the fight against discrimination** wherever it exists, through new anti-discrimination legislation....
- * **direct EU implementation** of the UNs Convention on the **Rights of Persons with Disabilities....**
- * **implement a new European Gender Strategy**, including **proposals on pay transparency.**
- * **work with the Member States to promote the Women on Boards Directive (40%) and ensure full implementation of the Work-Life Balance Directive.**
- **crack down on gender-based violence and offer better support for victims,** adding violence against women to the list of **EU crimes.**
- * **work closely with the Commissioner for International Partnerships to empower women and girls,** exchanging best practices and **ensuring coherence in external and internal policies.**



