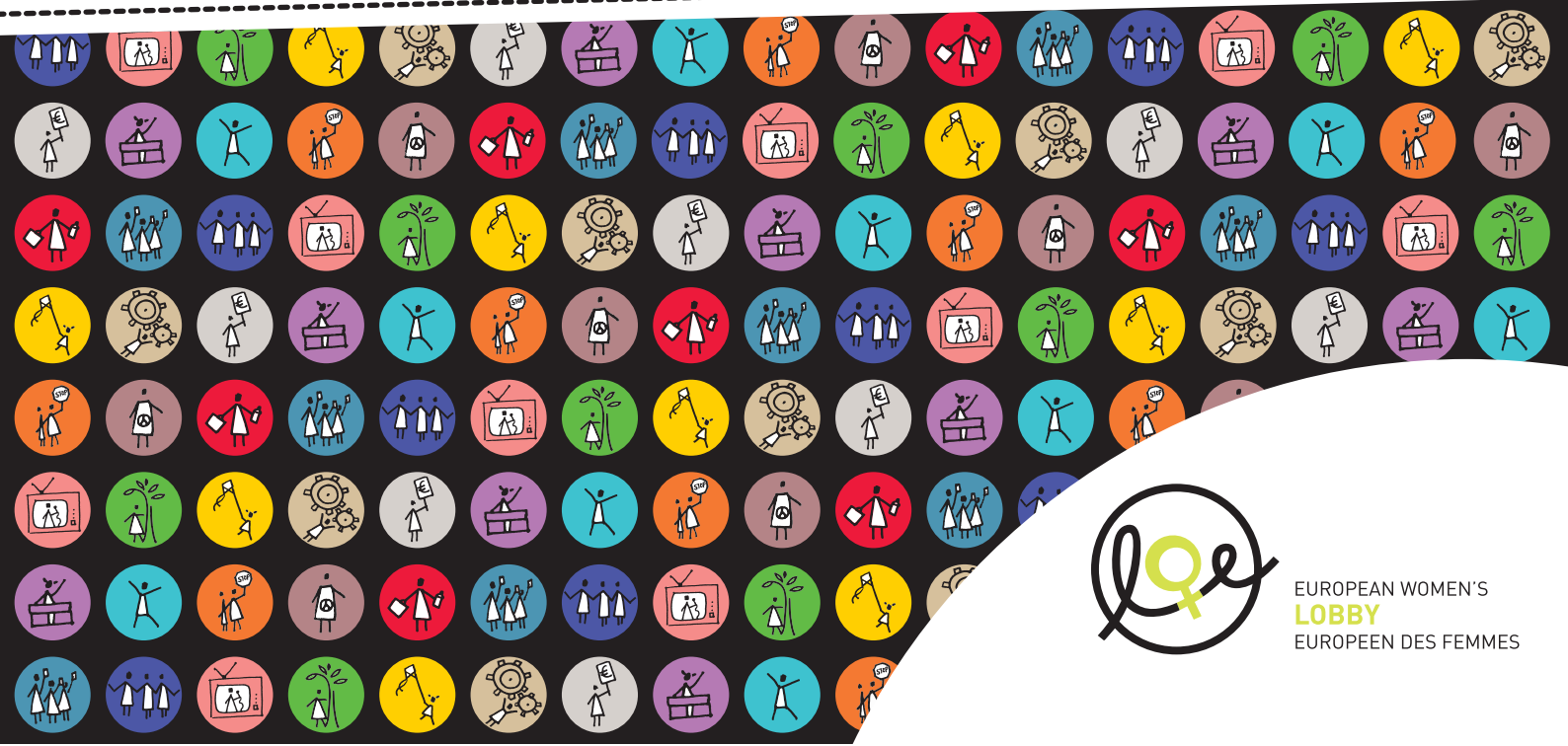


FROM BEIJING ♀ BRUSSELS

AN UNFINISHED JOURNEY

THE EUROPEAN WOMEN'S LOBBY BEIJING+15 REPORT ON THE ACTIVITIES OF THE EUROPEAN UNION



EUROPEAN WOMEN'S
LOBBY
EUROPÉEN DES FEMMES



> BRU-2010 // PEK-1995 > BRU-2010 // PEK-1995 > BRU-2010 // PEK

**THE EUROPEAN WOMEN'S LOBBY (EWL)
IS THE LARGEST UMBRELLA ORGANISATION OF WOMEN'S
ASSOCIATIONS IN THE EUROPEAN UNION (EU), WORKING
TO PROMOTE WOMEN'S RIGHTS AND EQUALITY BETWEEN
WOMEN AND MEN. EWL MEMBERSHIP EXTENDS
TO MORE THAN 2500 ORGANISATIONS IN ALL EU MEMBER
STATES AND CANDIDATE COUNTRIES,
AS WELL AS TO EUROPEAN-WIDE ASSOCIATIONS.**



Introduction

The European Union and Beijing+15

Fifteen years have brought major changes to the European political arena, but in terms of meeting the commitments for women's rights and gender equality made in Beijing in 1995, the journey undertaken by the European Union (EU) and its Member States remains unfinished. The United Nations' (UN) Fourth World Conference on Women in Beijing in 1995 demanded 'Action for Equality, Development and Peace'. This resulted in the adoption by 189 States of the Beijing Platform for Action (BPfA), a document which continues to provide a solid and shared framework for the work of women's rights activists around the world today. In Europe, although the EU as such is not party to this agreement, all 27 EU Member States are signatories. Furthermore, equality between women and men is one of the founding values and objectives espoused by a Union which celebrated 50 years in 2007. The full and effective implementation of the BPfA is fundamental to the legitimacy of the European Union, both in the eyes of its peoples, and increasingly, as the EU seeks to expand its field of action and influence, in the eyes of the world.

Since 1995 the EU has grown from 15 to 27 Member States, with the latest accessions being those of Bulgaria and Romania in 2007. This increasing diversity has had a significant impact on the structures and policies of the EU, including as regards gender equality. At the same time, it has vastly increased the reach of the Union, which today counts some half a billion inhabitants. The Union has also developed politically, with an ever-growing number of competences being ceded to the supranational level. In this respect, equality between women and men is a strong competence of the EU, in particular equality in employment for which an extensive body of legislation has been developed. More generally, according to its Treaties, the EU has a duty to fight against sex discrimination and promote equality, and to integrate a gender equality perspective into all its activities. After the rejection of the Constitutional Treaty in referenda in France and the Netherlands in

2005, structural reform was finally achieved in December 2009 with the coming into force of the Treaty of Lisbon. These developments have allowed the EU to play an increasingly active role across all policy fields, including promoting equality between women and men.

Over the last five years, the European Union has taken a number of steps which further its compliance with the BPfA, including the adoption of a framework action programme in the form of a five-year Roadmap for Equality between Women and Men adopted by the European Commission in 2006, and a Gender Pact adopted the same year by the Council. Potentially significant steps were also taken by the founding of a European Institute for Gender Equality, which became operational in December 2009; and the signature of the Lisbon Treaty, which enhances the scope of gender mainstreaming, contains a horizontal clause on anti-discrimination and puts the Charter of Fundamental Rights on a par with the Treaties in terms of legal value.

This report highlights a number of targeted steps the EU has taken which address certain elements of the 12 critical areas of concern identified in Beijing. Nevertheless, a critical analysis also identifies a number of significant weaknesses and gaps, both in terms of processes and policies. Some of the recurrent shortcomings relate to the lack of comparable data across the EU, the lack of targeted financial resources, targets and indicators, problems of coordination between the national and EU levels and gaps in the implementation of gender mainstreaming. Furthermore, there are areas of concern which are largely neglected at the European level, in particular media policies, the environment, education, health and the girl-child.

In 2010, the EU takes stock of the progress made across the 12 critical areas of concern identified at the Beijing Conference. 2010 also marks the expiry of the current Roadmap for Equality between Women and Men and of the EU's framework Lisbon Strategy for economic and social policies. Utilising its strong

competence on gender equality and the new tools at its disposal, the Union must review, reassess and re-launch its women's rights and gender equality agenda. The EU must also make further commitments for the full implementation of the BPfA, especially in areas where gaps remain and in view of the EU's legal commitment to integrate a gender equality perspective throughout its policies. 2010 therefore brings with it an opportunity for the EU to articulate a bold strategic action plan, underpinned by both financial and human resources, in order to advance substantive equality between women and men.

Both new and persistent challenges for actors working to achieve effective equality between women and men exist at local, national, European and the global level. The most immediate and visible of these challenges is the financial and economic crisis, which has become a social crisis. The European Women's Lobby's strong and consistent message is that the crisis is gendered in both its nature and its effects and that, given this, it is all the more necessary to pursue and strengthen policies for the protection of women's independence, integrity and equality. It is vitally important that the pursuit of substantive equality between women and men is not considered a luxury to be addressed only in times of economic growth. It is a legal and moral imperative that must be fully and robustly reflected in all European activity in order to safeguard and build upon the gains women and society as a whole have made over the previous decades.



Executive Summary

Equality between women and men is one of the fundamental values espoused by the European Union (EU) and shared by its Member States. The 2010 European Women's Lobby (EWL) report on the implementation of the Beijing Platform for Action (BPfA) nevertheless shows that the track record of the EU in implementing the commitments made 15 years ago in Beijing is mixed, with significant challenges outstanding.

The situation of women in the European Union is extremely diverse; across the continent, women's experiences and needs, as well as the rights they enjoy, are far from homogeneous. All Member States of the European Union have undertaken steps to implement the BPfA, as shown by the Beijing+15 report drafted by the Swedish Presidency¹ as well as the reports drafted by the Member States themselves as part of the review at the level of the United Nations². Despite these steps, there are considerable differences in the approach and focus of national policies and legislation.

Since 2005 progress has been made at EU level regarding specific core gender equality policies. The *Roadmap for Equality between Women and Men 2006-2010* was a useful political framework for the work of the European Commission, and the *Gender Pact* adopted by the Council in 2006 was a positive commitment. However, the lack of specific resources for the Roadmap and the lack of definite targets and follow-up for the Pact undermined the efficacy of these strategies. More importantly, poor coordination between the national and the European levels on delivering concrete actions in relation to both the Roadmap and the Pact proved to be a major shortcoming. In terms of new legislation, some steps were taken, including the consolidation of different pieces of EU law on gender equality in employment.

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The gaps that remain concern areas that are not at all or not sufficiently covered by EU action: inadequate measures to ensure the full participation of women in all areas at all levels, including the equal representation of women and men in decision-making in the European Institutions; the absence of consistent policies to tackle all forms of violence against women; the lack of European commitment to address women's sexual and reproductive health and rights; and the lack of legal measures in relation to gender equality in education or the media. Additionally, this review shows that the compilation of both gender-disaggregated statistics and comparable data, and inclusion of the needs and situation of women in all policies (as required by the gender mainstreaming strategy introduced in Beijing and anchored in the European Treaties) remain challenging, in particular concerning media policies, education, the environment, the girl-child and health. These are also the areas of the BPfA which are often neglected at the national level, even though they should be central to any gender equality strategy. Finally, some issues have emerged which are not contained in the BPfA but which now require stronger action and attention at the European and national level. These include measures to tackle the multiple discrimination that many women face.

2010 is an important milestone for equality between women and men. It marks the end of a number of political commitments, strategies and processes of the past years. In addition to the Beijing+15 review these include the current *European Lisbon Strategy for Growth and Jobs* (which is a central element of the EU's economic and social policies) and the *Roadmap for Equality between Women and Men 2006-2010*. In reviewing, reassessing and re-launching its gender equality agenda, the EU must face up to significant challenges, notably the impact of the financial, economic and social crisis. The crisis makes protecting and reinforcing women's rights all the more necessary, while representing a window of opportunity for restructuring institutions, processes and practices, and changing behaviour. This opportunity should not be ignored or missed. It is crucial that gender equality is and remains a core guiding principle of all EU activity and that the gains women and society as a whole have made over the previous decades are protected and developed further.



¹Swedish Presidency of the Council of the European Union, *Beijing+15: The Platform for Action and the European Union*, 2009.

²United Nations Economic Commission for Europe, National answers to the Beijing+15 questionnaire, available at: http://www.unece.org/gender/National_Reports.html.



Women and poverty (and social exclusion)

The at-risk-of-poverty rate among women in the EU stands at 17%; it is higher than that of men and has not fallen over the last five years. Estimates that calculate individualised poverty income (as opposed to combined household income) show that women's poverty could be as high as 36% against 11% for men in situations of separation, divorce or death of a partner. Certain groups are particularly vulnerable to poverty and social exclusion, notably the elderly (22% at risk) where women form a majority and, on average, have lower pensions and savings than men; single parents, 80-90% of whom are women; and immigrant women, many of whom work in the informal economy. Homelessness among women is increasing in some countries. The persistent gender pay gap, lower employment levels, the lack of security of women's employment, lower social benefits and pension rights, violence, trafficking in women, and (multiple) discrimination all contribute to this gender dimension of poverty and social exclusion, which has been largely ignored by policy-makers.

In the EU, most social policies remain within the competence of the Member states, but EU action to fight poverty is possible by means of the Open Method of Coordination (OMC), strengthened in 2006. In 2008 the European Commission produced a *Manual for Gender Mainstreaming Social Inclusion and Social Protection Policies*, but has failed to show adequate political leadership and address the gender gaps within this area.

The EWL calls on the EU and its Member States to guarantee minimum income, individualised rights and social protection; recognise and address the gender dimension of poverty; and strengthen the European Social Model and the Social OMC.



Education and training of women

The European Union has no strong competence in the field of education and training. However, progress made in education and training represents one of the great achievements in terms of empowering women and girls in Europe. Today, there are more female than male graduates at all levels, including from tertiary education. Nevertheless, throughout educational careers, traditional stereotypes about girls and women's place within society and their capabilities persist. Moreover, the outcome of educational investments is not gender-neutral: women with few qualifications suffer more than men in a similar situation, and, across the board, women still earn significantly less than men and remain highly underrepresented in top positions, including in academia.

Despite awareness of the gender differences within educational systems and their outputs, with the exception of some rare and isolated examples, education and training policy processes rarely include a gender perspective within their programmes, analyses, evaluations, and proposals. Furthermore, existing EU policies, documents and programmes do little to address this situation. The explicit exclusion of the field of education from the scope of current European gender equality legislation is of considerable concern.

The EWL calls on the EU and Member States to ensure the application of a gender mainstreaming strategy in all education and training policies and programmes, and to pay due attention to demographic and economic trends by promoting lifelong learning. It is also crucial that, in the context of the review of the European gender equality legislation,³ the European Union fills the existing gap in scope between race and sex-based discrimination legislation and proposes new legislation prohibiting sex-based discrimination in education and the media.

³In particular Directive 2004/113 regarding gender equality in goods and services.



Women and health

Sex and gender impact differently on women and men's health and access to health care. For example, elderly women are more likely to suffer from poor health and lack of access to quality health care than their male counterparts. In addition to this, women have particular health concerns and needs, including their sexual and reproductive health and rights (SRHR).

The inclusion of a gender equality dimension in European health policies is not systematic. Although the European Commission's Action Programmes recognise gender as a health determinant, the EU health strategy does not take sex and gender health differences into account; gender mainstreaming is absent from Commission policy papers on health and fails to be applied in EU actions and programmes. Additionally, general European texts dealing with gender equality are weak on health issues. Finally, sexual and reproductive rights, subject to very uneven and often insufficient legislative protection across the Member States, are addressed in European external relations, but absent from internal policies.

The EWL calls on the EU to address the gender dimension of health and health inequalities uniformly and systematically, develop policies that specifically address women's health needs and guarantee their access to quality health care, including SRHR.



Violence against women

Gender-based violence continues to be the most fundamental and globally widespread violation of women's human rights, to which 45% of all women in Europe have been subjected. Male violence against women remains a major cause of death among women in the EU. The statistics speak for themselves: one in five women has been a victim of domestic violence, costing the EU an estimated 16 billion Euros in 2006, or one million Euros every half hour; 40-50% of women have been confronted with sexual harassment in the work-place; every year, hundreds of thousands of women are trafficked within Europe for sexual exploitation and up to half a million girls in Europe suffer or are threatened with genital mutilation. The production and sale of pornography entails and encourages violence against women. The protection of women from male violence varies widely from country to country, as do the services they can access.

No EU legislation exists on violence against women. Furthermore, the cooperation between Member States on this issue is very weak. The European Parliament and the European Commission have tried to deliver measures and recommendations on the issue (the main concrete current European action being the funding programme 'Daphne'), but support from the Council is difficult to obtain and there is no commitment to concretely implement the proposals, such as the 2002 indicators on domestic violence. More generally, these actions lack the necessary vision, strategy and clear political commitment to address and eradicate male violence against women. The fragmented way in which violence against women is addressed at EU level is leading to a de-politicisation of the issue.

The EWL calls on the EU and the Member States to commit to a strategy leading to a concrete EU Action Plan on eradicating all forms of male violence against women.





Women and armed conflict

Conflicts, wars and militarism are gendered processes and have a disproportionate impact on women and the girl-child. Sexual violence in conflict and post-conflict situations is one example of this.

Despite a number of EU reports and documents on this issue, no common standards exist for the conduct of EU military forces, including humanitarian aid workers, and women remain highly underrepresented in European peacekeeping and peacemaking processes.

The EWL calls on the EU and Member States to take concrete actions to implement United Nations Security Council Resolutions 1325, 1820, 1888 and 1889 on Women, Peace and Security in EU external and development policies and at a national level through targeted Action Plans. The European Union and its Member States must actively promote the equal participation of women in conflict prevention, management and conflict resolution and in post-conflict peace-building; place women's human rights at the core of donor policies for reconstruction and development; condemn all forms of gender-based violence in situations of armed conflict and in post-conflict societies.



Women and the economy

The economic independence of women is crucial to achieving equality between women and men. While women's employment rate in the EU has risen substantially over the last ten years and is close to the EU target of 60%, work patterns continue to reflect traditional gender roles: women are four times more likely than men to work part-time; the average hourly pay-gap in the EU stands at 17.4% and has not decreased over the last five years; the employment rate for women falls by 12.4 points when they have children under 12, while it rises by 7.3 points for men. Social protection systems continue to be based on a 40 to 45 years uninterrupted career model which rarely reflects women's working life patterns.

The EU has strong competence in employment and related labour-market social policies. In 2006, the EU consolidated the existing legislation in this field into a single text. New proposals have recently been made in advancing legislation on maternity and parental leave. In 2008, the Commission put forward a Renewed Social Agenda, identifying the gender pay-gap as a key area where intervention is necessary. Progress continues to be slow however in implementing the Barcelona childcare targets particularly for infants under 3 years, which hinders women's full participation in the labour-market. In 2007, the Council adopted *Common Principles of Flexicurity*, which refer to reconciliation of family and professional life but fail to place gender equality at the core of flexicurity policies.

The EWL calls on the EU and Member States to ensure de facto equality between women and men in employment; to shape the labour-market to mirror women and men's lives particularly in relation to sharing of responsibilities in paid and unpaid work; to ensure the development of an all-encompassing coherent socio-economic post-Lisbon Strategy which links gender equality, social inclusion, growth and jobs, the development of a care economy and the elimination of all obstacles to women's economic independence; to apply systematic gender mainstreaming in all socio-economic policies; and to ensure fully paid maternity and parental leave.



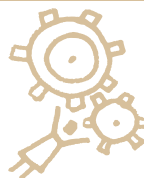


Women in power and decision-making

In 2009, no single parliament in the European Union showed an equal representation of women and men. The average is 23% and there has been very little progress over the last five years. The average representation of women in national governments is also 23%. Although only one of the four so-called 'Top Jobs' at EU-level is held by a woman, on the whole the EU Institutions perform slightly better than the Member States, with 35% women in the European Parliament and 33% women in the college of Commissioners. Beyond public institutions, it is also a concern that women are largely absent from board rooms and other socio-economic decision-making positions. The number of women presidents of Europe's largest companies has fallen from 4% to 3% since 2004. Progress in this field is slow, indicating resistance from the existing male-dominated power structure. Economic disadvantages, gender stereotypes, male-centred work-places and institutional practices, including within political parties, and glass ceilings are some of the reasons women are so underrepresented in decision-making.

Despite an EU acknowledgement of this situation, little concrete action has been taken. The EU Institutions have adopted only non-binding texts for equal representation. In terms of representation of women in the economic sector, the encouraging example of Norway regarding quotas on the boards of private enterprises is increasingly recognised, but has yet to translate into the adoption of similar measures elsewhere.

The EWL calls on the EU and Member States to adopt binding measures for the full participation of women in both political and economic decision-making, and reinforce these with measures to combat stereotyping and reconcile private and working life.



Institutional mechanisms for the advancement of women

Institutional mechanisms are the most effective way of promoting women's rights in the EU. Since 2004, European countries have either established or strengthened such mechanisms for equality between women and men. However, 2009 statistics showed a reduction in the resources devoted to such mechanisms in some countries, a worrying trend often wrongly justified by the financial crisis. Moreover, the implementation of gender mainstreaming, an important tool for institutionally promoting gender equality, has been piecemeal and problematic.

Since 2005 the Commission has created groups and networks to promote cooperation internally and with national gender equality bodies. In 2006, the European Institute for Gender Equality was founded to assist the European Union and Member States in the promotion of gender equality. Since 2006, a European Directive requires all Member States to create bodies for the promotion of equal treatment in employment. On the other hand, the analysis shows that both at national and European level, institutional mechanisms for gender equality often lack the necessary resources, authority and visibility to be fully effective.

The EWL calls on the EU and Member States to sustain and strengthen institutional mechanisms for the advancement of women, including at the level of the United Nations, and to implement gender mainstreaming and gender budgeting tools fully and coherently.





Human rights of women

The EU takes pride in its commitment to the respect and promotion of human rights, of which women's rights are an integral part. However, this commitment has so far been largely associated with external EU policies, as is the case regarding sexual and reproductive rights for example, which are not adequately guaranteed to all women throughout the Union. Gender-based violence is the most fundamental violation of women's human rights within the EU and beyond. The human rights of the EU's 64 million migrants and asylum seekers, an increasing proportion of whom are women (52.4%), are a particular case of concern, not least because migrant women are especially vulnerable to multiple discrimination and often lack the legal literacy necessary for the protection of their rights.

The EU has taken a number of initiatives to institutionalise and improve the protection of human rights in Europe since 2004. It signed the UN Convention on the Rights of Persons with Disabilities in 2006; opened a Fundamental Rights Agency (FRA) in 2007 and an Institute for Gender Equality in 2009; and launched a proposal for a new anti-discrimination Directive in 2008. In 2009, the Lisbon Treaty made the EU Charter of Fundamental Rights legally binding for all but three Member States who have regrettably been accorded opt-outs, and a new Commission portfolio was created for Fundamental Rights.

The EWL calls on the EU and Member States to make full use of the new human rights tools at their disposal in order to close the gaps that remain in the protection of women's human rights. This must include measures to ensure the implementation of gender mainstreaming including through immigration, integration and asylum policies; the elaboration of legislation and policies to tackle multiple discrimination; and the clear recognition of the sexual and reproductive rights of all women.



Women and the media

Women and the media remains one of the objectives of the BPfA which is most neglected by the EU and its Member States. Women suffer from a serious lack of visibility in the mainstream media: in Europe, there are four men for every woman who gets news coverage, women are central to a news story only 10% of the time, and only 32% of principal TV characters are female. Stereotyping as homemakers, victims and sex-objects is also widespread: adverts showing boys place them outdoors 85% of the time while those featuring girls place them inside the home more than half of the time; women are more than twice as likely as men to appear in the news as victims and they are more than twice as likely to be portrayed in (semi-) nudity.

The exception of cultural products to legislation on free movement of goods and services has severely hampered the application of EU anti-discrimination legislation in this field. A 2004 Directive concerning gender equality in access to and supply of goods and services specifically excluded the content of media or advertising. Some progress was made with the amendment in 2007 of the Television without Frontiers Directive to cover all audiovisual media services. This legislation calls on the Member States to ensure media services do not include or promote any discrimination based on sex; however, there is no evidence of implementation of this legislative piece.

The EU and Member States must ensure women's access to and participation in the media at all levels. The EWL calls on them to take concrete actions to combat stereotyping in media content and fill the existing legislative and policy gap to prohibit and effectively monitor discrimination based on sex throughout the media.



Women and the environment

Environmental policies impact directly on the health and living standards of individuals, and gender differences and inequalities combined with lack of sensitivity to women's particular needs mean that women often suffer disproportionately from inadequate policies in this area. Women and men have different patterns of work, consumption and use of transport, and studies show a gender-differentiated environmental impact, with women having a lesser environmental 'footprint' than men. All this provides evidence of the gender dimension of environmental issues, which needs to be taken into account for good policy planning and implementation.

Women are significantly underrepresented in decision-making in the environmental sector and the gender perspective is almost entirely ignored in the setting and implementation of environmental policies. Over the last 15 years, no single piece of legislation adopted at European level in this area has included a gender dimension. The recent EU initiatives on cosmetics, chemicals and biocides may nevertheless help to protect women consumers.

The EWL calls on the EU and Member States to systematically include women as actors in the sector and to integrate a gender equality perspective in all environmental impact analyses, legislation and policies; and, furthermore, to ensure that this environmental dimension is integrated into all other relevant policy, such as health and transport.



The girl child

Childhood is a gendered experience, and the needs and rights of the girl-child demand specific attention in the EU. In particular, the vulnerability of girl-children to gender-based violence, including sexual abuse, pornography and trafficking must be recognised. Girls in some communities are still considered inferior to boys. More broadly, girls are affected by stereotyping in media content and educational systems. Girl-children also have specific health concerns, for example regarding eating habits, cancer and sexual health.

In 2006, the European Union adopted its own Strategy on the Rights of the Child, but the gender dimension is absent from EU policy and legal documents on children, which reinforces the invisibility of the girl-child. In 2008, the Slovenian Presidency developed indicators on girl-children in the EU in relation to the BPfA.

The EWL calls on the EU and Member States to integrate the rights and perspectives of girl-children into policies and legislation relating to childhood, the rights of children and youth; to give due consideration to the specific vulnerabilities and needs of girls; and to use the 2008 indicators to monitor developments.

The road that still remains to be travelled before the Beijing Platform for Action (BPfA) is fully and comprehensively implemented in the European Union (EU) shows a lack of political will to follow through on commitments and deliver real progress on equality between women and men. The 2010 review of the BPfA's implementation in the EU shows progress in some areas, insufficient attention in others, and critical challenges ahead in relation to many issues. Equality between women and men is a fundamental human right and an end unto itself. This must be wholly reflected in all the policies and activities of the EU and Member States. The BPfA provides a comprehensive and robust framework within which to achieve gender equality, and its full and effective implementation must be considered to be a priority. The 2010 review represents an opportunity to build on previous work to allow for real progress in the realisation of women's rights and de facto equality between women and men in Europe and beyond.

CURRENT CHALLENGES

The EU currently faces a number of transversal challenges that impact on its implementation of the Beijing commitments and bring into question the progress that has been made over the last five years. How the EU will deal with these challenges will be central to its success in making effective progress towards realising equality between women and men.



Recognising and rectifying the gendered impact of the current financial, economic and social crisis

The current financial crisis has become an economic and social crisis. This recession is a potentially transformative moment in history, a moment of opportunity to reassert the fact that another vision of the world is possible, one in which the core values of the EU are essential including equality between women and men.

There is a strong gender dimension to the financial, economic and social crisis, both in its nature and in its effects.¹ The global crisis also impacts on women in other regions of the world with consequences on economies that depend on women's work and income, including remittances. Unfortunately, until now, initial evaluations of the crisis and subsequent recovery plans at different levels – European, national and international (G20) – have failed to acknowledge, understand, analyse and address the gender impact of the crisis. Constant denial of the gender impact of the crisis coupled with the exclusion of women as part of the solution runs the risk of returning to a 'business-as-usual' recovery strategy which, in the long term, will have detrimental consequences on the real lives of women, men, girls and boys as well as the environment in which we all live.

Equality between women and men is an objective of the EU enshrined in the Treaties and must therefore be an inherent part of all European and Member State recovery plans. This principle must be central to the transition towards a longer term holistic vision of the post-crisis era, including the direct involvement of women in financial and economic decision-making and of feminist economists in the definition and implementation of policies related to recovery.



¹ EWL and Oxfam UK, *The impact of the recession on women's poverty and social exclusion in the European Union: The invisible crisis*, February 2010.



Ensuring adequate funding for women's rights and gender equality

The financial, economic and social crisis impacts on the resources available for programmes and organisations seeking to advance women's rights and gender equality. Funding for policies, institutional mechanisms and women's organisations has always been a challenge. The level and regularity of resourcing, for example, has been the main factor contributing to the success or failure of institutional mechanisms for the promotion of women's rights or of the gender mainstreaming strategy. Financial resources, in particular core funding, are also central to ensuring a voice for women's rights organisations at all levels.

The crisis has already started to impact on the available resources for women's rights and gender equality in different ways. This includes cuts in public spending for the work of governmental and non-governmental actors on gender equality. It includes, as well, a foreseeable reduction in available resources from private organisations. Progress towards women's rights and equality also runs the risk of being jeopardised in an invisible way through cuts in social benefits and subsequent transfer of some of the care burden from the State to households, especially to women who remain the main carers. An example of this might be reduced public spending for childcare services.

The work of women's organisations and other bodies acting to further equality between women and men is essential and must be fully supported with strong resources. Measures to pursue substantive equality between women and men are moral and long-term social and economic imperatives. In times of vulnerability, assuring respect for fundamental rights is more important than ever.



Ensuring the centrality of equality between women and men in a context of increasing political shift towards policies of 'equality for all'

Recent years have seen increasing political, social and academic sensitivity to multiple forms of discrimination and inequality, particularly on the six grounds included in Article 19 of the Treaty on the Functioning of the European Union (TFEU). This has broadened the parameters of equality agendas towards embracing 'equality for all', including the recognition of multiple discrimination against individuals. This shift represents a significant opportunity to advance equality between women and men as it affords a greater appreciation of the differences in the identities, needs and experiences amongst women themselves. For example, it highlights the diverse situations of women in the workplace who are discriminated against not just because they are women, but also because they belong to specific vulnerable groups.

The pursuit of real change must begin with securing uniform legal protection against discrimination based on all grounds listed in Article 19 TFEU and ensuring that prosecutions against discrimination on multiple grounds can be pursued at both a national and a European level in order to address structural inequality. Key steps in this will be the adoption of a strong new anti-discrimination Directive on the grounds of religion or belief, disability, age and sexual orientation that will cover the legal gap left by the Employment Framework Directive, and the levelling-up of gender equality legislation based on the review of Directive 2004/113 on gender equality in goods and services.

However, in advancing an agenda of 'equality for all' two considerations are crucial. Firstly, anti-discrimination measures (ensuring equal treatment) must be recognised as constituting only a part of equality and equality policies. In

order to achieve substantive equality, changes must be made to structures, institutions and behaviours. The tools used to promote equality between women and men should include positive action measures, women specific funds, awareness-raising campaigns and gender mainstreaming. In pursuing 'equality for all' it is essential that the full range of tools are employed and new tools are developed, including a stronger gender mainstreaming perspective. 'Equality for all' must not be reduced to 'protection against discrimination for all'.

Secondly, it is vital that the focus on equality between women and men is neither lost nor diluted. This is especially the case in countries which have chosen an 'equality for all' approach in terms of legislation and institutional mechanisms and structures, such as equality bodies. The lack of resources for and invisibility of women/gender issues in some cases of 'equality for all' approaches have been highlighted in several countries. These matters need to be addressed and this includes maintaining and (re)establishing specific policies, measures and funds which have as their goal the promotion of women's rights and the realisation of substantive equality between women and men. Furthermore, all positive action measures for equality must be gender-sensitive.



Implementing gender mainstreaming as an effective tool for gender equality

Gender mainstreaming remains the most important framework tool for the realisation of equality between women and men and its full implementation must be prioritised. Despite the EU's legal and political commitment to gender mainstreaming, there is no evidence that this has been implemented either in the Member States, throughout the policy-making processes of all EU Institutions or across all areas of EU policy and activity. Although there are isolated examples of good practice, a broad evaluation across the EU highlights that in the few areas where gender mainstreaming is identifiable, it remains predominantly a practice of integrating women into existing institutions as opposed to challenging and transforming the institutions themselves so that they fully reflect the particular needs and situations of women. Furthermore, gender mainstreaming's goal of securing equality between women and men is at times eclipsed by an exclusive focus on the tools of mainstreaming. This very often results in a technocratic, 'tick box' approach to pursuing gender equality which excuses inequality between women and men if there is evidence of some mainstreaming tool having been employed.

The implementation of gender mainstreaming continues to be heavily dependent upon the political will of committed individuals and is therefore lost with their departure. The critical role that these individuals play in the EU is compounded by the lack of visible and well-resourced bodies with expertise in gender mainstreaming, which have sufficient institutional authority to be drivers of an effective and transformative strategy. It is essential that institutions have highly qualified, permanent members of staff who work to mainstream gender into all EU policy and action. This must be coordinated across institutional bodies. To substantiate the EU's



commitment to equality between women and men it is vital to dedicate significant financial and human resources to mainstreaming gender. This, however, has yet to take place and therefore remains a focal point for EWL monitoring and activity.

Finally, it is essential that the goal of equality between women and men is advanced through a dual strategy at all levels in the future. Gender mainstreaming can be efficient only when combined with specific measures and must not be used as an alibi for dismantling women-focused policies, programmes or funds.



Guaranteeing women's fundamental rights in the context of a political shift to conservatism

In its Beijing+10 report the EWL highlighted the movement towards political conservatism at the global, European and national levels that had started to slow down and limit progress towards gender equality. Over the last five years, this shift has intensified. The rise in prominence of socially and politically conservative forces in national and European legislative and governance structures over the last few years seriously risks undermining support for the achievement of substantive equality between women and men.

Firstly, widespread support for neo-liberal economic policies stressing market liberalisation, privatisation and competition has greatly increased the challenge the EU faces in reconciling its economic and social policy goals. In particular, the widening of the gap between rich and poor, the weakening of job security and reduced social protection and public services have a disproportionately negative impact upon the lives of women.

Secondly, beyond socio-economic policies, political and religious trends heavily influence the extent to which issues that are fundamental to assuring women's human rights are included on the European agenda. Of particular note is the fact that women's Sexual and Reproductive Health and Rights (SRHR) are currently not fully guaranteed within the EU. SRHR must be recognised as fundamental human rights which are integral to the health and wellbeing of individual women, families and society as a whole. Protection of women's SRHR must be integrated throughout the EU's international cooperation and assistance policies and programmes as well as internal policies in relation to public health, human rights, equality and anti-discrimination.

It remains a challenge for the EWL to ensure that the advancement of women's rights and equality between women and men are not subject to political and religious trends. Equality between women and men must be fully appreciated as a fundamental right.



UPCOMING PRIORITIES FOR ACTION

With these challenges in mind and in light of our analysis of the EU's performance over the last five years in implementing the BPfA, the European Women's Lobby calls on the European Union and its Member States to:

- Adopt a political declaration at EU level strengthening the commitment of Member States to the full and effective implementation of the Beijing Platform for Action (BPfA).
- Ensure that the 15-year review process of the BPfA at European and international levels results in progress for women's rights both in Europe and worldwide. This progress should and must be pursued in accordance with, and with political commitment to, the BPfA.
- Ensure the swift creation of a strong composite United Nations entity (combining policy and operational activities) focused on gender equality and women's rights, with adequate resources and under the direction of an Under Secretary-General.
- Ensure sufficient human and financial resources for internal and external policies and structures aimed at achieving equality between women and men at all levels in the governmental and non-governmental sectors, including for women's organisations and counteract the cuts/regression already observed in some Member States.
- Ensure the integration of a gender equality perspective in recovery plans and in new financial and economic architecture and policies, which means promoting structural changes including: introducing gender budgeting methods, binding measures for the equal representation of women and men in economic and financial decision-making and a strong gender equality priority accompanied by new targets (e.g. on the reduction of the gender pay gap) in the revised Lisbon Strategy.
- Adopt a strong new Strategic Action Plan for Effective Equality between Women and Men to replace the current European Commission Roadmap,² covering a broad range of areas and including specific measures, concrete targets, strong accountability mechanisms and a specific, adequate and increased budget. This should be accompanied by the endorsement of the new Strategic Action Plan by the Council of Ministers or by the adoption of a new more binding Gender Pact and regular monitoring at the national and EU levels.
- Ensure the prioritisation of gender mainstreaming as the key framework tool for achieving equality between women and men, and develop a gender mainstreaming implementing instrument (tools, structure and budget), to clarify and refine the Treaty obligation to mainstream a gender equality perspective, including gender budgeting, in all activities of the EU, especially in view of the coming into force of the Lisbon Treaty, which reinforces this obligation.
- Ensure consistent implementation of EU gender equality legislation throughout the EU: measures against the breach of harmonisation requirements should be accelerated and made public; and the European Commission should scrutinise not only the transposition of the Directives, but also put more effective mechanisms in place to hold Member States responsible for the implementation and public knowledge of legal measures at the national level.
- Bring forward an EU Action Plan and a legal instrument to concretely address all forms of violence against women, including prostitution and sexual exploitation, ensuring the prevention of such violence, the protection of victims and the prosecution of perpetrators.
- Actively address the uneven protection of women's sexual and reproductive health and rights across the European Union.
- Ensure all European and national policies take into account an intergenerational and intersectional perspective, including issues related to girl-children as well as reflecting the specific inequalities faced by different groups of women. The EU must ensure the integration of a strong gender equality perspective in anti-discrimination policies and legislation, as well as specific measures, including positive action measures, to tackle the multiple discrimination that many women face.

² For more details, see the EWL response to the EC consultation on the future of European gender equality policies, October 2009.