

5. Europe



5.1. The role of the European Union in the promotion of gender equality and the political empowerment of women



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Introduction

This chapter discusses the role of the European Union in the promotion of gender equality and the political empowerment of women. It covers both internal and external EU policies but is weighted towards internal policies for two reasons. First, the bulk of EU power to effect change in the area of gender equality lies in its internal policies, where it has both legal powers and greater resources. Second, the Sustainable Development Goals (SDGs), which are part of Agenda 2030, are universal and therefore apply to all EU Member States.

Universality provides an as yet unexplored opportunity for advocates and reformers to promote change within the EU, by assessing the implementation of the SDGs and comparing the situation within the EU to that of countries in other regions. The implementation of development goals in EU external policies—especially but not only its development policy—continues to be thoroughly analysed, whereas their use within the EU is a new area of advocacy and analysis. There is already debate and mobilization within the EU around the implementation of the SDGs relating to the environment, but little has been done when it comes to gender. On the other hand, the current context in the EU may not be conducive to progress, as the EU and European policymakers more widely struggle with a number of crises, such as the ongoing financial crisis, increasing nationalism and the erosion of democracy.

This chapter discusses the incorporation of gender equality into EU primary legislation and high-level political commitments; gender equality in the EU's core policies, especially on the EU internal market and anti-discrimination; EU strategies, most notably on gender mainstreaming; the roles of and responsibilities for gender equality policies; implementation of gender equality by financial means; and the EU in the world. It concludes with a description of gender-related achievements and challenges and makes recommendations applicable to the EU and other regional organizations based on the experience of the EU. It views political empowerment of women as one component of gender equality, that is, equality in the domain of political power. Thus, throughout the chapter, the shorthand

‘gender equality’ is used to refer to gender equality *including* the political empowerment of women.

Given the huge volume of material available on the subject, the chapter seeks to provide an overview by collating existing evidence. It does not go into detail but provides references for further reading. It focuses throughout on identifying the EU’s legal and political commitments and where the EU has signed up to international standards, but also on assessing implementation of these commitments through resource allocation mechanisms, initiatives, action, and support for the work of other implementers. It therefore covers EU practice as well as the EU’s principles and policies.

European Union commitments on gender equality

Legal basis, mandate and commitments

The Treaty of Rome established the EU as the European Economic Community (EEC) in 1957. Since then, EU primary legislation has been contained in a series of treaties and amendments to those treaties, generally known as ‘the Treaties’. From the beginning, it was established that the Treaties were not the same as ordinary international treaties. Instead, they have created a ‘new legal order’ in which the states that join—the Member States—cede part of their sovereignty to the EU. This is crucial for the question of gender equality because it means that, under certain conditions, commitments that appear in the Treaties have legal weight and are enforceable by states, EU institutions and—due to the doctrine of direct effect—EU citizens in national courts.

A commitment to gender equality appeared in the Treaty of Rome:

Each Member State shall . . . ensure and subsequently maintain the application of the principle of equal remuneration for equal work as between men and women workers. For the purposes of this Article, remuneration shall mean the ordinary basic or minimum wage or salary and any additional emoluments whatsoever payable directly or indirectly, whether in cash or in kind, by the employer to the worker and arising out of the worker’s employment. Equal remuneration without discrimination based on sex means: that remuneration at piece-rates shall be calculated on the basis of the same unit of measurement; and that remuneration for work at time-rates shall be the same for the same job (article 119, original, unamended version).

This commitment was implemented and enforced in the EU Member States and also provided the basis for the secondary legislation discussed below.

Explicit and broader commitments on gender equality appear in EU primary legislation from the Treaty of Amsterdam (1997) onwards, which also marked the incorporation into EU primary legislation of a set of explicit human rights principles and the concept of EU citizenship. The European Court of Justice (ECJ) argued that these principles were inherent to EU law from the beginning (i.e. from the signing of the Treaty of Rome in 1957). On gender equality as a principle, the Treaties now state that: ‘In all its activities, the Union shall aim to eliminate inequalities, and to promote equality, between men and women’ (article 8, Treaty on the Functioning of the European Union). In addition, ‘In defining and implementing its policies and activities, the Union shall aim to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation’ (article 10).



Key points

The key points to consider when discussing the legal basis of the EU's commitments on gender equality are therefore as follows:

1. A partial commitment to gender equality, which applied only to the workplace, appeared in EU law at its foundation in 1957. It constituted a progressive measure given the gender disparities in Europe at the time. It was soon established that EU law had supremacy over national law and that it would be enforced by the European Court of Justice (ECJ). This allowed gender activists to take advantage of the inclusion of equality.
2. The legal nature of gender equality commitments also meant that various enforcement mechanisms were created, including (a) binding secondary legislation on gender equality; (b) ECJ jurisdiction over gender equality and jurisprudence, which included passing binding judgments to ensure respect for EU law on gender equality; (c) a monitoring role for EU institutions, most notably the European Parliament and the Fundamental Rights Agency (FRA); (d) EU institutions/agencies specifically dedicated to gender equality; (e) resources from the EU budget for the implementation of commitments; and (f) a role for the European Commission in initiating policies and secondary legislation on gender equality.
3. Making the EU's commitments to gender equality more explicit in primary legislation in 1997 was important as it provided the legal basis for additional policies and actions to promote gender equality and potentially widened the scope for EU action to other policy domains.
4. The current framing of gender equality principles in EU law demonstrates the mainstreaming approach that the EU has now adopted: the promotion of equality and anti-discrimination apply in all policies and activities. It also provides for positive discrimination.

Core European Union policies: the internal market and anti-discrimination in employment

From the late 1950s until the early 1990s, the EU was primarily an economic union, a common market, where internal barriers to trade between members were removed and a common stance on trade issues towards non-members was developed. This meant that EU law concerned the functioning of the internal market—trade, employment and social security issues. Other policy areas were beyond the competence of the EU, so it did not have the legal right to act.

Throughout the 1960s, 1970s and 1980s, gender activists, the European Commission, the ECJ and the European Parliament worked to enforce and expand EU provisions on gender equality. Analysts of the era highlight the importance of alliances that brought together policymakers and civil society, including activists and researchers (Jacquot 2015; Mushanbe 2013).

In line with its institutional role as the initiator of legislation, the European Commission developed secondary legislation to promote gender equality using the provisions in the Treaties as its authority for doing so. The first piece of secondary EU legislation in this field was the Equal Pay Directive of 1975, which prohibited discrimination on the grounds of

gender in all aspects of remuneration. Ten other Directives followed between 1975 and 2000. EU Directives are legally binding instruments that EU Member States must implement by a set deadline in order to achieve the objectives set out, although they may choose the form that implementation takes.

2004 Gender Directive

A key recent piece of gender equality legislation was the 2004 Directive on implementing the principle of equal treatment between men and women in the access of goods and services (Directive 2004/113/EC), which EU Member States were required to implement by the end of 2007. Member States were also required to create or empower national equality bodies to monitor and support implementation. The great significance of the Directive is that it extended gender equality and anti-discrimination in EU *law* beyond the realm of employment for the first time, although the EU had issued policy statements in other areas. In 2015, the European Commission's first report on the implementation of the Directive found that it had been transposed into the law of all Member States and was being correctly implemented in 22 of them. The length of time it took for the European Commission to assess implementation was criticized by civil society and the European Parliament.

2006 Gender Directive

In 2006, the EU approved Recast Directive 2006/54/EC, which consolidated into a single text all of the EU's rules and case law on gender equality. In doing so, it replaced and repealed most of the earlier Directives. The Directive is based on three key principles: equal pay, equal treatment in occupational social security schemes, and equal treatment in access to employment, vocational training and promotion, and working conditions. A point of note is that under the Directive, in cases of discrimination at work the burden of proof continued to lie with the employer.

2012 Proposed Gender Directive

In November 2012 the European Commission proposed an anti-discrimination directive, which contained provisions on improving the gender balance of company boards registered in the EU. Initially, the Commission's draft suggested a quota of 40 per cent women as non-executive directors. The proposal proved highly controversial, and some Member States rejected it. In 2014, the Council of the EU (i.e. the EU Member States) redrafted the proposal to remove the quota requirement but could not agree on a final version as some Member States preferred the original provisions on quotas. In December 2015, the draft proposal was again on the Council agenda but still no agreement could be reached.

In addition to these legal provisions, the EU has made multiple policy commitments on gender equality, produced by the various EU institutions. Many of these commitments are non-binding, although in some cases they lead to the development of legal initiatives or funding commitments.

The inclusion of gender equality in the primary and secondary legislation of the EU has meant that the ECJ has played a role in interpreting and enforcing legal provisions on gender equality, including in certain seminal judgements that demonstrate both the progressive approach of the ECJ on gender equality and the centrality of gender and anti-discrimination to EU law since its early years.



Key points

The key points to consider when discussing the core European Union policies on gender equality are, therefore, as follows.

1. Here the importance of the EU as a legal order is demonstrated. EU legislation is binding on EU Member States and there are consequences for non-compliance. Thus, gender equality commitments in these areas have legal weight and have led to a gradual transformation of the workplace, employment, professional development and career options within the EU. Numerous cases that rely on EU gender equality law have been brought to the ECJ and to national courts.
2. However, despite the significance of EU gender equality measures linked to the internal market, and the clever use of these measures by gender advocates and the EU institutions, their scope does not cover all—or even most—policy domains. There are policy commitments in other areas but they do not carry legal weight. A set of rights for women has been developed, and these rights are generally enforced in relation to women in the workplace and to some extent women as recipients of social assistance. In other domains of life—such as education, the justice system and the home—the EU does not have the same powers, which remain with or are shared with the national level.
3. The Gender Directive of 2004 marked an important departure as legislation extended beyond the employment sphere for the first time.

European Union strategies for gender equality

Many policy areas are a confusing mix of national and EU competences. Commitments on gender equality appear in many of these policy areas, but they have varying levels of significance depending on what power the EU has. Attempts have been made to mainstream gender equality in some policy areas, recognizing that it has been a European value since the Amsterdam Treaty; in other policy areas this is not the case.

Since the mid-1990s, the EU has followed broader international trends in gender equality by developing a two-pronged approach: specific policies on gender equality and the integration of gender equality into other policy areas—that is, gender mainstreaming, which calls for all EU policies to take into account the different situations of women and men. It is based on the belief that gender inequality is systemic, and results from the institutionalization of an unequal division of power. Thus, all institutions and policies will reflect and perpetuate gender inequality unless measures are taken to identify and mitigate inequality.

At the same time, under the Maastricht Treaty of 1992 (Treaty on European Union, TEU), the EU itself developed a broader scope. This meant that its powers extended beyond the internal market to cover new areas where the EU was either developing and implementing policy or playing a greater role in the coordination of Member States' own policies, including negotiating common positions when possible. The TEU gave the EU a stronger political identity, building on and spilling over from its economic and trade-based origins. Gender equality was included in some of the new policy areas from the beginning. For example, gender equality has been central to the EU's development policy.

As with other organizations and institutions, the Beijing Platform for Action influenced the EU, as reflected in the series of strategies on gender equality that the EU developed. The

first five-year strategy, the Community Framework Strategy on Gender Equality, 2001–05, covered equality in economic, social and civil life, equal participation and representation, and changing gender roles and stereotypes. Responsibility for implementation was allocated to the European Parliament, the Council of the European Union and the European Commission. Civil society (including non-governmental organizations, academics, trade unions and business associations) would be active in monitoring, supporting, criticizing and providing expertise to the EU. It was followed by the Strategy for Equality between Women and Men, 2010–15. Both strategies contained a monitoring mechanism in the form of an annual report, prepared and presented by the European Commission.

In these strategies, the emphasis shifted towards the equality of men and women outside the field of employment. New areas were analysed from a gender perspective, such as trade and globalization, EU enlargement, fisheries, and asylum and refugee policy.

The European Commission's continuous evaluation of the 2010–15 strategy showed that 'it has added value in a number of areas, especially in relation to agenda-setting and learning, by providing a valuable framework for gender mainstreaming'. More objectively, public consultation and the opinions of all EU institutions demonstrated strong support for a new strategy after 2015, indicating that it had been considered valuable.

Strategic Engagement for Gender Equality 2016–2019

In December 2015 the European Commission produced its new strategic document on gender equality, *Strategic Engagement for Gender Equality 2016–2019*. The document maintains the five thematic priorities that appeared in the previous strategy (with a limited reformulation), namely:

1. Increasing female labour market participation and the equal economic independence of women and men;
2. Reducing the gender pay, earnings and pensions gaps and thus fighting poverty among women;
3. Promoting equality between women and men in decision-making;
4. Combating gender-based violence and protecting and supporting victims; and
5. Promoting gender equality and women's rights across the world.

As with the previous strategies, the priorities go beyond the traditional domain of employment to cover decision-making, sexual violence and EU external affairs. Implementation is by legislative, non-legislative and financial means.

In addition to the five thematic priorities, gender mainstreaming is included in section four of the document, and is defined as 'integrating a gender equality perspective into every aspect of EU intervention (preparation, design, implementation, monitoring and evaluation of policies, legal measures and spending programmes) i.e. gender mainstreaming'. Mainstreaming also includes 'incorporating gender-equality considerations in impact assessments and evaluation', for which the EU has developed a tool. A report on gender mainstreaming in the European Commission is expected in 2017.

Responsibility for measures to influence the division of power in national parliaments, public administration and other institutions lies primarily with the Member States and non-state bodies, such as political parties—not the EU institutions. For the most part, the EU is confined to gathering data, and 'encouraging' and 'supporting' Member State actions. The situation within the EU institutions is complicated by the fact that many high-level



appointments are either made by Member States or subject to murky Member-State political deal-making. Political factors—nationality, party allegiance, connections and favours owed—all come into play, rather than merit or gender balance. For example, when the current College of Commissioners was being formed in 2014, the European Commission President, Jean-Claude Juncker, pleaded with Member States to propose female candidates for ‘their’ Commission posts (each Member State provides one of the 28 Commissioners), not least because he had promised 40 per cent female representation in the 2014–19 Commission. In the end, only nine female commissioners were appointed (amounting to 32 per cent female representation).

Member States meeting in the Council have also highlighted the issue of decision-making and made commitments, such as those in their Resolution of 1996. These commitments generally do not have binding force, and thus also remain at the level of collectively ‘encouraging’, ‘urging’ or ‘supporting’ Member States to take the necessary action at the national level (Council of the European Union 2015).

Key points

The key points to consider when discussing the EU’s strategies for gender equality are, therefore, as follows:

1. The EU’s *Strategic Engagement for Gender Equality 2016–2019* has considerable merit. At 14 pages plus annexes, it is short and the text is clear and comprehensible. It contains five distinct thematic areas and there is a list of objectives and actions for each thematic area. The annex lists the EU policymakers responsible for carrying out the actions and preliminary information on the funds available in the EU budget for gender equality measures.
2. The concerns of supporters of gender equality focused on the status of the document. EU policymakers and civil society had campaigned for the European Commission to produce a strategy that could be approved and endorsed by all relevant EU institutions. Instead, the document has the status of a European Commission Staff Working Document, and is described as ‘a reference framework for increased efforts at all levels’. When the document was presented at the Council in December 2015, a large number of Member States ‘stressed that a formal Strategy endorsed by the Commission was needed and expressed their disappointment in having received an informal working document instead’. In addition, many ‘felt that a new strategy covering the period 2016–2019 was essential for the promotion for gender equality and as a benchmark and guiding framework for national policies’ (Council of the European Union 2015). The European Parliament had also strongly supported a new strategy, as had the European Women’s Lobby (EWL), which argued that the new document should be a formal strategy to give it greater weight. The Parliament’s Committee on Women’s Rights and Gender Equality questioned the European Commission: ‘Why did the Commission not adopt a transparent and public communication for a “New Strategy for Gender Equality and Women’s Rights post-2015”, in line with its European and international objectives and agenda?’. It further asked: ‘Taking into account the views of civil society, as expressed through the public consultation, and those of the Advisory Committee on Equal Opportunities for Women and Men, as well as Parliament’s own position as expressed in its resolution of 9 June 2015 and the opinion of the EPSCO Council of 7 December

2015, can the Commission inform us as to when it will present its official strategy on gender equality?’ (European Parliament 2016).

3. The challenges facing the EU are not explored in depth and thus, for the areas that are most problematic, theories of change are unclear. For example, on decision-making, the reasons for the low levels of equality are not fully understood and it is not clear how the actions proposed by the European Commission will lead to change. In some cases, the objectives for the five thematic priorities are specific, quantifiable and include targets; in other cases, they do not.
4. There is a notable difference in the actions for areas that are covered by EU law and those which are not. The first two thematic areas cover employment, where the EU has legislative measures at its disposal. On combating violence against women, the EU has some legislative tools as some areas of justice fall within the EU’s competence, and it also has a strong role to play in raising awareness. The thematic priority on which least progress has been made, and which demonstrates the weakest potential for change, is thematic area three, promoting equality between women and men in decision-making.
5. The overall impact of gender mainstreaming as a strategy and its effectiveness compared to other approaches to gender equality has not been assessed—perhaps now is the time to do so. On the one hand, it is clear that gender is part of almost all EU policies and actions, in the sense that at least some analysis of the likely impact of policies on men and women is required. On the other hand, gender mainstreaming has turned gender analysis into a bureaucratic formality, which someone—often a junior staff member—has to add into all policies, documents and applications. Thus, gender mainstreaming in practice is far from the radical questioning of the unequal structures underlying policymaking and political decision-making envisaged at the time of the Beijing Platform for Action.
6. The European Commission rightly includes a target of ‘40% women in senior and middle management positions in the Commission by the end of 2019’. The baseline figures provided show that the current situation is 28 per cent and 32 per cent, respectively, which makes 40 per cent feasible. The following section shows that, for administrative positions in other EU institutions and for political positions, the situation is far worse. Comparative assessment could help to understand whether the relative success of the European Commission is a result of its commitment to gender mainstreaming.

Implementing gender policy in the European Union: roles and responsibilities

Putting policy into practice requires human resources—people and institutional structures responsible for the actions set out. There are numerous policymakers within the EU with some responsibility for implementation of the EU’s gender commitments. Since the introduction of gender mainstreaming, of course, it could be argued that all policymakers have a role to play. The most important among the institutional structures with specific responsibility for gender equality are discussed below.



The European Commission

The European Commission is the executive and the civil service of the EU. In certain respects, it has more powers than a traditional national civil service, most notably the right of initiative, or the right to launch initiatives on policies covered by EU law. The Commission is also responsible for defending and protecting the EU treaties. For gender equality, this means that it can launch initiatives and respond to requests from the EU Member States. It also means that it is responsible for ensuring the protection of the values of the EU as set out in the Treaties, and for implementation of EU policy in the areas where power has been transferred to the European level.

The College of Commissioners consists of 28 Commissioners, each nominated by an EU Member State. In the current College, which took office in 2014 for a five-year term, Vera Jourová, Commissioner for Justice, Consumer Affairs and Gender Equality, is responsible for gender equality. She has frequently stated that equality between men and women is one of her priorities. She is supported by the Directorate-General for Justice, Consumer Affairs and Gender Equality, which has a unit for gender equality and a unit working on equality legislation.

At the working level, the Inter-Service Group on equality between women and men brings together representatives of all Commission directorates, covering all policy areas. It meets twice a year and is primarily responsible for gender mainstreaming, by monitoring and guiding the integration of a gender perspective into all EU policy areas.

Recent developments

- Commissioner Jourová and her team have worked to support an agreement in the Council on the anti-discrimination directive.
- Preparation of the working document, *Strategic Engagement for Gender Equality, 2016–2019*, formed part of the European Commission's work in 2015.
- The unit for gender equality was previously located in the Directorate-General responsible for social and employment affairs, and some have questioned whether the move to the DG for Justice might lead to a change in approach to focus on the legal matters rather than the social dimension of gender equality (Jacquot 2015).
- The Inter-Service Group is considering whether to prepare a report on gender mainstreaming in the European Commission for publication in 2017.

The European Parliament

The powers of the European Parliament have gradually increased since the mid-1970s, to the current situation in which it plays a strong role in legislation, which includes providing amendments to legislation drafted by the European Commission and shared decision-making power with the Council in some policy areas. It also monitors the implementation of EU policy. These roles have enabled it and individual Members of the European Parliament (MEPs) to put forward numerous amendments to EU legislative proposals in support of gender equality, and to organize hearings and events on gender equality.

In addition, the European Parliament is now involved in the appointment of the team of 28 European Commissioners. It conducts hearings with nominees and has the power to reject the Commission as a whole at appointment stage and later by passing a vote of no confidence. It has used this power to demand a sufficient number of female appointees and

to question nominees about their position on gender equality. (In 2009, doubts about his commitment to gender equality, among other issues, contributed to the Italian government's decision to withdraw its nominee, Rocco Buttiglione).

The European Parliament's standing Committee on Women's Rights and Gender Equality, known as the FEMM Committee, has played a central role in supporting gender equality. It has wide-ranging responsibilities, including:

1. the definition, promotion and protection of women's rights in the EU and related EU measures;
2. the promotion of women's rights in third countries;
3. equal opportunities policy, including the promotion of equality between men and women with regard to labour market opportunities and treatment at work;
4. the removal of all forms of violence and discrimination based on sex;
5. the implementation and further development of gender mainstreaming in all policy sectors;
6. the follow-up and implementation of international agreements and conventions involving the rights of women; and
7. encouraging awareness of women's rights.

In 2015 its work covered the potential new EU strategy on gender equality, gender mainstreaming at the European Parliament, the rights of women refugees and asylum seekers, trafficking and many other issues (FEMM Committee 2015). It plays a role similar to any parliamentary committee: drafting amendments to legislation; monitoring implementation of policy; issuing opinions and reports; assessing mainstreaming efforts; holding hearings to gather evidence from experts; and questioning officials from other EU institutions in line with its role set out in the Treaties. The Committee has traditionally benefited from attracting committed and active members, including some men—most notably the former chair of the committee.

Recent developments

- In 2015 the FEMM Committee prepared an 'own initiative report' on the EU's strategy for gender equality after the 2010–15 strategy. Maria Noichl MEP took the lead in the preparation of the report. The report argued that a new strategy should include specific targets, a monitoring mechanisms to assess progress with implementation, greater incorporation of gender analysis and gender-related targets in assessments of individual member states (European Parliament 2013 ??).
- The Committee has continued to call for a new strategy rather than the informal working document that has been produced.
- The European Parliament is significantly expanding its research and analysis capacity, including work on assessing the impact of legislative proposals. This will provide opportunities for the promotion of gender equality.



The Council of Ministers

The Council of Ministers is the most important legislative body of the EU. It brings together the ministers from the Member State governments responsible for a particular policy area (e.g. foreign ministers meet in the Foreign Affairs Council). The Council gathering that focuses on gender equality is the Economic and Social Council, known as EPSCO. It can pass EU legislation on gender equality and request measures from the European Commission. It has made numerous recommendations and statements on gender equality.

Recent developments

- The EPSCO Council has requested that the European Commission prepare a new strategy on gender equality.
- The Council has yet to reach a decision on the anti-discrimination directive.

The European Institute for Gender Equality

Based in Vilnius, Lithuania, the European Institute for Gender Equality (EIGE) began work in 2010. Its purpose is ‘to contribute to and strengthen the promotion of gender equality, including gender mainstreaming in all EU policies and the resulting national policies, and the fight against discrimination based on sex, as well as to raise EU citizens’ awareness of gender equality’. It is an autonomous body of the EU, which means that it is an EU agency founded by the EU to meet EU objectives, and its governing regulations are part of EU law, but it operates with a level of autonomy, including in its recruitment of staff, decision-making and activities. Its main role is data collection and analysis, in line with its mission to become the ‘European knowledge centre on gender equality issues’. Its three strategic objectives for the next three years give a sense of its particular role in knowledge production:

1. To provide high quality research and data to support better informed and evidence based decision-making by policymakers and other key stakeholders working to achieve gender equality.
2. To manage all knowledge produced by EIGE to enable timely and innovative communication that meets the targeted needs of key stakeholders.
3. To meet the highest administrative and financial standards while supporting the needs of EIGE personnel.

Civil society

Most researchers attribute the development of EU gender equality policy in part to the role of activists throughout the history of the EU. Women’s rights organizations and individual campaigners have worked in alliance with the EU institutions—most notably the European Parliament and the European Commission—to drive forward policy and action.

The EU has a strong record of working with civil society, in part because the Treaties contain legal commitments on cooperation with civil society. In Brussels, where most of the EU institutions are based, civil society organizations working on particular issues are often organized into alliances or networks to enable collective advocacy. In some cases, the EU institutions support civil society networking—including through funding—in order to simplify cooperation. These networks can play various roles, such as presentation of joint

policy positions, the provision of expertise to the EU and representation of the interests of European civil society from across the EU.

In the domain of gender equality, the EWL (founded in 1990 with support from the European Commission) is the most important civil society interlocutor. It brings together 48 full member organizations, which are all either networks or platforms. It carries out two main types of activity: (a) lobbying at the EU level, including providing information to decision-makers to ensure that women's rights and a gender perspective are taken into account in policy and legislation; and (b) promoting the participation of women's organizations at the EU level and providing them with information.

Trade unions and business associations (or 'social partners') have also been involved in promoting gender equality, serving on expert groups and providing advice to the EU as well as campaigning. The European Trade Union Congress (ETUC) has a strand of work on gender equality, which includes campaigning to influence EU policy, for example, on improved maternity leave rights and the gender pay gap. It is also committed to gender mainstreaming in its own management.

The Fundamental Rights Agency

The Fundamental Rights Agency (FRA) is an EU body based in Vienna. Created in 2007, its role is to monitor the situation with regard to the fundamental rights listed in the Charter of Fundamental Rights of the European Union (CFR). The CFR was drafted in 2000 following inclusion of human rights in the Amsterdam Treaty, but only came into effect in 2009 as an annex to the Lisbon Treaty. The CFR lists the fundamental rights of all EU citizens and residents, and draws heavily on the European Convention on Human Rights (ECHR, see below). The chapter on equality contains an article on equality between men and women: 'Equality between women and men must be ensured in all areas, including employment, work and pay. The principle of equality shall not prevent the maintenance or adoption of measures providing for specific advantages for the under-represented sex' (article 23).

Following backtracking by the Member States, the legal effect of the CFR is unclear. It has the same legal status as EU primary legislation (i.e. the Treaties) but contains an article stating that it does not extend the competence of the EU. In practice, this means that the EU cannot legislate to give effect to the rights in the CFR except where it already has the power to do so, and individuals cannot take a Member State to court to enforce the rights in the CFR unless it involves a question of implementing EU law. Finally, the United Kingdom and Poland have a form of opt-out from the Charter.

The FRA does not investigate or get involved in individual cases. Its activities are primarily monitoring, analysis, the provision of expertise to the EU and Member States, and public communication: 'collecting and analysing data on fundamental rights with reference to, in principle, all rights listed in the Charter' and in particular the areas that fall within the scope of EU law. According to a 2013 Council Decision (No. 252/2013/EU) approving the FRA's Multiannual Framework for 2013–17, the thematic areas on which it focuses are access to justice; victims of crime; the information society; Roma integration; judicial cooperation; the rights of the child; discrimination; immigration and the integration of migrants; and racism and xenophobia. It explores gender equality within the framework of these topics. The FRA carried out a survey of violence against women in the Europe, which demonstrated the widespread nature of the phenomenon (see below).

The European Court of Human Rights

The European Court of Human Rights is a completely separate international organization responsible for the ECHR, which was signed by all the EU Member States as well as other



European countries. Discussion of the ECHR is beyond the scope of this chapter, except to note that the EU is preparing to accede to the ECHR, as set out in the Lisbon Treaty, effective from 2009. The lengthy process of accession has stalled due to a negative opinion by the ECJ on the legality of the proposed agreement.

Key points

The key points to consider when discussing roles and responsibilities for implementing gender policy in the European Union are, therefore, as follows:

1. As with all areas of EU policy, the implementation of EU policy on gender equality involves a complex constellation of institutions and agencies, as well as independent civil society. The EU has the resources within its institutions to develop and implement gender policy. There are also internal and external accountability mechanisms—institutions that act as checks and balances monitoring the actions of other institutions.
2. It is too early to judge the added value of the EIGE: it is clearly important to have specialized gender expertise at the EU's disposal and it has had an opportunity to prove its worth by producing resources that are of use to EU institutions and gender activists. On the other hand, the policy of decentralization means that the EIGE is based in Vilnius, far from the centre of EU policymaking. Like many of the agencies and institutes created by the EU, its status is ambiguous. It is not wholly independent but nor is it a core EU institution with a role in decision-making.
3. When the EU accedes to the ECHR, this may provide interesting opportunities for gender equality advocates. The rights in the ECHR are more explicit and comprehensive than the EU's current commitments. In addition, a non-discrimination article forbids discrimination on the grounds of sex in the enjoyment of the other rights and freedoms contained in the ECHR. EU citizens can already pursue cases against their country for violation of their rights. If the EU accedes, they will also be able to take a case against the EU, insofar as it has the competence or is responsible for the lack of realization of the right in question.

Funding for the implementation of European Union gender policies

Implementation involves moving from a set of principles to policy consisting of concrete commitments and plans, and then to practice: the actions. For the EU, the allocation of financial resources is a way to implement policy. In the EU and in the rest of the world alike, the EU is known as a donor—that is, as a provider of funds. It has an annual budget of EUR 145 billion, which is divided among different policies. The funds are received from the Member States which also decide on the overall amount of funding and the rough breakdown over the seven-year funding cycle. The current cycle is 2014–20. The largest area of spending is growth and economic development within the EU (46%), followed by agriculture, food and land (41 per cent).

The EU has taken preliminary steps towards gender budgeting by providing some figures on the funds used to support gender equality, which includes funding for specific programmes on gender equality and funding within broader programmes that have gender equality among their objectives and priorities.

Detailed legal instruments form the basis of the funding programmes. These set out the objectives of the programme, its priorities, the distribution of funds, eligible beneficiaries and so on. They are applied in conjunction with other relevant legislation, such as the EU financial regulations on how funds are disbursed and reporting procedures. To make it legally possible to support gender equality under a particular funding programme, it has to appear in the legal instrument for that programme. According to the EU's own analysis, in the period 2014–20, the following programmes allow support for the promotion of gender equality and gender mainstreaming, which means that they could potentially support such measures:

- European Structural and Investment Funds
- Asylum, Migration and Integration Funds
- Rights, Equality and Citizenship Programme
- Horizon 2020 Framework Programme for Research and Innovation
- Erasmus + (EU programme for education, training, youth and sport)
- Connecting Europe Facility (programme to co-fund trans-European network projects)
- Development Cooperation Instrument
- European Neighbourhood Instrument
- European Instrument for Democracy and Human Rights
- Programme for Employment and Social Innovation

In some but not all cases, funding is specifically earmarked for gender equality, because the programme includes gender equality objectives and indicators, as detailed in the following sub-sections. For full details, see the European Commission's *Strategic Engagement for Gender Equality 2016–2019*.

European Structural and Investment Funds

Approximately EUR 5.85 billion will be spent in 2014–20 on measures to promote gender equality. This includes around EUR 4.6 billion in European Social Fund spending programmed for gender equality, of which EUR 1.6 billion is under the 'equality between men and women in all areas, including in access to employment, career progression, reconciliation of work and private life and promotion of equal pay for equal work' investment priority chosen by 12 Member States. It also includes approximately EUR 1.25 billion from the European Regional and Development Fund programmed for investment in childcare infrastructure.

Rights, Equality and Citizenship Programme

Around EUR 440 million is allocated to the Rights, Equality and Citizenship (REC) Programme, which has nine specific objectives, including one on gender equality and another on preventing and combating violence against women, children and young people, and protecting victims and groups at risk. These two objectives currently account for around 35 per cent of REC funds (around EUR 154 million).



Development Cooperation Instrument

EUR 100 million will be committed to improving the lives of girls and women through the 2014–20 Global Public Goods and Challenges specific thematic programme. Of this amount, EUR 70 million is earmarked for the ‘gender, women empowerment and girls rights’ budget line, while EUR 30 million is earmarked for the ‘child well-being’ budget line, which will include EUR 18 million to tackle harmful practices such as female genital mutilation and child marriage. Gender equality will be mainstreamed in bilateral and regional geographical programmes. Examples include the Development Cooperation Instrument (DCI), covering Asia and Latin America, which will dedicate EUR 16–18 million to specific actions on gender equality, and the EUR 2 million Gender Equality Facility in Albania.

Horizon 2020

Gender equality is promoted in three ways under Horizon 2020. First, gender balance is encouraged in advisory groups (50 per cent target) and evaluation panels (40 per cent); data on this measure will be published in Horizon 2020 monitoring reports. Second, grant beneficiaries are encouraged to aim at gender balance and equal opportunities in research teams engaged in projects. Third, a gender dimension is promoted in research content, taking account of women’s and men’s biological characteristics and social/cultural factors. Within the Science with and for Society Work Programme 2014–17, a budget of about EUR43 million will be allocated to projects that promote awareness and the implementation of gender equality in the research system and research organization.

Key points

The key points to consider when discussing funding for the implementation of gender policies in the European Union are, therefore, as follows:

1. While EU funding for gender equality is significant, recent longitudinal analysis shows that it is declining as a proportion of overall funding and in absolute terms (Jacquot 2015).
2. There are opportunities for advocacy in relation to financial provisions (see below).

Development, enlargement, neighbourhood and external affairs

The EU has been attempting to forge a role for itself in the world since the early 1990s, with mixed results. It is a major player in humanitarian assistance and development policy, although in terms of the latter it is widely—and often correctly—criticized for being a ‘payer not a player’, meaning that it is a donor providing funds rather than a political player seeking to influence the system.

Related to this point, the record of EU diplomacy or foreign policy is mixed. It has had some success with the launch of 25 crisis management missions, many of them small scale, and the use of instruments such as economic sanctions, but diplomacy and defence remain very much the preserve of individual EU Member States, which maintain their own policies and capabilities, including on most third countries (i.e. those outside the EU). It is not an area that has been significantly ‘Europeanized’. The EU’s enlargement policy has been successful but is now stalling, and is being questioned following a perceived retreat from democracy and lack of solidarity—most notably on the refugee issue—in certain of the

Member States that joined the EU in 2004 and 2007. The Neighbourhood Policy—the EU’s policy towards the states beyond its eastern and southern borders which it does not plan to integrate—has been widely criticized and has recently been revised.

In all areas of external action, the EU presents itself as a normative actor, meaning that it is committed to and seeks to promote a set of values. Gender equality is one of these values. Thus, its external policies all refer to the principle of and include measures to promote gender equality. In some cases, this is also part of wider policies on human rights.

In 2015 the EU adopted a new policy, Gender Equality and Women’s Empowerment: Transforming the Lives of Girls and Women through EU External Relations, 2016–20. It follows on from the Gender Action Plan, 2010–15 and contains objectives, specific actions and an allocation of responsibilities for delivery by the main EU actors in external affairs—the European External Action Service (EEAS), including the EU Delegations in third countries; the European Commission; and, to some extent, the EU Member States. The new policy covers four priority areas: (a) institutional culture shift in EU external relations; (b) girls’ and women’s physical and psychological integrity; (c) economic and social empowerment; and (d) voice and participation. The latter three priorities include cross-references to the SDGs, to which each will contribute.

Achievements and challenges

Fully understanding the impact of the measures described in this chapter on gender equality is a complex and probably impossible task. Some conclusions can be drawn, however, by looking at levels of inequality within the EU. Establishing causation between gender equality outcomes and EU policy is also challenging. However it is reasonable to assume that the EU’s gender equality policies—among other factors—have contributed in some way. Overall, deeper analysis of the reasons for lack of progress in problem areas would help to improve policy.

Despite some gaps, good data on gender inequality in the EU is available from a range of sources, including the Gender Equality Index (GEI) compiled by the EIGE; UN agencies’ work on gender equality globally, within which the data on Europe are adjudged sound (most importantly UN Women and UNDP); the International Monetary Fund; the FRA; academic research; the national statistical agencies of EU Member States (which have to be of a certain standard); and opinion polls, including the Eurobarometer surveys.

This section draws extensively on the European Commission’s databases and on the GEI, which provides a comprehensive comparative assessment of gender equality in the EU. However, the most recent data is from 2012, so the full impacts of the global financial crisis and the measures taken in response have not been captured.

On average, gender inequality is lower in the EU than in any other region. However, as the EIGE states, ‘gender equality remains far from a reality, with only marginal progress between 2005 and 2012’ (EIGE 2015). It estimates that women are only half way to equality with men.

The GEI captures levels of gender inequality by using indicators to compare the position of men and women. For example, in the domain of power, indicators include the number of men and women in parliament and the number of men and women on the boards of companies. In the domain of knowledge, one of the indicators is the literacy rate for men and women. For all measures, the scores for women are expressed as a percentage of the scores for men, so that if the score for women is 100 per cent that for men, there is equality. If the score for women is just 50 per cent of that for men (e.g. 150 seats in parliament compared to 300), the inequality rate is 50 per cent.

The GEI takes a set of indicators for every domain it covers—time, power, knowledge, work, money and health—and calculates a composite figure for the inequality rate in each EU Member State. Across all domains and all Member States, women were 52.9 per cent equal to men in 2015 (see Table 4.1). The Index shows that in 2010 women were 52.4 per cent equal compared to men in 2005, and thus progress appears to be stalling. While there is no sphere of life where men and women are equal, levels of inequality vary by domain and by country. The average figure for all domains by country ranges from Sweden, which has an overall score of 74.2 per cent, to Romania, which has an overall score of 33.7 per cent. The GEI also shows that inequality is increasing in eight countries. Inequality is lowest in the domains of health, pay and work, however, and there are positive trends in all three.

Table 4.1. Gender equality in the European Union across six domains

Domain	2005 (% equality)	2010 (% equality)	2015 (% equality)
Time	41.5	37.6	37.6
Power	31.4	37.9	39.7
Knowledge	52.1	49.1	49.1
Work	61.1	62.2	61.9
Money	64.1	67.0	67.8
Health	87.8	90	90
Overall	51.3	52.4	52.9

Source: European Institute for Gender Equality, Gender Equality Index, <<http://eige.europa.eu/gender-statistics/gender-equality-index>>, accessed 3 September 2017.

In the economic sphere the picture is one of progress despite continued inequality. The employment rate for women has risen to 62.5 per cent compared to 74.3 per cent for men and the gap is set to narrow further in line with EU targets—the EU’s Agenda 2020 strategy contains a target of 75 per cent for both men and women. The pay gap between men and women in the EU is significant but narrowing, down from 22 per cent in 2010 to 20 per cent in 2015 (adjusted for working time), meaning that on average women earn 20 per cent less per hour than men. One area that is gaining increasing attention is the pension gap. Due to unequal earnings over a lifetime, women’s pensions are 40 per cent lower than men’s, leading to a higher percentage of women in poverty among the retired population. This issue will grow in prominence given the EU’s ageing population.

Political empowerment of women

The figures from the GEI and from the European Commission’s databases on gender and decision-making show that political empowerment is a key problem for the EU. Women are significantly under-represented in positions of power across all the Member States and EU institutions (see Table 4.2). Key indicators of equality of power are the percentage of women in national parliaments, in government and in public administration. The European Commission also collects figures on other institutions, such as research institutions, NGOs and the media.

Table 4.2. Women in decision-making roles in the European Union

Average for all 28 Member States	Women (%)	Men (%)
National parliaments	28	72
Government (senior ministries only)	28	72
Senior positions in public administration (level 1)	31	69
Senior positions in public administration (level 2)	40	60
Positions in Member States' supreme courts	39	61
EU Institutions		
European Parliament	37	63
Leadership in EU financial institutions	10	90
Positions in EU courts	19	81
Senior positions in administration (level 1)	15	85
Senior positions in administration (level 2)	33	67

Note: Figures for senior positions in administration in EU institutions cover administrators in the European Parliament, Commission and Council.

Source: European Commission, 'Gender Equality', <http://ec.europa.eu/justice/gender-equality/index_en.htm>, accessed 15 January 2016.

These cumulative figures are useful but must be accompanied by in-depth analyses of the statistics for individual Member States, as the differences can be stark. For example, over 40 per cent of parliamentarians are women in Sweden (44%), Belgium (42%) and Finland (42%). At the other end of the scale, there are Member States where women make up 20 per cent or less of parliamentarians: Bulgaria (20%), the Czech Republic (20%), Ireland (20%), Slovakia (20%), Latvia (16%), Cyprus (13%), Malta (13%), Romania (12%) and Hungary (10%). When it comes to national governments, the contrast is similarly striking. While Sweden has an even split for male and female ministers in its government, and France (48% women) and Slovenia (47% women) come close, there are no female ministers in the governments of Greece, Hungary and Slovakia (see Table 4.3).

**Table 4.3. Gender balance in national governments in European Union Member States**

Member State	President	Prime Minister	Senior ministers	Women (%)	Men (%)
Belgium	—	M	14	4 (29%)	10 (71%)
Bulgaria	M	M	20	7 (35%)	13 (65%)
Czechia	M	M	17	3 (18%)	14 (82%)
Denmark	—	M	17	5 (29%)	12 (71%)
Germany	M	F	16	6 (38%)	10 (62%)
Estonia	M	M	15	2 (13%)	13 (87%)
Ireland	M	M	11	4 (27%)	11 (73%)
Greece	M	M	18	0 (0%)	18 (100%)
Spain	—	M	14	4 (29%)	10 (71%)
France	M	M	33	16 (48%)	17 (52%)
Croatia	F	M	21	3 (14%)	18 (86%)
Italy	M	M	16	6 (38%)	10 (62%)
Cyprus	M	M	12	1 (8%)	11 (92%)
Latvia	M	F	14	4 (29%)	10 (71%)
Lithuania	F	M	15	4 (27%)	11 (73%)
Luxembourg	—	M	15	4 (27%)	11 (73%)
Hungary	M	M	11	0 (0%)	11 (100%)
Malta	F	M	15	1 (7%)	14 (93%)
Netherlands	—	M	13	5 (38%)	8 (62%)
Austria	M	M	14	4 (29%)	10 (71%)
Poland	M	F	24	6 (25%)	18 (75%)
Portugal	M	M	18	4 (22%)	14 (78%)
Romania	M	M	20	7 (35%)	13 (65%)
Slovenia	M	M	17	8 (47%)	9 (53%)
Slovakia	M	M	15	0 (0%)	15 (100%)
Finland	M	M	14	5 (36%)	9 (64%)
Sweden	—	M	24	12 (50%)	12 (50%)
United Kingdom	—	M	22	7 (32%)	15 (68%)
Total	3F 18M	3F 25M	479	132 (28%)	347 (72%)

Notes: Current as of January 2016. F = female; M = male.

Source: European Commission, 'Gender Equality', <http://ec.europa.eu/justice/gender-equality/index_en.htm>.

Violence against women

In 2014 the FRA prepared a report on violence against women in the EU based on interviews by trained researchers with 42,000 women across the 28 Member States. Its work filled a gap as data on this issue was sparse and inconsistent across the Member States. Despite the existence of this new, collated information, it is likely that the phenomenon remains underreported. In addition, comparisons between countries can be methodologically challenging because the figures vary according to a number of factors identified in the report. These include whether it is socially acceptable to talk about violence, the overall level of gender equality (which increases levels of reporting), the approach and effectiveness of the criminal justice system and the overall level of violence in society. That said, the FRA's report received considerable attention. It shows that, despite the generally peaceful situation across the EU, levels of violence against women are high. The key findings are that:

- 33 per cent of adult women had experienced physical and/or sexual violence since the age of 15;
- 33 per cent had experienced physical and/or sexual violence as a child;
- 22 per cent had been subject to physical and/or sexual violence from a partner;
- 22 per cent had been subject to physical and/or sexual violence by someone other than a partner; and
- 5 per cent had been raped.

These rates are high given that EU territory, with a few exceptions, has not experienced conflict or a generalized break down of law and order.

Analysing all the information described above, it is possible to provide a summary of the EU's achievements. The EU has developed a solid body of law on combating gender inequality, which includes primary and secondary legislation and the jurisprudence of the ECJ. It has made numerous political commitments and expressions of support for gender equality, ranging from the highest to lower institutional levels and covering all EU institutions and policies. The EU has developed coherent strategies for the promotion of gender equality—including objectives, monitoring mechanisms and clarity on the allocation of responsibility for delivery—and has allocated significant financial resources to measures for the promotion of gender equality.

However, the following key points need to be considered when discussing these achievements:

1. Despite notable achievements, challenges remain and gender inequality is still a significant problem across the EU in most spheres of life. Political empowerment—equality in decision-making—remains the most serious problem but it is also the case that the EU and its Member States have not managed to adequately protect women against violence. In terms of violence and physical security, women are less vulnerable than in other regions. Nonetheless, protection for those who are vulnerable to violence in their domestic settings or in public spaces remain inadequate.
2. There are striking differences between the EU Member States when it comes to gender equality. Some are global leaders while others are way below the global average, particularly in certain domains such as political power. This illustrates a number of limitations. EU law and policy do not cover all policy areas. Many remain



national competences, meaning that the power and sovereignty remain at the member state level. However, even in the policy areas where the EU has competence or shares competence, it relies on the Member States to implement decisions and they do so to varying degrees. In addition, the EU Member States show varying degrees of commitment to gender equality and to implementing EU and their own measures.

3. Other limitations, such as the economics of gender inequality, require further exploration. The EU does not yet have a policy on how it will implement the SDGs. Other than references to supporting implementation elsewhere in the world, there has been little if any debate in EU policy circles on how the SDG might help improve gender equality in the EU itself, or on how EU Member States might implement SDG 5.
4. The domains where the EU is active, such as economic matters, health and education, show lower rates of gender inequality. In domains where the EU has a limited role, such as time and power, inequality is higher. That said, the disparities mentioned above show that while the EU makes a difference, the difference is not huge. All EU Member States are subject to the same legal and political requirements but there are significant differences in outcomes. While this could simply indicate that many areas of policymaking remain national, it is likely also to indicate that even where the EU plays a role, other factors also influence outcomes, including national politics but also culture and tradition. One factor highlighted by the GEI is wealth, as there is a clear and consistent correlation between GDP levels and levels of gender equality, although patterns of cause and effect have not been established.
5. It is imperative that the EU increase the percentage of women in senior positions across all its institutions. It has committed to doing so by 2019 but given the current disparity, the prospects are grim. The statistics for the EU institutions are worse than for EU Member States and rank among the lowest of any institutions globally.

Implementing Agenda 2030: the role of the European Union

After years of discussion and negotiation, a new set of development goals to replace the Millennium Development Goals was adopted in September 2015. The SDGs bring together development, human rights and environmental sustainability. Women's rights and equality between women and men form a standalone goal: SDG 5, to 'achieve gender equality and empower all women and girls'. Further decisions were taken in 2016 on the indicators for measuring progress, interim milestones to be achieved and organizational arrangement for states to reviews progress (see Table 4.4).

The adoption of SDG 5 provides the EU with opportunities to contribute to the promotion of gender equality both globally and within the EU. As universal goals, the SDGs apply to European states and, as such, provide an opportunity for advocates in the EU to advance their cause and compare the situation across Europe with that elsewhere in the world (Woollard 2014). Given the persistence of inequality in the EU, however, Member States should not approach the SDGs solely in terms of supporting their implementation in the context of external affairs. This will need to be combined with implementation in their own countries and an assessment of how Europe's 'internal' policies might hinder development in other regions.

The SDGs apply to states, in that states are the unit of analysis, the targets concern the situation within states, progress within states will be measured and states will be primarily

responsible for implementation. Nonetheless, there are a number of roles that regional organizations such as the EU could choose to play:

1. *Promoting equality within their own institutions.* For example, the EU institutions could start by ensuring equality in senior management positions.
2. *Directing implementation of the SDGs in terms of helping to meet targets where they have the power to do so.* For example, the EU has legislative power in certain policy areas. It can legislate to achieve SDG 5. Legislation, policies and strategies constitute implementation of point 5.1 and can contribute to meeting other aspects of the Goal.
3. *Preparing measures to be implemented by others.* In the EU, many gender equality measures are implemented by others. For example, its Directives are implemented by the Member States, and its financial measures are implemented by local and national authorities, international organizations, civil society and the private sector. It does have the power, however, to integrate SDG 5 commitments into these measures and to enforce them.
4. *Supporting Member State action.* In policy areas where regional organizations cannot oblige their member states to act, they may be able to support and encourage action through the facilitation of cooperation, information-sharing, monitoring, debate and the negotiation of commitments by states.
5. *Monitoring the situation in Member States.* Notwithstanding the sensitivity attached to the monitoring of states by regional organizations, it could be in the interests of Member States to outsource some responsibility to regional organizations' structures and agencies. For example, why should the EU Member States not take advantage of the existence and expertise of the EIGE by allocating it a role in compiling information on SDG 5?

Following final agreement on the indicators for the SDGs, the first steps will be to carry out a baseline assessment of the situation in different states, take decisions on the allocation of responsibilities for implementation and develop plans. It is beyond the scope of this chapter to provide a detailed analysis of the extent to which the EU and its Member States meet the different parts of SDG 5. However preliminary analysis is provided below. Table 4.4 sets out the components of SDG 5 and the proposed indicators, which have yet to be agreed (there is consensus on some but disagreement on others).


Table 4.4. Agenda 2030: Sustainable Development Goal 5 and its proposed indicators

SDG 5. Achieve gender equality and empower all women and girls	
Target	Proposed indicator(s)
5.1. End all forms of discrimination against all women and girls everywhere	5.1.1. Whether legal frameworks are in place to promote, enforce and monitor equality and non-discrimination on the basis of sex
5.2. Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation	5.2.1. Proportion of ever-partnered women and girls aged 15 years and older subjected to physical, sexual or psychological violence by a current or former intimate partner, in the last 12 months, by form of violence and by age group 5.2.2. Proportion of women and girls aged 15 years and older subjected to sexual violence by persons other than an intimate partner, in the last 12 months, by age group and place of occurrence
5.3. Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation	5.3.1. Percentage of women aged 20–24 who were married or in a union before age 15 and before age 18 5.3.2. Percentage of girls and women aged 15–49 who have undergone female genital mutilation/cutting, by age group
5.4. Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate	5.4.1. Percentage of time spent on unpaid domestic and care work, by sex, age group and location
5.5. Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life	5.5.1. Proportion of seats held by women in national parliaments and local governments 5.5.2. Proportion of women in managerial positions
5.6. Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action, and the outcome documents of their review conferences	5.6.1. Proportion of women aged 15–49 who make their own informed decisions regarding sexual relations, contraception use and reproductive health care 5.6.2. Number of countries with laws and regulations that guarantee women aged 15–49 access to sexual and reproductive health care, information and education
5.a. Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws	5.a.1. (a) Percentage of people with ownership or secure rights over agricultural land (out of total agricultural population), by sex; and (b) share of women among owners or rights-bearers of agricultural land, by type of tenure 5.a.2. Percentage of countries where the legal framework (including customary law) guarantees women equal rights to land ownership and/or control
5.b. Enhance the use of enabling technology, in particular information and communications technology, to promote the empowerment of women	5.b.1. Proportion of individuals who own a mobile telephone, by sex
5.c. Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels	5.c.1. Percentage of countries with systems to track and make public allocations for gender equality and women's empowerment.

Sources: UN Women, 'SDG 5: Achieve gender equality and empower all women and girls', <<http://www.unwomen.org/en/news/in-focus/women-and-the-sdgs/sdg-5-gender-equality>>, accessed 10 August 2017; various UN documents.

The analysis in this chapter shows that there are certain areas of SDG 5 where some EU Member States might be lagging behind, specifically SDG 5.2 on the elimination of violence against women and SDG 5.5 on women's participation in decision-making. Incorporating

the SDGs into internal EU law, policymaking and practice could help states make progress in these problematic areas. In other areas, the EU is already at least partially implementing SDG 5. EU legislation implements SDG 5.c. Non-controversially, this is the basis for the development of measures that contribute to meeting SDG 5.1., 5.4 and 5.b. By some interpretations, EU primary legislation could form the basis for legal measures that contribute to all parts of SDG 5. EU secondary legislation in core areas contributes to the partial achievement of SDGs 5.1, 5.4 and 5.a. The extent to which it meets these aspects of SDG 5, however, cannot be assessed until more detailed indicators have been developed and the EU assesses its performance against SDG 5, if it chooses to do so. The *Strategic Engagement for Gender Equality 2016–19* document contains a brief reference to the SDGs and the full text of SDG 5. Unfortunately, however, there is no further analysis. A short policy paper should be prepared to explain how the measures it contains will contribute to meeting different aspects of SDG 5.

In terms of responsibilities, any or indeed all of the EU institutions described above could take on the issue of SDG 5 implementation in the EU. It would probably fall most appropriately within the mandate of the European Commission to prepare a plan on which measures the EU will use to implement SDG 5 and how these relate to the Strategic Engagement document. The European Parliament and the Council could initially request and then assess, amend and approve such a document.

The EIGE and/or the FRA could assess the extent to which the EU member states (and the EU institutions where relevant) meet SDG 5, in all its constituent parts. If the EU institutions and/or member states are unwilling to consider implementation of SDG 5 in the EU, as opposed to EU support for implementation elsewhere in the world as part of its external action policies, then civil society should take on the issue, either as a campaign or by carrying out direct research.

As it stands, the discussion on funding for gender equality has not been linked to the implementation of the SDGs. It would be to the EU's benefit to demonstrate how internal funding is contributing to implementation of SDG 5 and other goals within the EU, and to show separately the support provided to achieving the SDGs from its development cooperation funds.

On external affairs, it is suggested that the EU present implementation of its Gender Action Plan as its means of supporting SDG 5. Thus, in its annual report on the Gender Action Plan, the EU can make reference to how each section has contributed to SDG 5 and the other Goals as relevant. Similarly, in its policy on implementation of the SDGs, the EU should also refer back to the Gender Action Plan.

Recommendations

The following recommendations are made to support progress towards gender equality within the EU.

Commitments: policy and legislative initiatives

- Ensure continued monitoring and enforcement of EU legislation on gender equality even in the face of the continuing retreat from democracy taking place within the EU.
- Prepare an assessment of how the Strategic Engagement document, or a future strategy on gender equality, could contribute to implementation of SDG 5 in the EU, including by Member States.



- Maintain a two-pronged approach to gender equality: specific gender equality policies and gender mainstreaming. It is clear that gender mainstreaming alone is not enough.
- Assess whether gender mainstreaming as a strategy is working, including through the preparation of a report by the European Commission.
- Agree on a new gender strategy or upgrade the Strategic Engagement document.
- Pass the 2012 Anti-Discrimination Directive, and follow up with Member State implementation.
- Prepare implementation reports on other EU legislative measures, such as the Recast Directive of 2006.
- Consider other areas of gender equality on which the preparation of secondary legislation would be valid, in particular, the increased power of the EU in the area of justice provides opportunities for additional EU measures on violence against women (following the provisions in the Victims Directive).

Financial resources

- Use the mid-term reviews of the EU's funding programmes ('instruments') to assess whether money earmarked for gender equality measures is being used for such.
- Ensure that at least the same proportion of funding is provided for gender equality in the next multi-annual financial framework; careful preparation and strategizing ahead of negotiations will be essential.

Human resources

- Improve the gender balance in senior positions within the EU institutions in order to meet the target of 40 per cent women in senior management across the board.

Data collection and analysis

- Assess the extent to which SDG 5 with all its components is being met in the EU Member States.
- Continue to support the Gender Equality Index as a source of high-quality data on gender issues within the EU.
- Identify further opportunities for dissemination and discussion of the results of the GEI, including presentations to the College of Commissioners, individual commissioners, civil society networks (informal networks for women leaders, women in think-tanks and women in international security), academic networks, and networks within the EU Institutions and in Member States.
- Ensure that additional research produced and commissioned by the European Parliament adequately covers gender issues, in particular for impact assessments.
- Encourage the Court of Auditors to prepare an own initiative report into the cost-effectiveness of EU gender equality policy, or aspects thereof (e.g. the costs of gender mainstreaming versus other strategies could be explored).

- Further investigate the cultural dimension of gender inequality, covering attitudes, stereotypes, psychological elements and institutional approaches, and assess the reasons for the differences across Member States.
- Use the mid-term review of the Horizon 2020 research programme to argue for greater prominence for gender, an increase in funding for research on gender inequality in the EU and actionable policy recommendations.

Economic policies

- Assess the impact of the economic crisis and policy responses, including austerity measures, on men and women.
- Where the economic situation is having a disproportionate effect on women, take steps to correct the balance.

Political empowerment

- Increase support for the political empowerment of women within EU institutions and the EU Member States.
- Extract a standalone annual report from the broader report on gender equality to highlight the ratio of men to women in senior positions within EU institutions and Member States, published via the European Commissioner for Gender Equality.
- Organize a European Parliament hearing on the topic.
- Raise questions on the male:female ratio in EU institutions in hearings with all relevant commissioners, including Vice Presidents Timmermans and Mogherini.

General recommendations drawing on the European Union's experience

The EU's experience demonstrates the importance of the following:

1. *Enforcement of commitments.* Wherever possible, develop legal mechanisms for the enforcement of gender commitments.
2. *Funding as a form of implementation.* Attach resources to gender equality commitments and monitor levels over time.
3. *Allocation of staff responsibilities for monitoring implementation.* Identify internal accountability mechanisms responsible for monitoring gender commitments, that is, bodies with an oversight role within the regional organizations that can be given a mandate for monitoring the implementation of gender equality commitments by the regional organization as a whole.
4. *Alliances between policymakers and civil society.* Support and cooperate with independent civil society monitoring and campaigning for gender equality.

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5.2. The role of the Council of Europe in the promotion of gender equality and the political empowerment of women



Liri Kopaci-Di Michele

Introduction

Founded in 1949, the Council of Europe (CoE) has 47 Member States and seeks to develop common and democratic principles based on the European Convention on Human Rights and other reference texts on the protection of individuals. Achieving gender equality is central to the protection of human rights, the functioning of democracy, respect for the rule of law, and economic growth and competitiveness. The pioneering work of the CoE in the fields of human rights and gender equality has resulted in a solid legal and policy framework that contributes to advancing women's rights and supporting CoE Member States in their efforts to achieve genuine equality between women and men.

Council of Europe standards and recommendations

Since the 1980s the CoE has also promoted standards that have resulted in a new approach to the issue of gender equality and shaped its development in Europe. It has, for example, been instrumental in developing concepts such as parity democracy, gender budgeting and gender mainstreaming. Some of the milestone achievements in this respect were the drafting of two legal treaties. First, the 2005 Convention on Action against Trafficking in Human Beings (Council of Europe 2005) recognized that trafficking in human beings is a heavily gendered phenomenon and contains several strong references to gender equality and gender mainstreaming.

Second, the Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention, 2011) is the most far-reaching international treaty on tackling violence against women and domestic violence. It aims for zero tolerance for such violence and is a major step forward in making Europe and beyond a safer place for women. As a result of the link established between achieving gender equality and the eradication of

violence against women, the Convention contains a number of provisions that advance the status of women in society, in law and in fact. As legally binding obligations, they are expected to give new impetus to the pursuit of equality between women and men at the national level.

The CoE Committee of Ministers' Recommendation (2007)¹⁷ on gender equality standards and mechanisms requests governments to take, or reinforce, measures to implement gender equality in practice, taking account of existing principles and standards. The comprehensive text contains general standards on:

1. gender equality as a principle of human rights and a government responsibility;
2. gender equality as a concern and responsibility of society as a whole;
3. commitment, transparency and accountability in the achievement of gender equality;
4. the ratification of relevant treaties and implementation of all relevant international legal instruments;
5. adoption and effective enforcement of gender equality legislation and the integration of a gender perspective into legislation in all areas;
6. the elimination of sexism from language and the promotion of language that reflects the principle of gender equality;
7. standards in specific areas such as private and family life, education, economic life, political and public life, reconciliation of private and professional life, social protection, health care, the media, violence against women, the trafficking of women, conflict and post-conflict situations, and women exposed to multiple discrimination; and
8. strategies, mechanisms and tools for achieving gender equality.

The Recommendation should be treated as a checklist for assessing the progress made in the achievement of *de jure* and *de facto* gender equality and the extent to which gender equality is being pursued. To comply with the commitments made, governments must put in place and efficiently implement proactive policy measures and strategies that pursue the objective of gender equality in an effective way, including information and communication strategies and national gender equality action plans.

The CoE Transversal Programme on Gender Equality, which was launched in 2012, aims to increase the impact and visibility of gender equality standards by supporting their implementation in member states through a variety of measures, such as gender mainstreaming and action in a number of priority areas. To achieve its aim, the Programme works closely with Member States to ensure continuing political and financial support, which is essential for mobilizing all CoE decision-making, advisory and monitoring bodies and involving them in the development, implementation and evaluation of the gender equality agenda. The CoE Gender Equality Commission (GEC) is at the centre of this effort. Gender Equality Rapporteurs have been appointed to the steering committees and monitoring bodies of the Council of Europe and work in areas as diverse as education, media, local government, cinema, drug abuse, counterterrorism and anti-corruption to provide crucial support to the work and activities of the GEC.



The CoE *Gender Equality Strategy, 2014–17* (CoE 2014) provides guidance on action to be taken on:

1. combating gender stereotypes and sexism, with a particular focus on media, education and sexist hate speech;
2. preventing and combating violence against women, with a focus on promoting the ratification and implementation of the Istanbul Convention and monitoring the implementation of other CoE standards in the area of protection of women from violence;
3. guaranteeing equal access to justice for women, with a focus on access to justice for women victims of violence, on persistent barriers and tackling the gaps in research and lack of data disaggregated by sex;
4. achieving a balanced participation of women and men in political and public decision-making, with a particular focus on monitoring the implementation of Recommendation (2003)3 of the Committee of Ministers (see below); and
5. promoting gender mainstreaming in all policies and measures in the CoE.

In achieving its aims and objectives, the CoE is seeking to further develop and strengthen its cooperation with partner organizations, in particular the EU, the UN and its various agencies—most notably UN Women—as well as the Organization for Security and Co-operation in Europe, the Organisation for Economic Cooperation and Development and the World Bank.

Achieving balanced participation of women and men in political and public decision-making

Women's political representation and participation in political decision-making are central to both democracy and gender equality. For the CoE, women's political participation has always been a priority concern. Equality initiatives have stressed the 'close relationship between women's political participation on equal terms with men and the reinforcement of the democratic process and democratic institutions'. The adoption of positive action and special temporary measures is strongly advocated and remains one of the main pillars of CoE standards and work to promote balanced participation.

Towards the end of the 1980s, the CoE firmly established equality between women and men, which until then had been considered mainly a social question, as a principle of human rights. This pioneering way of thinking was recognized by the international community in 1993 at the Vienna Conference on Human Rights. The concept and framework for action was further developed in the 1990s. In 1997, the CoE adopted its Declaration on Equality between Women and Men as a fundamental criterion of Democracy, which agreed that gender balanced representation is a requirement of justice and a necessity for attaining genuine democracy. The Declaration also set out a programme of action, including measures for equality in political and public life.

In 2003, the Committee of Ministers of the CoE adopted Recommendation (2003)3 on balanced participation of women and men in political and public decision-making (CoE 2003), which defined balanced participation. It noted that: 'representation of either women or men in any decision-making body in political or public life should not fall below 40%'

and put together an array of legislative, administrative and supportive measures to be taken to promote women's equal participation in political and public life and decision-making.

The Recommendation also contains highly practical suggestions for monitoring such measures. For example, it suggests that member states consider establishing independent bodies, such as a parity observatory or a mediation body, to follow governmental policy in this area or entrust such action to national equality mechanisms; or the setting up of indicators for monitoring evolution in participation. A list of indicators is suggested, such as the percentage of women and men in parliament, local assemblies, national delegations to nominated assemblies and international forums; the percentage of women in government at various levels; the percentage of women in the highest ranks of the civil service, the judiciary and bodies appointed by government; and the percentage of women in the decision-making bodies of political parties or social partners.

It also recommends the submission of reports to national parliaments on measures taken and progress made, as well as the publication of such reports; the systematic gathering and dissemination of statistics on candidates for political office and elected representatives; and regular analyses of the visibility and portrayal of women and men in news and current affairs programmes, especially during election campaigns. Tavares da Silva (2010) compares the results of the first and second rounds of monitoring of CoE Recommendation Rec (2003)3. The CoE completed a third round of monitoring on the implementation of the Recommendation in 2017 and published the results in an analytical report (CoE GEC 2017). The 2017 report is divided into six main sections: legislative power, executive power, political parties, judicial power, diplomatic service and Council of Europe institutions. It concludes that progress has been slow and scattered and that much more needs to be done to achieve gender equality in political and public decision-making.

Gender mainstreaming in the Council of Europe

The CoE was instrumental in developing the concept of gender mainstreaming in the 1990s. In 1995 it established a Group of Specialists on Mainstreaming which was asked to carry out a survey of the measures taken by Member States and regional or international organizations to mainstream a gender perspective into general policies, programmes and planning, as well as sectoral policies and activities at all levels of society. On the basis of this survey, in 1998 the Group prepared a conceptual framework and a methodology for mainstreaming a gender equality perspective in the most effective and visible way. This work led to the adoption of the definition of gender mainstreaming used by the CoE and many other organizations and countries: '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 at all stages, by the actors involved in policy-making'. The CoE Committee of Ministers adopted a Recommendation on Gender mainstreaming in 1998 (Council of Europe 1998). A gender mainstreaming strategy has been an integral part of the work and activities of the CoE since that date.

When properly understood and implemented, gender mainstreaming is a transformative approach with great potential for social change. There is now wide consensus on the effectiveness of a dual approach that combines gender mainstreaming and specific measures for the advancement of women to ensure better policymaking and better use of resources, as well as progress towards effective equality between women and men. While the understanding and implementation of a gender mainstreaming strategy—which includes gender budgeting, gender-based analysis and gender impact assessments—among policymakers and decision-makers needs to be improved, the past decade has witnessed



significant developments. The appointment of Gender Equality Rapporteurs (GER) in the CoE's institutional bodies and some of its monitoring mechanisms has led to coordinated and sustained efforts to introduce a gender equality perspective to all policies and at all levels. Recommendations on gender mainstreaming in different areas adopted by the Committee of Ministers and specific initiatives undertaken by the intergovernmental structures and institutional bodies of the CoE provide useful instruments and benchmarks to support Member States in their efforts to implement a gender mainstreaming strategies and achieve gender equality.

Implementation: achievements and good practice

Support for Member States to implement standards in the area of gender equality is central to the activities, working methods and partnerships developed across the Transversal Programme on Gender Equality and activities to implement the Gender Equality Strategy. A thorough assessment of work in progress in Member States has enabled the CoE to better respond to their needs. This has been achieved through:

1. *Ensuring ownership of the Strategy and related processes and activities by the Member States through continued engagement, consultations and exchanges.* The Transversal Programme in the GEC meets twice a year in its formal setting and once a year for a major thematic conference. The conference has become a strategic platform for debate and discussion on a theme decided by the GEC, which brings together a diverse range of stakeholders from government and independent gender experts, to representatives of civil society organizations and the private sector, and regional and international organizations. Using the Strategy as a baseline, the choice of specific themes, activities and tools is the result of close consultation, engagement and cooperation with the representatives of the 47 CoE Member States and the GEC. Past themes covered by the Conference include 'Media and the image of women' (Amsterdam, 2013); 'Combating gender stereotypes in and through education' (Helsinki, 2014); and 'Towards guaranteeing equal access to justice for women' (Bern, 2015).
2. *Publicizing and disseminating activities, developments and progress on gender equality in Member States on the CoE website and among relevant structures and stakeholders.* This has led to greater recognition of the efforts of the Member States to comply with CoE and other international standards, and a flow of information and experience between Member States. Regular updating of the dedicated webpages on gender equality has helped significantly to increase the visibility of the CoE's standards and activities among experts and the general public. Furthermore, many activities on gender equality carried out by Member States are inspired by and linked to CoE standards and tools.
3. *Promoting, monitoring and evaluating standards to identify gaps and obstacles, and developing activities, tools and cooperation programmes to address such gaps and support the implementation of relevant standards.* Implementation monitoring is used as a tool to support Member States in their efforts to comply with CoE standards. One example is the fourth round of monitoring of the implementation of the Committee of Ministers Recommendation (2002)5 on the protection of women against violence, which was successfully completed in 2013 and the results published in an analytical report (Hagemann-White 2014). The findings provided Member States with information on gaps and recommendations for further action. In 2017, the GEC

finalized the third round of monitoring on the implementation of Recommendation (2003)3 on balanced participation by women and men in political and public decision-making.

4. *Carrying out targeted cooperation projects related to gender equality to provide input on Member States' efforts to achieve de facto gender equality.* Examples include a two-year regional project funded by the EU Programmatic Cooperation Framework to improve women's access to justice in five countries of the Eastern Partnership (Armenia, Azerbaijan, Georgia, Moldova and Ukraine); cooperation with UN Women on the preparation of a multi-country study on the availability and accessibility of services in response to violence against women and girls and on a framework for measuring women's access to justice; cooperation with Jordan, Morocco and Tunisia to combat gender-based violence and promote gender equality; and cooperation with Norway in the area of violence against women and domestic violence.
5. *Developing and disseminating practical tools, publications and promotional material on the CoE standards and their implementation.* Such publications are in high demand from Member States, and internal and external partners, and are considered useful tools for monitoring progress and compliance with benchmarks and standards in the area of gender equality. A number of Member States have translated and distributed relevant CoE standards, such as the Gender Equality Strategy, the Istanbul Convention and the recommendations of the Committee of Ministers on gender equality issues. All such information is also made available on the CoE Gender Equality website.
6. *Transversal and close cooperation with the various bodies and institutions of the CoE to ensure gender mainstreaming in all CoE policies and measures.* Cooperation and synergies were reinforced with the various steering committees and monitoring mechanisms to introduce a gender equality perspective to CoE policies at all levels, as called for by the Strategy. GERs have been appointed in all 32 steering committees and other institutional bodies, as well as in three monitoring mechanisms: the Group of States against Corruption (GRECO), the Group of Experts on Action against Trafficking in Human Beings (GRETA) and the European Commission against Racism and Intolerance (ECRI). Over 50 GERs are currently operational in their respective committees and monitoring bodies, leading efforts to integrate a gender dimension into their work and activities. To create an enabling environment for the GERs to carry out their functions and responsibilities, the GEC provides support in the form of regular exchanges of views between the GEC and the GERs in order to share information, expertise, know-how, working methods and practices, and to discuss challenges, the training of GERs and training materials such as the manual supporting GERs in their role or the fact sheet 'Achieving Gender Mainstreaming in all Policies and Measures'. The Gender Mainstreaming Team (GMT) brings together secretariat representatives from CoE institutions and bodies, intergovernmental committees and monitoring mechanisms, and is an important component of the Transversal Programme. The GMT meets twice a year to exchange information on the implementation of the Strategy, discuss challenges and share good practices for overcoming difficulties.
7. *Strategic partnerships with other regional and international organizations to ensure synergies, avoid duplication and strengthen impact, as well as with the civil society to increase outreach and visibility.* The CoE continues to develop and enhance strategic



partnerships with the EU (in particular the EIGE and the FRA); the UN (in particular UN Women, CEDAW and the OHCHR); the OAS; the OSCE; networks of women's organizations (including the EWL, the European Network of Equality Bodies, Women against Violence Europe Network), international NGOs, and research institutes and think tanks. Regular exchange, consultation and cooperation have furthered synergies and coordination based on the value added by each stakeholder. Participation in and contributions to high-level political events, in particular at the EU and UN Women level, have increased the visibility and impact of CoE standards and activities in the area of gender equality.

Challenges

The fourth year of the implementation of the Gender Equality Strategy 2014–2017 confirmed the prominent global role of the CoE in the field of women's rights and gender equality. Its comprehensive and extensive body of standards and work also provides important input towards the efforts of member states to achieve the UN 2030 Agenda for Sustainable Development.

With regards to challenges, violence against women remains the most pronounced expression of the unequal power relations between women and men—as both a violation of women's human rights and a major obstacle to gender equality. Misconceptions about the concept of 'gender' also persist. Gender equality and women's rights policies and measures are being increasingly attacked under the misleading label of 'gender ideology', which is used both to undermine progress towards equality between women and men, to jeopardize the rights of LGBTI persons, and to spread misconceptions about the Istanbul Convention thus deviating attention from its primary goal: to protect women and girls from violence.

In addition, the prevalence of gender stereotypes and prejudices within society including in the justice system continues to be a critical challenge hindering progress on gender equality and affecting women and men, girls and boys.

While gender mainstreaming is making progress, improving the awareness, knowledge and skills of policy makers to successfully integrate a gender equality perspective in all sectoral policies remains an important challenge shared by national authorities, international organisations and other stakeholders.

Other challenges affecting European societies include ensuring women's economic independence; the barriers to achieving reconciliation between private and family life; the difficulties in ensuring that all women benefit equally from gender equality policies; and the need to address the rights of migrant, refugee and asylum-seeker women in Europe. These issues will be addressed in the next Council of Europe Gender Equality Strategy 2018–2023.

Conclusion

The challenges that CoE member states face in the implementation of the Gender Equality Strategy are related to the wider global and regional context. This includes budgetary cuts and austerity measures affecting gender equality mechanisms and policies and a backlash against women's human rights that contributes to widening the gap between gender equality standards and their implementation. Moving towards substantive gender equality requires political will, a change in mentalities and in the perception and consideration of both women's and men's roles. A strong commitment to de facto equality between women and

men at all levels and in all areas, will benefit entire societies, including men and future generations.

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5.3. Recommendations from the European consultation



The participants in the European consultation, held in Strasbourg on 10 November 2016, discussed which direction regional organizations dealing with gender equality should take. They agreed that all stakeholders—including international institutions, states, civil society organizations and equality bodies—need to work together in favour of a more equal society, and the best way forward would be to combine political will with affirmative action.

Recommendations

1. CEDAW provisions, combined with the implementation of UN Council Resolution 1325 on Women, Peace and Security, provide a strong normative basis for seeking to increase the number of women in politics.
2. The OSCE experience suggests the need for a multi-actor, multi-stage approach to advancing women's political participation, specifically by developing gender action plans (for political parties); conducting post-election gender analysis; keeping gender disaggregated data (local politicians); establishing a quota system to help women enter parliaments, and create an environment so they can stay longer (parliaments); and developing cost effective joint efforts between international institutions and local stakeholders, such as civil society and parliaments, to promote women in politics.
3. Men should be part of the discussion on how to reach gender equality. This is especially important at the political level where decision making should be made collaboratively by both men and women. More men advocating for equality means more recognition from society. One of the best examples is HeforShe, the United Nations campaign in which men are speaking out about positive aspects of equality between men and women.
4. Young men and women should be educated about democratic processes and the importance of an equal share of both sexes in the political sphere. Involvement of youth is vital to the advancement of women's rights.
5. Ongoing training for media is needed to ensure more balanced coverage of all candidates, regardless of their gender. Journalists should be made aware of conscious

and unconscious bias, which may lead them to portray candidates based on gender stereotypes rather than according to their plans and qualifications. UNDP projects on gender equality and the media could help inform this work.

6. Most of the top-performing countries in Europe use some form of gender quota, whether legislated or at the party level. This suggests that the most effective way to advance women's political participation is by introducing quotas or gender parity, leading to more women becoming candidates.
7. Because political parties are crucial in the process of empowering women in the election process, gender equality training should be mandatory for all party executives and party bodies. If there is no political will to implement a quota/parity system, the focus should be on introducing internal party regulations. Transparency of party funding should go along with economic empowerment of women. Women should have access to campaign funding to run for office. The OSCE political party gender audit experience suggests that auditing may be an effective way to assess progress, although many parliamentarians agree that their countries are still struggling to find the resources for implementation and assessment is still a challenge. Adopting gender action plans can also provide a clear roadmap for political parties to further increase women's political participation and sensitize internal policies and procedures.
8. There is a need for greater collaboration between different actors engaged in this issue. Joining forces would enable international and regional organizations to promote stronger and more cohesive mechanisms for advancing women's political participation. Fostering connections between female parliamentarians and civil society might help promote solidarity among female parliamentarians as well as better coordinate their gender equality efforts.
9. Finally, women from vulnerable groups should be more involved. The EWL has a mentoring project promoting women from marginalized groups, such as migrant or refugee women, to be candidates in elections to the European Parliament.