



## Questions and Answers: What is the EU doing for women's rights and gender equality?

Brussels, 05 March 2015

### What do the EU Treaties say about gender equality?

The Treaty of Rome in 1957 already included the principle of equal pay for equal work. (Article 119 EEC, then 141 EC, now Article 157 TFEU). In 1976, the Court of Justice of the European Union (CJEU) decided in the *Defrenne* case that Article 119 EEC had not only an economic but also a social aim. This judgment paved the way for modern European gender equality law.

With the entry into force of the Treaty of Amsterdam in 1999, the promotion of equality between men and women became one of the essential tasks of the European Community (Article 2 EC). Since 1999, the EU has had the competence to take further action to combat discrimination based on gender (Article 13(1) EC, now 19(1) TFEU). This Article provided a legal basis for the Directive on the principle of equal treatment between men and women in access to and the supply of goods and services ([Directive 2004/113/EC](#)).

EU gender equality is also an integral part of the Charter of Fundamental Rights of the European Union, which prohibits discrimination on any grounds, including sex, (Article 21) and recognises the right to gender equality in all areas and the necessity of positive action for its promotion (Article 23).

In 2009, the Treaty of Lisbon confirmed once again the importance of gender equality in the European Union. Equality between men and women features amongst the common values on which the European Union is founded (Article 2 TEU), which means, for instance, that it will be used as a yardstick for determining whether a European state can be a candidate for accession. The promotion of equality between men and women is also listed among the tasks of the Union (Article 3(3) TEU), together with the obligation to eliminate inequalities. The Lisbon Treaty thus clearly reiterates the obligation of ensuring gender equality for both the Union and the Member States.

### What are the objectives and results of the Strategy for equality between women and men (2010-2015)?

The Strategy for equality between women and men for 2010-2015 reflected the Commission's commitment to stepping up its activities in the field of gender equality ([IP/10/1149](#)). The Strategy lists actions to be implemented between 2010 and 2015.

The Strategy outlined six priority areas:

- equal economic independence for women and men;
- equal pay for work of equal value;
- equality in decision-making;
- dignity, integrity and ending gender violence;
- promoting gender equality beyond the EU;
- horizontal issues.

The **mid-term review of the Gender Equality Strategy**, published on 14 October 2013, found that, half-way through the strategy's five-year time scale, the Commission was **delivering on its commitments** ([MEMO/13/882](#)). It had taken action in the majority of areas covered, in particular action to improve the gender balance in economic decision-making (see [IP/12/1205](#) and [MEMO/12/860](#)), promoting equal pay ([IP/13/165](#) and [IP/14/222](#)), tackling violence against women (see [factsheet](#) for more information) and female genital mutilation ([IP/15/4201](#)) and promoting gender equality through the Europe 2020 strategy.

In November 2012, the Commission proposed a Directive to improve the gender balance among non-executive directors of companies listed on stock exchanges ([IP/12/1205](#)).

The European Commission provides every year a detailed assessment of equality between women and men across all priority areas of the Strategy ([IP/12/371](#)). The 2014 report on equality between women and men was published on 6 March 2015.

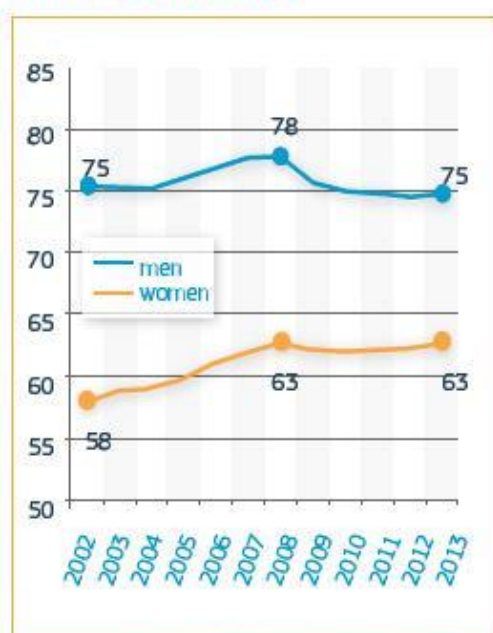
In addition to the Europe 2020 Strategy, the EU supports Member States' objectives by providing funding for projects under the European Social Fund (ESF), including projects that:

- Promote women's access to, and participation in, all levels of the labour market and help close pay gaps and support women's financial independence;
- Promote women entrepreneurs and women's participation in science and technology, in particular in decision-making positions;
- Combat gender stereotypes in career selection and the professions, and promote lifelong learning; and
- Reconcile work and family life and offer support for childcare facilities and carers of dependents.
- Support the integration into employment of immigrant women.

### **What is the current situation of women in the workforce?**

The share of **women in work** has risen from 55% in 1997 to 63% today. Although this represents good progress, the labour market participation of women in the EU is still significantly lower than that of men, which currently stands at 75%.

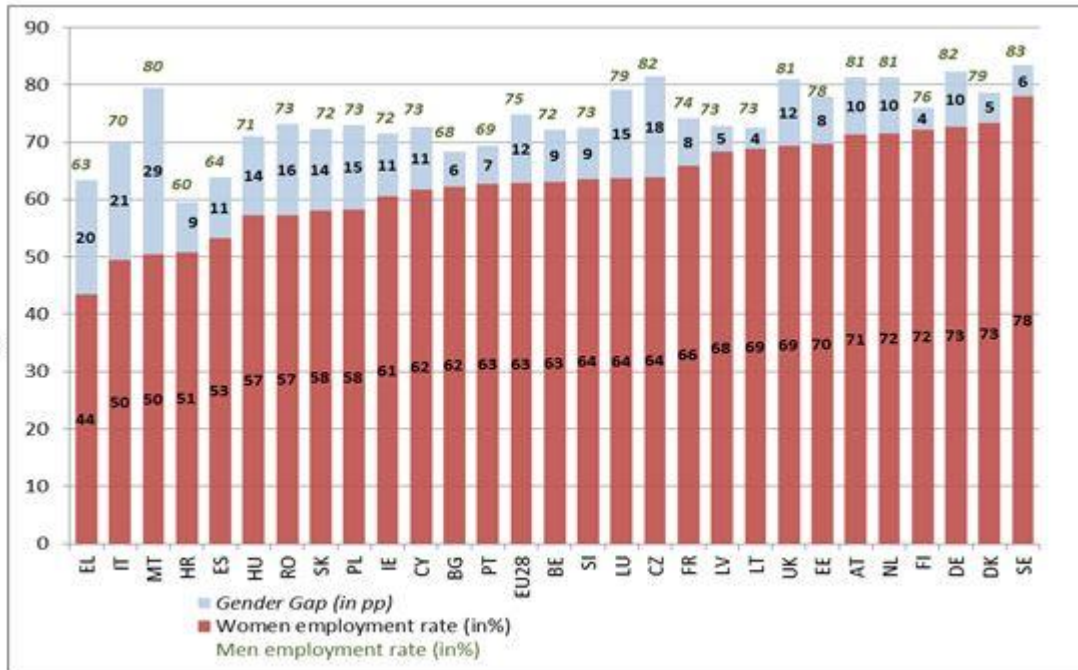
Female and male employment rates  
(in %) people aged 20-64



Source: Eurostat, LFS (data from 3<sup>rd</sup> quarter of 2013)

There are also considerable differences between Member States when it comes to women in employment. The female employment rate is lower than 60% in Greece, Italy, Malta, Croatia, Spain, Hungary, Romania, Slovakia and Poland while it is above 70% in Sweden, Denmark, Germany, Finland, the Netherlands, Austria and Estonia.

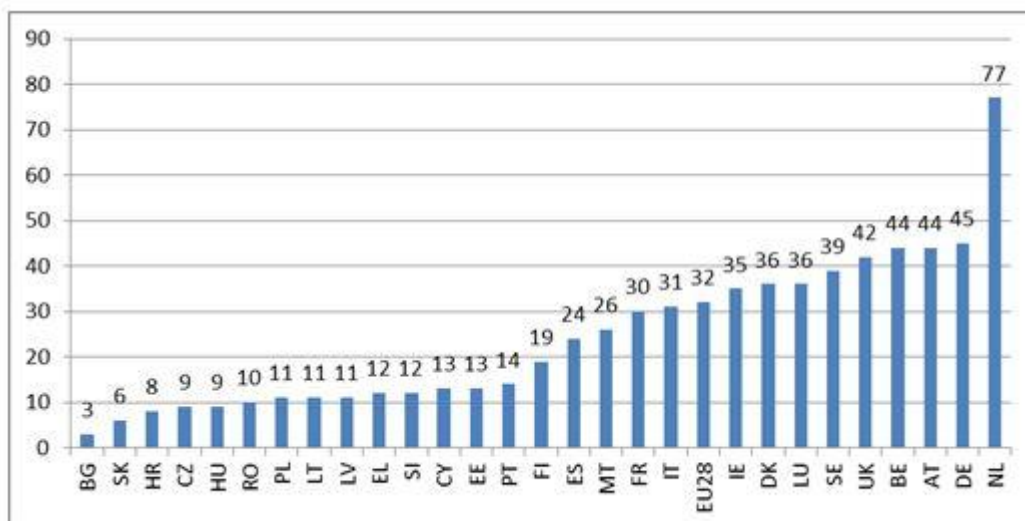
### **EU-28 female and male employment rates (in %) and the gender gap in the employment rate, people aged 20-64, third quarter 2013**



The nature of the jobs that women are undertaking is just as important for addressing inequality as the overall level of employment. **32% of women work part time compared to only 8% of men.** This can lead to diminished career opportunities, lower pay and lower prospective pensions, underutilisation of human capital and thus lower economic growth and prosperity. Gender gaps therefore give rise to both economic and social costs and should be effectively tackled whenever they result from societal or institutional barriers or constraints.

Member States with an above EU average of female part-time employment are the Netherlands, Germany, Austria, Belgium, the United Kingdom, Sweden, Luxembourg, Denmark and Ireland.

#### Proportion of employed women working part-time (in %), 2012



Source: Eurostat, LFS

The imbalance in the employment status of women and men in work is also reflected in the in-work gender pay gap and subsequently in women's lower pensions, and creates a higher risk of poverty for women.

For every hour worked women earn on average 16.4% less than men. This figure is above 20% in Czech Republic, Austria, Estonia and Germany.

The 'gender pension gap' shows that, on average across the EU, women's pensions are 39% lower than men's.

#### Women's and men's employment rates and gender pay and pension gaps in the EU

	Women's employment rate in 2013	Men's employment rate in 2013	Gender Pay Gap in 2013	Gender gap in pensions in 2012
European Union (28 countries)	62.6	74.3	16.4	38.5
Austria	70.8	80.3	23	38.9
Belgium	62.1	72.3	9.8	27.5
Bulgaria	60.7	66.4	13.5	35.3
Croatia	52.8	61.6	7.5	25.2
Cyprus	62.2	72.6	15.8	35.2
Czech Republic	63.8	81.0	22.1	13.7
Denmark	72.4	78.7	16.4	9.2
Estonia	70.1	76.7	29.9	5.2
Finland	71.9	74.7	18.7	26.5
France	65.6	73.7	15.2	36.8
Germany	72.3	81.9	21.6	45.1
Greece	43.3	62.7	:	25.1
Hungary	57.0	69.7	18.4	15.7
Ireland	60.3	70.9	:	38.2
Italy	49.9	69.8	7.3	31.3
Latvia	67.7	71.9	14.4	16.2
Lithuania	68.6	71.2	13.3	12.3
Luxembourg	63.9	78.0	8.6	43.6
Malta	49.8	79.4	5.1	18.8
Netherlands	71.6	81.3	16	40.0
Poland	57.6	72.1	6.4	24.6
Portugal	62.3	68.7	13	32.0
Romania	56.2	71.6	9.1	30.7
Slovakia	57.8	72.2	19.8	7.2
Slovenia	63.0	71.2	3.2	25.6
Spain	53.8	63.4	19.3	32.2
Sweden	77.2	82.2	15.2	30.1
United Kingdom	69.4	80.5	19.7	40.9

Source: Eurostat, LFS

What is the EU doing to address outstanding challenges to female employment in the Member States?

By adopting legislation, setting targets, issuing recommendations and encouraging transfers of good practice, the EU has influenced national policies on facilitating work-life balance.

Few Member States (mainly the Nordic and Baltic countries) succeed in combining high female employment rates with a low gender gap in hours worked. An effective policy mix appears to include gender-equal working time, widely available flexible work, incentives for the division of unpaid work within a couple, and employment-friendly, accessible and affordable childcare with longer day-care hours.

As part of its economic strategy, Europe 2020, all EU Member States have committed to raising the employment rate of adults to 75% by 2020. The Commission is following up on this national commitment by proposing country-specific recommendations to the Member States every year, which include the issue of female participation in the labour market. The [2013 Country Specific Recommendations](#) (CSR) adopted by the Council advocated the provision of high-quality and affordable childcare as well as adequate tax incentives for women to stay in or to return to work. In addition, the Recommendations address the need to provide elderly care services to allow women to work more, and to tackle both the pay and pension gaps.

There has been progress following these Recommendations, as noted by the [Joint Employment Report](#) presented in November 2013. Member States have implemented measures to boost female employment rates and to reconcile work and private life, such as making more education and care services available for younger children and revising parental leave regulations to extend this right and to encourage more fathers to use it.

**What is the EU doing about the gender pay gap and gender pension gap?**



The gender pay gap is the average hourly wage difference between male and female employees across the entire economy. The latest figures show an average 16.4% gender pay gap in 2013 across the European Union.

The gender pay gap has numerous complex causes thus tackling it requires a comprehensive approach. The Commission has carried out different legislative and non-legislative actions to address the persistent gender pay gap:

- It is constantly **monitoring the correct application and enforcement of the existing EU legal framework on equal pay** at national level.

The Commission published a report in December 2013 on the [implementation of EU rules on equal treatment](#) for women and men in employment addressing different elements of the equal pay principle ([IP/13/1227](#)). The report found that equal pay is hindered by a number of factors, including a lack of transparency in pay systems. It includes a section on gender-neutral job evaluation and classification systems, a summary of equal pay case law of the European Court of Justice, examples of national case-law on equal pay and examples of national best practices.

- The Commission adopted a **Recommendation on strengthening the principle of equal pay** between men and women through increased wage transparency. A number of recommendations aim at helping Member States to reduce the persisting gender pay gap (see [IP/14/222](#) and [MEMO/14/160](#)).
- **Support to national authorities and stakeholders:** the Commission has also organised in recent years exchanges of good practice on issues related to the gender pay gap ([tools to detect unequal pay](#), [equal pay days](#)). The Commission published an [open call for proposals](#) to support and fund civil society actions aiming at promoting gender equality and more specifically, actions addressing the gender pay gap.
- The gender pension gap is very high in the EU: 39% on average. As this gap, ranges from 4% in Estonia to 48% in Luxembourg it reveals itself as phenomenon that can be reduced. Tackling it is therefore a priority. The Commission has been a pioneer in the analysis of this issue and in putting it in the spotlight. Reducing the gender pension gap requires addressing employment, social inclusion policies and pension policies.

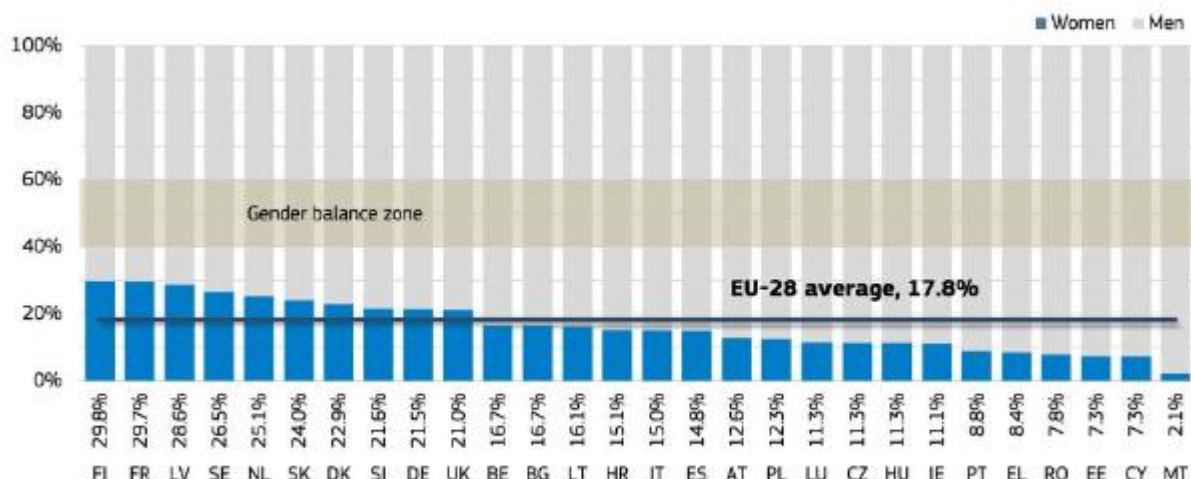
### **What has the EU done to promote gender equality on company boards?**

In 2010, the Commission identified 'equality in decision making' as one of the priorities of the [Women's Charter](#) and of its [Strategy for Equality between Women and Men 2010-2015](#). In March 2012, the [Commission took stock of the situation](#) and found only an average improvement of just 0.6 percentage points over the past years. The European Parliament called for legislation in its resolutions of [6 July 2011](#) and [13 March 2012](#) on equality between women and men in business leadership in the European Union. After holding a [public consultation](#) inviting the public – individual businesses, social partners, interested NGOs and citizens – to comment on what kind of measures the EU should take in this field, the European Commission presented its proposal in November 2012.

The Commission proposed a **Directive setting a 40% objective** of the under-represented sex in non-executive board-member positions in publicly listed companies, with the exception of small and medium enterprises ([IP/12/1205](#) and [MEMO/12/860](#)). The Directive is not about a strict quota, it would oblige Member States to establish a process that leads to better gender balance and ensures that qualification, competence and professional performance play the key role during the board members' selection process. The proposal was backed by the European Parliament's Committees on Legal Affairs (JURI) and Women's Rights & Gender Equality (FEMM) ([IP/13/943](#)) and with an overwhelming majority by the European Parliament in November 2013 ([IP/13/1118](#)). The Directive must now be agreed in Council by EU Ministers to become law.

### **Has there been progress regarding the number of women on boards?**

Although the Commission's proposal is not yet law, it is already having an effect. The share of women on boards in the major publicly listed companies is on the rise: women represented on average 20.2% of board room members in October 2014, up from 11.9% three years earlier, when the European Commission put the issue of under-representation of women on boards high on the political agenda. Since October 2010, the share of women on boards has risen 8.3 percentage points (pp), an average of 2.1 pp/year – four times the rate of change between 2003 [\[1\]](#) and 2010.



## What is the EU doing on maternity leave?

- Under the **EU Pregnant Workers Directive**, all women in the EU have the right to at least 14 weeks maternity leave and to protection from dismissal for being pregnant. In 2008, the Commission proposed to improve the situation further with longer and better maternity leave ([IP/08/1450](#)). The Commission's proposal – which would increase the minimum entitlement to 18 weeks paid at least at the level of sick pay – is still under discussion in the Council of the EU and the European Parliament. Under the 2015 Commission Work Programme, there is a six months sunset period to achieve a breakthrough on this file. If none is achieved, it will be replaced by a new initiative.
- **Self-employed workers** and their partners can enjoy better social protection – including the right to maternity leave for the first time – under new EU legislation on self-employed workers ([IP/10/1029](#)). Member States had until 5 August 2012 to transpose the [Directive on self-employed workers and assisting spouses](#).

The law considerably improves the protection of female self-employed workers and their assisting spouses or life partners. For example, they are granted a maternity allowance and a leave of at least 14 weeks, should they choose to take it. At EU level, this is the first time a maternity allowance is granted to self-employed workers.

The provision on social protection for assisting spouses and life partners (recognised as such in national law) is also a considerable improvement from the 1986 Directive. They have the right to social security coverage (such as pensions) on an equal basis as formal self-employed workers, if the Member State offers such protection to self-employed workers. This helps provide a stronger social safety net and prevent women from falling into poverty.

## What is the EU doing on Parental leave?

The EU's [Parental Leave Directive](#) sets out minimum requirements on parental leave, based on a framework agreement concluded by the European Social Partners (Business Europe, UEAPME, CEEP and ETUC). Under the Directive, male and female workers have individual entitlement to parental leave on the grounds of the birth or adoption of a child, enabling them to take care of the child for at least four months ([IP/09/1854](#)). The aim is to help people balance work and family life, while promoting equal opportunities for men and women in the labour market. To encourage fathers to take parental leave as well, under the revised directive, one of the four months is not transferrable which means that if the father does not claim it, it is lost.

## What is the situation with childcare facilities across the EU?

One important factor in the pay gap is the burden of care that women carry. Figures show that the moment men become fathers, they start working longer hours. The same is not the case with women. When they become mothers, they either stop working for longer periods or work part-time – often involuntarily.

Ensuring suitable childcare provision is an essential step towards equal opportunities in employment between women and men. In 2002, at the Barcelona Summit, the European Council set targets for providing childcare to: at least 90% of children between 3 years old and the mandatory school age and

at least 33% of children under 3 years of age. Since 2007, the proportion of children cared for under formal childcare arrangements has slightly increased (from 26% to 28% for children up to three years of age, and from 81% to 83% for children from three years of age to mandatory school age). These targets were reviewed in 2013 ([MEMO/13/490](#)).

### **What is the situation in the EU Commission and in Member States on equality in decision-making?**

While a few countries are on track to reach parity in national parliaments and governments, women still account for less than a third of ministers and members of parliaments in the vast majority of Member States. In six Member States, women account for less than 20% of members of parliaments (Single/Lower Houses): Hungary (10%), Malta, Romania, Cyprus (14%), Ireland (16%) and Lithuania (18%).

At European level, women account for 37% of MEPs in the European Parliament. This represents a steady improvement from 35% in 2009 and 31% in 2004. In the Commission, 31% of Commissioners in the Juncker Commission are female, which is the same level as the Barroso II Commission. In the Barroso I Commission from 2004-2009, 29% of Commissioners were women.

The European Commission has about 450 members of staff at so-called 'senior management' level and about 1200 at 'middle management' level. Female senior management has increased from 22% to 27.5% since 2010. Female middle management has increased from 25% to 31.4% in the same time span. The goal is to reach 40% by the end of current Commission's mandate in 2019 and go beyond that figure in the longer run. To achieve this, the Commission will now take concrete steps:

- We will identify and develop talented female staff with potential, encourage them to apply for management posts and support them along the way. We will put more emphasis on training, on coaching and in particular on mentoring schemes.
- We will make sure that we promote a more flexible and results-oriented working environment, including more flexible work patterns.

### **Percentage of women in Government and national parliaments in the EU**

	Senior Ministers			National parliaments (Single/Lower House)		
	2003	2010	2014	2003	2010	2014
EU-28	24	26	28	22	24	28
Austria	27	43	29	34	28	31
Belgium	36	33	21	36	40	38
Bulgaria	19	17	33	26	22	20
Cyprus	9	17	8	11	13	14
Czech Republic	:	0	18	:	22	20
Germany	46	38	38	32	33	36
Denmark	28	47	30	38	38	39
Estonia	9	8	43	17	23	20
Greece	6	17	5	9	17	21
Spain	25	50	36	31	37	41
Finland	44	55	59	37	40	42
France	21	34	47	12	19	26
Croatia	17	16	19	23	25	26
Hungary	13	0	0	10	9	10
Ireland	14	20	27	13	14	16
Italy	9	22	41	12	21	31
Lithuania	:	13	20	:	19	24
Luxembourg	37	27	27	20	20	28
Latvia	25	21	29	20	19	18
Malta	:	22	7	:	9	13
Netherlands	31	25	38	38	41	37
Poland	:	25	32	:	20	24
Portugal	17	29	20	21	30	31
Romania	21	12	20	11	11	14
Sweden	52	46	50	45	46	44
Slovenia	14	26	40	13	16	38
Slovakia	0	14	0	19	16	20
United Kingdom	24	16	23	18	22	23

Source: European Commission Database on women and men in decision-making

## What has the EU done to tackle violence against women and girls?

Declaration 19 annexed to the Lisbon Treaty states that Member States should take all necessary steps to tackle domestic violence and help protect victims.

Women and girls who are victims of violence need appropriate support and protection, which is reinforced by effective and deterrent laws.

The EU has worked to gather accurate and comparable European data on gender-based violence. The [first EU-wide survey on women's experiences of various forms of violence](#), carried out by the European Union Agency for Fundamental Rights (FRA), shows that violence takes place everywhere, in every society, whether at home, at work, at school, in the street or online. On average, every minute of every day in Europe, 7 women are victims of rape or other sexual assault, 25 are victims of physical violence and 74 are victims of sexual harassment. Cyber violence is a growing concern: 10% of women have been victims of sexual harassment online.

The Commission has put such laws in place:

- Victims of violence, in particular domestic violence, can soon count on EU-wide protection. The EU has put in place a package of measures to ensure that the rights of victims are not forgotten, and victims are treated justly. The [Victims' Rights Directive](#) was adopted on 25 October 2012 ensuring that victims are recognised, treated with respect and receive proper protection, support and access to justice. The Directive considerably strengthens the rights of victims and their family members to information, support and protection as well as their procedural rights when participating in criminal proceedings. EU Member States must implement the provisions of this Directive into their national laws by 16 November this year ([MEMO/15/4465](#)).



- The majority of victims of trafficking registered in the EU are women and girls (80%)[2]. The EU has recognised trafficking of women and girls as a form of violence against women and has adopted a comprehensive legal and policy framework to eradicate it. The anti-trafficking Directive 2011/36/EU is gender specific, victims centred, human rights based. In addition to approximating EU States' substantive criminal laws, it establishes robust provisions on victims' protection and prevention, as well as supports the principle of non-punishment and unconditional assistance of victims. The EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016 compliments legislation with a series of actions, including on gender dimensions of trafficking in human beings.
- Additionally, two instruments that apply as of 11 January this year ([IP/15/3045](#)) ensure that victims who benefit from a protection measure in one EU country are provided with the same level of protection in other EU countries should they move or travel there. In this way, the protection will travel with the individual. The law will benefit women in particular: around one in five women in Europe have suffered physical violence at least once in their life, according to surveys.
- The European Commission also **funds numerous awareness-raising campaigns** in EU countries and supports grassroots organisations, NGOs and networks working to prevent violence against women. The main funding programmes are called DAPHNE III and PROGRESS. As from 2014, provision of funds will continue with the Rights, Equality and Citizenship Programme, supplemented by funds under the Justice Programme. Examples of recent projects can be found [here](#). These projects and networks **raise awareness of and prevent** violence against women and girls, including harmful practices (FGM, forced marriage and 'honour crimes'); bring about **behavioural change**; assist **victims**; **train** relevant professionals; support NGOs and encourage the **exchange** of knowledge and best practices.

### **What is the EU doing to promote gender equality around the world?**

The EU is and remains at the forefront of those advancing gender equality – inside the Commission and the European External Action Service, inside the European Union and in our relations with third countries.

As the world's largest donor, the EU has a crucial role to play in empowering women and girls and in promoting gender equality. The MDGs have played an important role in increasing attention to gender equality and women's empowerment. The EU contribution has also helped to achieve some concrete progress since 2004: 17 million consultations on reproductive health have been carried out; 7.5 million births were attended by skilled health personnel; 300,000 new female students enrolled in secondary education in partner countries. This however, is not enough because many gaps still exist.

Gender equality, human rights and the empowerment of women and girls are essential preconditions for equitable and inclusive sustainable development, as well as important values and objectives in themselves. It is essential to work across different policy areas and across borders to fight gender equality. The EU is currently involved in global discussions on a new development agenda and is persuaded that this post-2015 global development agenda needs a stand-alone goal to achieve gender equality and empower all women and girls.

The following factsheet explains what the EU is doing around the world on gender equality:

[http://ec.europa.eu/europeaid/sites/devco/files/factsheet-gender-equality-wordwide-2015\\_en.pdf](http://ec.europa.eu/europeaid/sites/devco/files/factsheet-gender-equality-wordwide-2015_en.pdf)

### **What is the EU doing to end female genital mutilation?**

An estimated 500,000 women and girls in the EU alone have suffered from female genital mutilation. Ending this form of violence is among the priorities of the European Commission's efforts to combat violence against women (see [MEMO/15/4201](#)).

In November 2014, the Commission announced a new push to fight female genital mutilation in the European Union and beyond ([IP/13/1153](#)), with a series of actions to work towards the elimination of FGM. The strategy paper published by the Commission last November set out a series of actions to work towards the elimination of FGM, including:

- Better understanding of the phenomenon: developing indicators (through the European Institute of Gender Equality and at national level) to better understand numbers of women and girls affected by and at risk of mutilation;
- Prevention of FGM and victim support: making use of EU funding (such as the EU's Daphne programme, the Lifelong Learning and Youth in Action programme and the future Asylum and Migration fund) to support activities to prevent FGM, raising awareness of the problem, empowering migrant women and girls, and training health professionals and those working with victims. During 2013, the Commission distributed €2.3 million to projects specifically fighting FGM.
- More effective prosecution by Member States: support enforcement of the existing national laws

prohibiting FGM through the analysis of criminal laws and court cases brought so far, disseminating training material for legal practitioners, and enforcement of rights of victims to specialist support as under EU law;

- Protection of women at risk on EU territory: ensuring correct implementation of EU asylum rules (notably the revised Qualifications Directive and the Asylum Procedures Directive) to guarantee protection of women at risk, raising awareness of professionals working with asylum and encouraging Member States to resettle children and women at risk by providing support through the European Refugee Fund and the future Asylum and Migration Fund.
- Working to eliminate FGM at global level: addressing FGM in bilateral dialogues with relevant partner countries, working with the African Union and at the United Nations to promote global initiatives against FGM, advocating for improved national legislation and supporting civil society initiatives in countries affected, training and guidance for staff in EU delegations on FGM-related issues.

To ensure the various actions are followed up and remain on the political agenda continuously, the Commission has committed to monitoring and taking stock of progress on an annual basis around the International Day of Zero Tolerance for FGM (6 February). Link to [factsheet](#)

### **More information**

Press release on [Commission outlines remaining key challenges on gender equality](#)

[1] 2003 is the first year where comparable data at EU level are available.

[2] <http://ec.europa.eu/anti-trafficking/node/4810>

MEMO/15/4563

General public inquiries:

[Europe Direct](#) by phone [00 800 67 89 10 11](tel:0080067891011) or by [email](#)