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**REPORT FROM THE COMMISSION
TO THE COUNCIL, THE EUROPEAN PARLIAMENT,
THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND
THE COMMITTEE OF THE REGIONS**

**Annual Report on Equal Opportunities for Women and Men
in the European Union 2002**

EXECUTIVE SUMMARY

This Annual Report, the seventh on Equal Opportunities for Women and Men in the European Union, presents an overview of the main developments and achievements at Member State and European level in 2002 in the area of gender equality.

2002 was a momentous year, marking a historic milestone in the enlargement process with the conclusion of accession negotiations with Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, the Slovak Republic and Slovenia. The Union now looks forward to welcoming these States as members from 1 May 2004. This intervening period provides the opportunity to reinforce monitoring and co-operation support for these countries in their final stages of preparation for full membership. In this context, the Action Programme for gender equality was opened to candidate countries during 2002.

2002 also heralded the start of the work of the Convention on the Future of Europe. The lack of women's representation within the Convention has been criticised and, to counterbalance this deficit, a strengthened gender mainstreaming approach has been advocated. In responding to the many challenges facing the European Union, it is clear that any future Constitutional Treaty must reflect the aspirations of women and men in an enlarged Europe and confirm the established principle of equal treatment between women and men. In order to achieve a gender equal society, the Union must continue working to eliminate inequalities and promote equality between men and women in all its policies and actions (gender mainstreaming).

The Framework Strategy on Equal Opportunities for Women and Men continued to provide a structure for gender mainstreaming of all policy areas, and 2002 saw, for example, the evaluation of the European Employment Strategy, including the impact of gender mainstreaming, and an analysis of Gender in the Structural Funds. Important progress was made in raising awareness and exchange of good practice in the Social Inclusion process and in the Pension Report.

The successful amendment of the Equal Treatment Directive thanks to strong collaboration with the Council and European Parliament in the co-decision process, moved the agenda of equality firmly forward in the area of employment. Attention also focused on domestic violence against women, including the adoption of indicators, and efforts were stepped up to prevent and eliminate this unacceptable practice.

Gender equality is a human right for all and visible international solidarity and support for women who are denied this right is essential. Some important steps were taken in 2002, but much remains to be done and this therefore will continue to be a crucial area for efforts in the future.

For comprehensive statistical data, an extensive statistical portrait of 'The life of women and men in Europe' was published in 2002 by Eurostat (ISBN 92-894-3568-2).

Chapter I

GENDER EQUALITY IN AN ENLARGED EU

1. Challenges and opportunities of enlargement

With the conclusion of accession negotiations with Cyprus,¹ the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, the Slovak Republic and Slovenia, the Union now looks forward to welcoming these States as members from 1 May 2004.

Throughout the enlargement process, discussions and negotiations on gender equality have implied more than candidate countries just catching up with EU legislation and processes. The creation of an ever closer union of the peoples of Europe and the inclusion of these countries within the European Union brings a wealth of experience and achievements from which the existing Member States can also learn. This process of mutual amalgamation of what has been achieved across so many countries can be expected to refocus gender equality in Europe and to provide a fresh and promising impetus towards a gender equal society.

Gender equality has long been recognised as a fundamental principle and a fundamental right and is an 'objective' within the European Union Treaty. Gender equality is for all citizens – women and men, as democratic societies can only achieve their full potential with the full participation and contribution of all. Thus, it must be underlined that gender equality is not a minority issue as it concerns the whole population. It is therefore essential that legal and administrative provisions and practices to achieve equality between men and women be focused on this objective without conceptually categorising it as a minority concern.

More than anything else, however, it is essential for all the accession countries to increase their efforts to raise awareness amongst citizens of their new rights. To fully anchor law in society, it is indispensable to inform citizens about their rights and to encourage them to avail themselves of their rights in a culture of open discussion supported by the judicial capacity to deal with disputes efficiently.

Legislative transposition

In the field of equal opportunities nine Directives dealing with gender and equality needed to be transposed. As indicated in the Regular Report,² the process of alignment with the *acquis* is well advanced in many candidate countries, in particular Cyprus, the Czech Republic, Latvia, Lithuania, Hungary, Slovakia and Slovenia, where a number of further steps were added in 2002. However, Estonia, Malta and, to a lesser extent, Poland are lagging behind. Progress in the process of alignment is needed in all countries and, in line with the firm mandate from the European Council in Copenhagen, the Commission will intensify its monitoring of policy developments in all acceding states.

1 The terms concerning the accession of Cyprus to the EU with regard to the Turkish Cypriot community will depend on a settlement in the Treaty of Accession in line with the principles on which the EU is founded.

2 COM (2002) XXX, October 2002

An amendment to the Czech Employment Act, approved by Parliament in April 2002, further refines the definition of direct and indirect discrimination in access to employment. An amendment to the Lithuanian Law on Equal Opportunities concerning direct and indirect discrimination was adopted in June 2002 and support for both parents bringing up children to the age of 8 has been enhanced. In Slovenia, the Equal Opportunities Act, an umbrella law providing a common basis for creating equal opportunities for women and men in public life, was adopted in June 2002. In Latvia, the Law on Labour Protection came into force on 1 January 2002 and the new Labour Code on 1 June 2002. In Slovakia, the new Act on Social Insurance approved in May 2002 aimed at finalising transposition of the Directive on equal treatment in matters of social security. In September 2002, equal pay for men and women for work of equal value was enacted in Cyprus.

Co-operation will continue with Bulgaria and Romania, who have made important progress which is reflected in the advanced state of their accession negotiations, and also with Turkey.

Implementing structures

However, transposition of legislation in itself is not enough. Experience has shown that **supporting mechanisms** are essential, including structures such as equality bodies, ombudsmen for equality and active, well-informed sources for independent advice. Effective implementation of the recently adopted legislation now becomes the challenge, along with ensuring that the relevant institutions have the adequate administrative capacity in place and are able to fulfil their new responsibilities emerging from the new legislation.

In **the Czech Republic**, labour offices can implement affirmative measures in order to eliminate or at least decrease inequalities in the labour market. Furthermore, the Council for Equal Opportunities for Men and Women met for the first time in April 2002. This Council is an inter-ministerial consultative and advisory body with a mandate to promote gender equality policy. Since January 2002, each Ministry has created a permanent position for an official charged exclusively with the agenda of equal opportunities for men and women. In June 2002, the **Hungarian Government** announced the creation of a new anti-discrimination bureau to combat labour discrimination against disabled people, Roma and other minority groups as well as against women. With the decision in February 2002 to establish the Gender Equality Council in **Latvia**, a co-ordination and advisory body has been created. In **Lithuania**, the Office of the Ombudsperson for Equal Opportunities continues to operate actively in the field of direct and indirect discrimination. In 2002 the Office was further reinforced. The new Employment Relations Act in **Slovenia** envisages the adoption of a special national programme on equal opportunities and will also allow the Government Office for Equal Opportunities to appoint an ombudsman to handle cases of unequal treatment. In October 2001, a Government Plenipotentiary for Equal Status of Women and Men was established in **Poland**. In **Cyprus**, the structures and mechanisms for practical implementation of the legislation would need to be strengthened, particularly regarding independent advisory structures. The administrative capacity needed to implement the *acquis* in **Malta** is in place but needs to be further strengthened.

In Romania and Bulgaria, limited or no progress has been made to develop institutional and administrative structures to facilitate the implementation and enforcement of equality rights.

In addition, other gender mainstreaming initiatives have been undertaken in the candidate countries. **Hungary** has promoted mainstreaming by training the legal professions, raising awareness and tackling inequalities, in particular in the labour market. In **Latvia**, efforts have focused on promoting implementation of the Concept of Gender Equality. In March 2002, the

accompanying Action Plan for the implementation of the concept in 2002 was approved and provides for a National Gender Equality Strategy for 2003-2007, including training on gender equality for civil servants.

2. Socio-economic dimension

2.1. Employment

Co-operation with accession countries has already started in socio-economic co-ordination processes. A co-operation process on employment, the so-called "Joint Assessments Papers" (JAPs), aims at preparing candidate countries for their future participation in the EU employment strategy and identifying employment policy priorities as part of the preparations for future ESF support.

In marked contrast to the experiences of the 15 Member States, women's participation in the labour market in accession countries used to be high (except for Malta where it is particularly low) but dropped dramatically during the early years of the transition. Both women and men have high unemployment levels, especially in Latvia, Lithuania, Malta, Poland and the Slovak Republic. On the other hand, male participation is lower than the EU average and thus gender gaps in both employment and unemployment are narrower than in the EU. As in the EU, accession countries' labour markets are strongly gender-segregated whilst the gender pay gap is even wider.

In most of the accession countries there is awareness of the need for a gender mainstreaming policy and strategy although the tools are lacking. Family-friendly working-time arrangements remain poorly developed beyond basic provisions for maternity and family-related leave. Most accession countries also need to develop affordable child-care facilities, in particular those Central and Eastern European countries where such facilities disappeared with the collapse of the previous system.

Country	Activity rate		Employment rate		Unemployment rate	
	<i>female</i>	<i>Male</i>	<i>female</i>	<i>male</i>	<i>female</i>	<i>male</i>
2001(%)						
Cyprus	56.9	81.5	53.2*	79.1*	6.5	3
The Czech Republic	63.3	78.7	57	73.3	9.9	6.8
Estonia,	65.5	74.4	57.3	65.5	12.5	12
Hungary	52.4	67.7	49.8	63.4	5.0	6.4
Latvia	63.0	72.1	55.7	61.9	11.6	14.1
Lithuania	67.9	75.9	58.5*	61.9*	13.8	18.4
Malta	34.4	81.4	31.6	76.4	8.2	6.2
Poland	61.4	73.9	48.9	61.2	20.3	17.2
The Slovak Republic	63.8	78.0	51.8	62	18.3	20.5
Slovenia	62.8	72.8	58.8	68.6	6.3	5.7

The inclusion of the 10 accession countries will slightly rebalance the employment rates targeted by Lisbon. The overall employment rate would be affected by about 1.5 percentage points to 62.4%, with a higher impact on the male employment rate than female.

Employment rates before and after 2004 enlargement in the EU³		
<i>2001 (%)</i>	<i>Total 15–64</i>	<i>Women 15–64</i>
EU15	63.8	54.7
CCs10	56.8	51.1
EU25 (EU15 + CCs10)	62.6	54.1
Targets	Close to 70%	More than 60%

As part of ongoing co-operation, gender equality and gender mainstreaming were expressly included in the Structural Funds seminars organised with the accession countries in 2002. As in the future implementation of the structural funds, they will also adopt the dual strategy of gender mainstreaming and specific actions. It will also be important to ensure that, in the new Member States, NGOs are involved in programmes as partners in programming and implementation as well as beneficiaries of the Funds.

2.2. Social inclusion

In the area of social inclusion, co-operation mainly consists of preparing **Joint Inclusion Memoranda (JIM)**, the aim of which is to prepare accession countries for full participation in the European Social Inclusion Process as of the date of accession. The joint drafting of the memoranda acts as a mutual learning exercise involving both the Commission and the national authorities in each of the accession countries, who are asked to describe the social situation of women and men in low income groups, to identify gender-related problems and to explain how gender issues are mainstreamed into social inclusion policies and what specific measures might be required. The memoranda will be finalised by the end of 2003 and represent a major step towards the establishment by accession countries of their first National Action Plans to combat poverty and social exclusion in 2005.

2.3. Women in decision-making

The enlargement process means a Europe "in which women can play a new role, without any form of exclusion". Women's rights cannot be dissociated from social progress. It is therefore essential that women in the accession countries should be able to enjoy the benefits of existing Community legislation on male-female equality. In the European elections to be held in 2004, women must be able to play a full role in decision-taking and political life. This should be taken up by women in the accession countries as a chance to make themselves more visible in politics.

As part of the support given to accession countries, the Gender Equality action programme was opened to them in 2002. A phased approach is being followed which allows accession countries to raise awareness through of series of seminars held locally in 2003, and to which local and national stakeholders will be invited. The second phase includes participation in projects with partners from other Member States or countries.

In 2003 the Commission will concentrate its activities on the promotion of gender balance in decision-making. This is the priority theme identified in the call for proposals published in November 2002 (deadline for submission of proposals is 14 March 2003). This will provide a substantive basis for action and exchange between accession countries and Member States.

3 Source: Employment in Europe 2002

Finally, it is only through face-to-face dialogue that real understanding can be achieved and act as a basis for partnership. Thus, the accession countries were invited to attend, as observers, the Advisory Committee and the Programme Committee meetings in October 2002. This positive experience will be generalised from April 2003 in order to build a solid foundation for future co-operation.

Chapter II

FRAMEWORK STRATEGY FOR GENDER EQUALITY

3. The dual approach

The **gender mainstreaming** strategy, recognised internationally since the 1995 UN Conference on Women held in Beijing, has proven to be an effective tool in the promotion of equality between men and women. Gender mainstreaming combined with specific actions, consisting in particular of legislation and financial programmes, form the dual approach as presented in the Framework Strategy on Gender Equality. 2002 was the third year of implementation of the Strategy, which includes the annual work programme covering all departments of the Commission.

The experience drawn from drafting and monitoring the previous two annual work programmes shows that this is an effective approach which delivers results. This year's work programme⁴ will take us to the midpoint of the five-year Community Framework Strategy on Gender Equality, at which stage there will be a more detailed study of the progress made in the implementation of gender equality within the various departments of the European Commission, including an evaluation of resource implications (human and financial).

The Commission has now endorsed the generalised approach of Impact Assessment.⁵ Thus, from 2003, an Impact Assessment based on the three pillars of social, economic and environmental sustainability will gradually be applied to all major new initiatives, i.e. those which are presented in the Annual Policy Strategy or later in the Work Programme of the Commission. This impact assessment will replace existing requirements for business impact assessment, gender assessment, environmental assessment, small and medium enterprises assessment, trade impact assessment, regulatory impact assessment, etc. Indeed, the new integrated Impact Assessment tool builds on these existing practices and incorporates them into the new tool. It remains however for individual DGs to ensure that the impact assessments they conduct also take gender impact into account as appropriate and this is an area for continued vigilance.

4. The European Employment Strategy

Since the beginning, gender equality has been a crucial component of the Luxembourg process and the European Employment Strategy reflects this. In 2002, the Commission carried out an evaluation exercise on the European Employment Strategy. One of the main findings was that the dual strategy towards gender equality, namely mainstreaming and specific actions, proved to be successful. The visibility of gender equality has improved even in Member States that are "lagging behind", and gender gaps have decreased in particular for employment and unemployment rates.

4 Work Programme COM(2003)47, SEC(2003)137

5 Communication from the Commission on Impact Assessment COM(2002)276 final, see http://europa.eu.int/comm/press_room/presspacks/pdf/276-4en.pdf

However, despite several improvements achieved over the last five years, much remains to be done to achieve the Lisbon and Stockholm targets and to close gender gaps which are still too wide. Sustained commitment will be needed to achieve the EU employment target rates, in particular the target rate for older workers. The Joint Report on increasing labour force participation estimated the necessary increases in employment to be 15.4 million between 2002 and 2010, of which 9.6 for women and 7.4 for older workers. Based on current scenarios, the Lisbon target of a 70% overall employment rate is only within reach if the recent structural improvements in the working of the European labour markets and if increases in female participation are sustained up to 2010 and, where necessary, built upon.

These targets (Lisbon and Stockholm) refer to the employment rate, and while it is clear that raising employment is directly linked to raising levels of participation, reducing unemployment will also have to play a role. Raising participation will not be easy, partly because it will depend on changes in cultural and socio-psychological factors. The major reasons for inactivity of the population aged 15-64 are: personal or family responsibilities (almost 20% of the total inactive, but 29,2% of inactive women), own illness or disability (9%), education and training (27%, almost 90% in the 15-24 age group) and retirement (16%, about 90% in the 55-64 age group). There are strong gender differences in these reasons for inactivity. Men are inactive mainly because of education or retirement, while almost half of inactivity for women aged 25-54 is due to family and home care responsibilities. Tax disincentives affect the participation decision of women, particularly when combined with caring responsibilities and the continued existence of gender pay gaps, which implies a lower expected income.

There is a growing awareness that *gender pay gaps do not decrease as an automatic by-product of the growing female participation rate*, as they are linked to structural gender inequalities in the labour market. Moreover, results need to be monitored and assessed in the medium- and long-term and in relation to gender segregation.

At the Barcelona European Council, Member States agreed targets for childcare provision. Childcare should be provided for at least 90% of children between 3 years old and the mandatory school age and at least 33% of children under 3 years by 2010. Even though a growing number of Member States have introduced new measures including quantitative targets and deadlines to improve childcare facilities, good and affordable services are still *not sufficient to meet the demand or to reach the Barcelona targets*. The issue of improving *care for other dependants* has, as last year, received very little attention.

Many Member States are expanding *leave arrangements* (Denmark, France, Finland, Spain, Sweden, the United Kingdom, Ireland, Austria and the Netherlands). Whilst this is a positive development, given the gender imbalance in the approach to caring, with the responsibility continuing to fall on women, there is the danger that long periods of leave could have a negative impact on women's participation rate, widen gender pay differentials and increase gender segregation.

Gender equality policy in general, and the dual approach in particular, is the key to raising employment rates, improving quality at work and promoting an inclusive labour market. The future challenges for equal opportunity continue to be : to reach the Lisbon targets, to increase the monitoring of policy impact, to improve childcare facilities (Barcelona targets) and to extend the involvement of the social partners, especially in the field of gender pay gap and parental leave.

5. The structural funds

The European Union's Structural Funds provide large-scale financial aid to develop skills, promote jobs and support regions in need. Gender equality is a key objective and follows the dual approach, with specific measures for equal opportunities alongside a wider commitment to mainstream gender concerns across the funds' operations.

This two-pronged approach is most developed in the European Social Fund (ESF), the EU's main financial support tool for the European Employment Strategy. Most initiatives to reduce gender inequalities focus on employment and are funded by the ESF. Gender mainstreaming proved to be more difficult to implement in other Structural Fund areas like transport, environment or rural development.

ESF funding for "Women's access to and participation in the labour market" in Euro and in percentage of ESF total spending

	<i>spending in Euro</i>	<i>%</i>
Austria	76 782 000	10.5
Italy	837 469 241	10.0
Germany	1 099 335 311	9.5
Luxembourg	3 380 600	4.6
UK	355 121 072	4.6
Greece	193 761 925	4.5
Spain	521 899 539	4.4
Ireland	46 631 000	4.3

	<i>spending in Euro</i>	<i>%</i>
France	257 352 700	3.8
Belgium	38 252 364	3.5
Denmark	10 498 333	2.3
Netherlands	43 139 000	2.2
Sweden	8 102 800	0.8
Finland	6 723 000	0.8
Portugal	17 240 700	0.4
EU	3 515 689 585	6.0

The 3rd Conference on Gender Mainstreaming in the Structural Funds (14 and 15 June 2002, Santander, Spain) underlined that only a few programmes implementing the funds in the Member States take on a comprehensive gender mainstreaming strategy. While many programmes include general commitments to address the different effects of the funds' operations on women and men, most lack clear targets and monitoring in terms of gender equality.

Italy is one of the first Member States to introduce a comprehensive evaluation package to measure progress on gender equality through the Structural Funds. Armed with this package, the Italian authorities responsible for the Funds aim to ensure that the people who design, select and run projects to be funded take full account of the gender dimension.

Another example of good practice is the joint effort made by eight regions in **Spain** to use some of their Structural Funds money to improve women's employability, fight gender segregation, and promote reconciliation of family and work. The actions include training (mainly in sectors where women are under-represented), financial aid to companies hiring unemployed women, support for women's enterprises, campaigns, research and promoting women in decision-making positions.

The results of the Santander conference helped the Commission to draw up a Communication⁶ at the end of 2002. This highlighted good practice in gender mainstreaming and recommended ways of enhancing it. The communication feeds into the Commission's mid-term review of the Structural Funds' six-year programming period, which is due in 2003 and carries a number of clear messages:

- Specific measures aimed at the under-represented sex are essential – for which dedicated funding needs to be visible, particularly by assigning, from the outset, additional points in the selection criteria to those projects which contribute to gender equality.
- Funding allocated to specific equality actions and especially gender mainstreaming needs to be visible – and in many cases increased.
- Gender mainstreaming is difficult and specific expertise with training is essential if it is to be effective. Gender-disaggregated statistics are the key in this respect.

In any future support from the Structural Funds, it will be important to maintain the dual strategy of gender mainstreaming and specific actions in order to reduce inequalities and achieve the objective of an equal society.

6. The Social Inclusion Process

The European Social Inclusion Process is designed to support the Member States in their fight against poverty and social exclusion. The Council set common objectives on the basis of which Member States establish National Action Plans. The Council asked the Member States to incorporate a gender dimension throughout all their strategies to combat poverty and social exclusion.

In the EU, 16% of women and 15% of men were at risk of poverty in 1999, with 10% of women and 8% of men at persistent risk of poverty.⁷ When sex is cross-classified with other factors, big gaps appear. For instance, among one-person-households, 24% of women, compared with 19% of men, are at risk of poverty. The risk of poverty of single parents, mainly women, is around 38%.⁸

The gender dimension was not very visible in the first National Action Plans put forward in 2001. In July 2002, ministers agreed that the gender dimension needed to be improved. This political commitment gave strong impetus to successful gender mainstreaming. The next round of National Action Plans are due in July 2003 and their preparation has already started.

At European level, a mutual learning exercise was organised in September 2002 with the national co-ordinators of the Plans and national gender experts. Member States discussed their experience in gender mainstreaming, their successes and also their difficulties, and how they intend to overcome them. A special session on gender mainstreaming was also organised within the context of the European Round Table on Social Inclusion held in Aarhus in October 2002. The Round Table brought together members of the European Parliament,

6 COM (2002)748

7 Eurostat, ECHP-UDB ver. Dec. 2002

8 Joint Inclusion Report – data 1997 – table 3c

national administrations, local and regional authorities, researchers, social partners and NGOs.

As a result, the text on the Common Objectives for the Plans for 2003 was adapted by the Council to underline that gender should be integrated into every stage of the Plans. This was further detailed in the common outline of the Plans that the national co-ordinators set up. Thus, it is anticipated that specific actions on gender will feature more strongly in the Plans for 2003 and that gender mainstreaming throughout will be more evident.

7. The gender dimension in the national strategies on Pension

In December 2001, Member States agreed to submit reports on how they intend to ensure that coming generations of pensioners have adequate incomes without placing an excessive burden on future generations of workers. Reports are built on common objectives relating to the pension systems' adequacy, financial sustainability and their capacity to respond to changing needs. Objective 10 invites the Member States to explain how their pension systems can meet the aspirations for greater equality between women and men.

Women represent the majority of older people – nearly 60 % of people over 65 and close to two thirds of those over 75. However, most pension schemes were traditionally designed for men as the family breadwinner, working full-time and without career breaks. The first national reports, submitted in September 2002, show that many pension systems still reflect these basic principles.

The average level of women's pensions remains significantly lower in many countries than the average level of men's pensions, mainly due to differences between men's and women's employment histories.⁹ In Finland women's average total pensions are at 841 euros in 2000, 27% lower than the men's average. In Spain the gap is 37%. The average contributive pension for women was 405 euros and 650 euros for men in 2001. In Austria, the average statutory pensions in 2000 was 734 euros for women and 1334 euros for men, a gap of 45%. In France the average monthly pension for men in 1997 was 1342 euros, compared to 767 euros for women, a gap of 43%. In the UK the gap in 2001 was 16%, men receiving £183 per week and women £153.

However, the Commission's evaluation of the reports shows that the Member States are gradually adapting their systems to the evolving social and economic role of women and men, taking into account the higher labour market participation of women and moving to new provisions to facilitate the reconciliation between work and family responsibilities. However, their effects will be slow and significant differences between women's and men's pension entitlements will persist for a long time to come.

9 Commission communication on Draft Joint Report on Adequate and Sustainable Pensions – COM(2002)737 final

8. Other policies

8.1. External relations

A sub-group on external relations has been established within the context of the Inter-service group on gender equality, with representatives from the Directorates-General for Development, Enlargement, EuropeAid - Co-operation Office, External relations, Humanitarian Aid Office, Trade and Employment. In 2002, the sub-group undertook a review of existing policies, including the state of implementation of the three Communications¹⁰ in external relations, on the basis of a report prepared by a gender expert.

The group is focusing on effective implementation of the June 2001 Programme of Action for the mainstreaming of gender equality in Community Development Co-operation and is also looking at what the impact has been of EU trade, development and other foreign policies on women up until now. It will further investigate what the Commission can offer as added value in its negotiations and within its bilateral contacts with partners outside the EU, along with the issue of how the Commission supports the empowerment of women and their participation in humanitarian and political processes.

8.2. Research and development

The Commission has continued its activities in the area of 'Women and Science' using diverse approaches. An expert group which was set up in January 2002 to review the participation of women in industrial research reported in January 2003.

The Commission is also planning to establish a European Platform of women scientists, which will develop activities to promote women scientists and to enhance their involvement, at national and European level, in the political debate on science. To prepare this, a study of women scientist networks was launched in November 2002. This study will cover the period from November 2002 to June 2003.

At the end of October 2002, the Commission set up the Enwise Expert Group to study and report on the situation facing women scientists in Eastern and Central European countries and in the Baltic States. This Group will put forward recommendations to improve the role and place of women in European scientific research (European Research Area's objective) and to increase the number of female participants from the targeted countries in the 6th Community Research Framework Programme (2002-2006).

On 17 December 2002, the Commission published its first calls for proposals under the Sixth Framework Programme. Among them is an open call for proposals for Women and Science activities. The focus will be on developing synergies between national and regional policies and actions, increasing the participation of women in industrial research and mainstreaming gender equality in scientific institutions.

Moreover, integrated projects and networks of excellence funded by the Framework Programme will have to provide a gender equality action plan within each project. In addition to this, evaluators will be asked to ascertain if there is a gender dimension in a project, and if so, how it should be addressed.

¹⁰ Gender in development co-operation; Women in conflict prevention; The EU's role in the promotion of human rights and democratisation

8.3. Education

A seminar was held on 29 and 30 November 2002 in Budapest with the national Agencies and Ministries of Education in charge of the management of Socrates. The results and recommendations of the study on the evaluation of the gender impact of first phase of the Community action programme were debated and indicators were identified to be used in the second phase of the programme

In response to the Commission Communication "Making a European Area of Lifelong Learning a Reality",¹¹ the Council adopted a Resolution in May 2002. In this text equal opportunities is one of the fundamental principles of the life long learning concept. Among the objectives, access and participation by women in life long learning, especially within the framework of companies, are key factors.

As a result of the Commission Report on "Concrete future objectives of Education Systems",¹² the Council adopted a work programme¹³ which integrated an engendered approach. These two texts constitute a baseline for the future development of education and training policies in Europe.

8.4. Environment

In association with the Spanish Presidency, a seminar was held in February 2002 in Segovia, on European Environmental Policy and Women. Three topics were considered: the need for in-depth analysis of environmental issues from a gender perspective; concrete actions to incorporate gender perspectives into environmental policies; and the need for training. The results were presented at the Council meeting on 4 March 2002.

Gender mainstreaming was included as part of the DG Environment Management Plan in 2002 and progress was especially visible in the field of waste management and water, marine and soil. Two gender impact studies have been undertaken:

- In relation to waste management, an analysis of the effects in terms of gender impact of current waste planning policy at municipal level in the EU is being conducted with a view to utilizing the results of such study in the development of guidelines for Member State waste management planning.
- A second study on gender mainstreaming in the field of the Water Framework Directive has been launched with the objective of determining whether the policies impact differently in women and men, and as necessary, how to minimise any negative impact.

Training on Gender Mainstreaming was extended to co-ordinators level and included contact points in all units.

11 COM (2001) 678 final of 21 November 2001

12 COM (2001) 59 final of 31 January 2001

13 Adoption on 14 February 2002 No. 6365/02

9. Gender equality stakeholders

On 6 March 2002, the Group of Commissioners on gender equality held a dialogue with key bodies at European level, including the European Parliament, the Spanish Presidency, the Advisory Committee on Equal Opportunities for Women and Men and the European Women's Lobby.

The Inter-service Group on Gender Equality continued its co-ordination of gender mainstreaming policy within the Commission and supported the Commissioners' Group in monitoring progress and achievements.

The Advisory Committee for Equal Opportunities for Women and Men¹⁴ continued its work and adopted 5 opinions. Two of these were addressed to the Convention concerning the substance of a future EU Constitution and/or Treaty. These opinions set out fundamental principles which, according to the Committee, need to be taken up if Europe is to be a gender equal society.

In order to step up co-operation with EU national gender equality authorities and co-ordinate activities, the Commission, working in close co-operation with the EU presidency, organises a high-level meeting with senior officials from the Member States with responsibility for gender equality policies twice a year. The aim is to create a forum for an exchange of views on political and strategic matters related to gender mainstreaming and gender equality. The focus has been put on the follow-up of the Beijing Platform for Action in the Council and gender mainstreaming in Council formations. In 2002, the Spanish presidency followed the example of previous presidencies of integrating the gender dimension into two Council formations, the Environment Council and the Agriculture Council. The Danish presidency further integrated the gender dimension into all relevant agenda items in the Employment and Social Policy Council and presented a guide on how to gender mainstream Council formations.

Co-operation with other international organisations such as the United Nations (follow-up to the Beijing Platform for Action), the Council of Europe (Steering Committee for Equal Opportunities) and the OSCE (new action plan on gender equality) was continued in order to build on the expertise of these organisations and to further gender mainstreaming in relevant policies.

Non-governmental organisations play a major role in promoting gender equality. Their contribution is particularly valuable in the fight against trafficking in human beings and helping the victims. During 2002, women's NGOs were particularly active in making contributions to the work of the Convention on the Future of Europe.

The Committee on Women's rights and Equal Opportunities of the European Parliament has provided invaluable input throughout 2002 in the area of gender equality. The tasks of this committee include areas such as monitoring the evolution and implementation of women's rights in the Union and fostering women's rights in third countries, implementing and further developing mainstreaming in all sectors, promoting policy on equality between men and women with regard to labour market opportunities and treatment at work, as well as monitoring the implementation of current expenditure for which the committee is responsible. During 2002, the committee was the lead committee as co-legislator in the amendment of

14 http://europa.eu.int/comm/employment_social/equ_opp/strategy/advcom.html

Directive 76/207/EEC relating to the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions. At the same time, the committee had the opportunity to debate on a variety of issues such as the EU policy towards Mediterranean countries in relation to the promotion of women's rights and equal opportunities in those countries; representation of women among the social partners of the European Union; the mid-term review of the 2000-2003 Daphne Programme; sexual and reproductive health and rights; the mainstreaming of gender equality in Community Development Co-operation; and women and fundamentalism.

Chapter III

SPECIFIC POLICIES AND ACTIONS FOR GENDER EQUALITY

10. Legislation

10.1. Equal treatment

Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions was amended in September 2002¹⁵ after intensive and constructive co-operation between the Council of Ministers, the European Parliament and the Commission.

One of the key reforms focuses on sexual harassment at work. Now, for the first time at EU level, binding legislation defines sexual harassment and outlaws it as a form of discrimination based on sex. It bans any form of unwanted sexual behaviour that creates an intimidating or degrading environment and also urges employers to take preventive action against all forms of discrimination and to compile regular equality reports for staff.

Adoption of collective agreements establishing rules to end discrimination on the grounds of sex are strongly encouraged. The Directive also requires the establishment of equality bodies in the Member States and gives them extensive powers to monitor progress and to assist complainants against sex discrimination. It further provides that compensation awarded to employees discriminated against must be adequate in relation to the damage sustained, excluding any prior upper limit.

The Directive also provides that a woman on maternity leave will be entitled, after the end of her period of maternity leave, to return to her job or to an equivalent post on terms and conditions which are no less favourable to her and to benefit from any improvement in working conditions to which she would be entitled during her absence.

Although Member States have until 2005 to amend their national laws to comply with the Directive, most of them have already anticipated this obligation and have already taken action against sexual harassment at national level. The **Belgian** Act against harassment at work¹⁶ was adopted in June 2002. **French** legislation on harassment was amended¹⁷ to widen the definition to include bullying and the scope of persons eligible for protection. Furthermore, the **Finnish** social partners have combined to draw up and publish the first common guidelines to combat sexual harassment in the workplace. Finally, in **Ireland**, three new Codes of Practice have been issued under three different pieces of legislation, all reflecting the large number of complaints concerning bullying in the workplace.¹⁸

15 Directive 2002/73/EC of the European Parliament and of the Council of 23 September 2002 amending Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions, OJ L 269, 05/10/2002, p. 0015 - 0020

16 Moniteur belge/Belgisch Staatsblad, 22 June 2002.

17 Act of 2 November 2002.

18 These codes are the Code of Practice Detailing Procedures for Addressing Bullying in the Workplace under the Industrial Relations Act, 1990; the National Authority for Occupational Safety and Health Code of Practice on the Prevention of Workplace Bullying under the Safety, Health and Welfare at Work Act, 1989 and the Safety, Health and Welfare at Work (General Application) Regulations, 1993 (Council Directive 89/391/EC); and the Code

National courts are also increasingly involved in addressing this issue and the range of remedies varies greatly from one national court to another. In **France**, for instance, the *Cour de Cassation*¹⁹ upheld the decision of an employer to dismiss the medical manager of an undertaking on the grounds of sexual harassment. In **Spain**, the *Tribunal de Justicial de Castilla y León*²⁰ found a mayor guilty of the crime of sexual harassment of a councillor in the Town Hall. A substantial penalty was therefore imposed. In **Austria**, the Constitutional Court confirmed a decision of the Ministry for Labour, Health and Social Affairs by which the former head of a federal research institute was transferred to another post (of lower level) because he had subjected several of his female subordinates to verbal sexual harassment.²¹ Finally, in **Ireland**, following the report by an external advisory committee, the policy in the Irish Defence Forces is set to be altered to remedy the high level of harassment faced by individuals.

10.2. Equal pay

National courts have also been called upon to address the issue of equal pay. In **Luxembourg** the law provides that a qualified worker must receive an increase of 20% of the guaranteed minimum wage when the worker holds professional qualifications usually acquired by education or training certified by an official diploma or has worked for at least ten years in that profession. The *kantonrechter* of Hilversum in **the Netherlands** has given a favourable judgment on an equal pay claim brought by a woman care worker.²² The woman received lower pay than her colleagues because she did not have a diploma. When she was young, in 1957, she received the required training and education, but was not allowed to take the examination because by then she was married. Ruling in accordance with an opinion of the Equal Treatment Commission,²³ the judge decided that the woman had been barred from obtaining a diploma because she was a woman. In her case, the diploma requirement for a higher pay scale was indirectly discriminatory. New **Danish** legislation²⁴ requiring employers to produce gender-specific wage statistics for the enterprise entered into force on 1 July 2002.

10.3. Reconciliation of work and family life

Legislative initiatives have been introduced in a number of Member States during 2002. In **Austria**, a new Family Care Leave Act²⁵ was introduced in labour law in order to allow better care for dying family members and for children who are very sick. The Act provides to any worker the right to reduce working hours or to take unpaid leave with the employer's consent. On 21 January 2002, the **Dutch** Government proposed a Bill in Parliament which introduces a scheme for statutory long-term care leave.²⁶ In **Finland**, the government submitted a report to the Parliament on 11 April 2002 on child-related policy and evaluation of methods to reconcile work with family life. As a result it plans to expand the right to paternity leave up to four weeks from the present 18 days. The **Spanish** province of Catalonia has established by law the right of its employees to reduce their working-day schedule by one third for eight

of Practice issued by the Equality Authority on Sexual Harassment and Harassment at Work under the Employment Equality Act, 1998 - Employment Equality Act, 1998 (Code of Practice)(Harassment) Order 2002.18

19 Soc. 5 mars 2002 Société Louisiane v. Alsaz RJS 5/02- No 528, p. 411.

20 The Highest Court of Justice in the Autonomous Community of Castilla-León, Judgment of 30 May 2002.

21 Verfassungsgerichtshof 26.11.2002, B 2212/00.

22 Source: www.cgb.nl/cgbrief/11-rechters1.html

23 Opinion 1998-01.

24 Act No 445 of 7 June 2001.

25 OJ L 89/2002

26 Source: press release Ministry of Social Affairs and Employment, 21-1-2002. www.minszw.nl

months, with no reduction in salary, after the 18 weeks' maternity leave. This measure was provided, in principle, only for women, but will be extended to all civil servants regardless of sex. The **Danish** parental leave and child-minding leave rules have changed considerably. Under Act No 141 of 25 March 2002, there is no longer a separate child-minding leave in addition to parental leave.²⁷ The **German Job Active Gesetz** ensures as of 1 January 2003 that persons on parental leave are able to benefit from unemployment insurance upon their return²⁸.

National courts decisions are also very encouraging with regard to reconciling work with family life. The **German** Constitutional Court²⁹ rejected a claim opposing the extension of primary school hours in Saxony Anhalt. The general idea behind the schedules is to make primary school times more convenient for working parents. In the **United Kingdom**, the Court of Appeal³⁰ decided that an employer had indirectly discriminated against a woman on the grounds of sex by selecting staff on fixed-term contracts for redundancy before those on permanent contracts. Finally, in **Italy**, the Tribunal of Venice³¹ held that under national law³² parents are free to choose the period in which they wish to make use of their parental leave on the sole condition that they give prior notice. Employers cannot refuse or postpone parental leave on the grounds that the demands of the job do not permit it.

11. The action programme

The Commission supports transnational projects for the exchange of information and good practice and for networking at EU level, offering subsidies of between €250 000 to €500 000, to cover up to 80% of costs. The remaining 20% must be funded in cash by the applicant or other sources. Projects must involve partners from at least three countries, and generally run for 15 months.

11.1. Equal Pay: *Priority in 2001*

Equal pay for women and men in the EU was the priority theme for the programme's first year because the gender pay gap is one of the most visible inequalities women face at work. On average, women in the Union earn only 84% of men's wages. The majority of the 27 projects³³ selected in 2001 under the action programme – and funded to the tune of €8 million – dealt with equal pay issues, and the results are due in 2003. However, as projects run for 15 months, a number of conferences already took place in 2002. The continuing existence of the gender gap was again highlighted at these and in a number of reports³⁴ confirming the importance of collective agreements, gender-sensitive job evaluation systems, a checklist for wage negotiations, and an action plan for equal pay.

27 This is available in Danish in Retsinformation at <http://www.retsinfo.dk/DELFIN/HTML/A2002/0014130.htm>

28 Bundesgesetzblatt Teil I, 2001, Nr. 66 vom 14.12.2001, S. 3443; <http://217.160.60.235/BGBl/bgb11f/b101066f.pdf>

29 Decision of 16 April 2002, 1 BvR 279/02, http://www.bundesverfassungsgericht.de/entscheidungen/rk20020416_1bvr027902.

30 Whiffen v Milham Ford Girls' School [2001] Industrial Relations Law Reports 468.

31 Il lavoro nella giurisprudenza, 2001, p. 1052 ff.

32 Article 32 of Decree No 151 of 21 of March 2001 constitutes the Consolidation Act on the Protection of Maternity (published in the Government Gazette on 26 April 2001, No 93 <http://www.parlamento.it/parlam/leggi/deleghe/01151dl.htm>).

33 Web reference

34 Centraal Bureau voor de Statistiek, www.cbs.nl press release of 29 May 2002. See Bulletin 2/2002, p. 32. See Bulletin 2/2002, p. 24. Bericht zur Berufs- und Einkommenssituation von Frauen und Männern im Auftrag des Bundesministeriums für Familie, Senioren, Frauen und Jugend, July 2001; available at http://www.bmfsfj.de/Anlage19920/Bericht_der_Bundesregierung_zur_Berufs-_und_Einkommenssituation_von_Frauen_und_Maennern.pdf. <http://www.destatis.de/presse/deutsch/pm2002/p2460042.htm>.

The Danish Presidency hosted a conference on 29 November 2002 on equal pay in co-operation with two projects within the European Community programme relating to the Framework Strategy on gender equality. The aim of the conference was to show the "business world" that equal pay is value added. Public and private companies plus representatives of the social partners and governmental and European bodies were invited.

11.2. Reconciliation of family and working life: *Priority in 2002*

Reconciliation policies are key components of the gender dimension in the European Employment Strategy and the Social Inclusion Process aimed at ensuring favourable conditions for women and men to enter, re-enter and remain in the labour market.

This includes access to affordable and high quality care services, equal share of care and household responsibilities, encouragement for fathers to take up parental leave and possibilities for flexible arrangements for both men and women. Special attention is given to problems met by women in low income groups. Only 12% of women in the 16 to 64 age group are in full employment and 8% work part-time, while 66% of them are inactive compared to 35% of the men in low income groups.³⁵

It is also important for the Member States to take reconciliation measures into account when reforming their pension systems to prevent jeopardising the pension entitlements of those women and men who take time off to care for their children.

The Finnish Prime Minister, Paavo Lipponen, is an excellent example of successfully managing to reconcile family and working life. After the birth of both of his daughters, the Prime Minister took five days of paternity leave. "A Prime Minister is never on holiday. I had to be reached all the time by telephone. This, however, did not disturb the most important thing – being with the family. It was the best time for the whole family. And my paternity leave did not have any negative consequences to my career. On the contrary, the press in Spain, Italy, Belgium and France – and to some extent also the Finnish newspapers – reported on the Prime Minister who preferred to stay home with his new-born baby during the summit meeting in Madrid. That was the best publicity Finland ever could get. I did it to encourage Finnish – as well as all European – fathers to benefit from the opportunity of having paternity leave".

In response to the calls for proposals under the Gender Equality Programme, 18 projects were selected in 2002 under the action programme – and funded to the tune of €7.5 million. The projects started at the end of 2002, and will run for 15 months.

11.3. Women in decision-making: *Priority in 2003*

Parity in political life remains an issue at both Member State and European level. Whilst in some Member States there is a trend towards the introduction of legislation on parity, the results of recent national elections have left mixed feelings. In **France**, for instance, the law on parity has not had the expected impact of balancing gender representation either in local or in the parliamentary elections.³⁶ On the other hand, although **Portugal** shows a low representation of women at parliamentary and governmental levels, a slight improvement is

³⁵ The life of women and men in Europe – A statistical portrait, Eurostat, ECHP-UDB, Dec 2001, p. 102
³⁶ See Bulletin 2/2002, p. 21.

noticeable in this country.³⁷ By contrast, the progress of women at the parliamentary election in the **Netherlands** in May 2002 was negative by comparison to the previous election.³⁸ In **Germany**, a Government report on gender balance in committees³⁹ is fairly encouraging.⁴⁰

A number of Member States are now addressing the issue of gender-balanced political representation. In **Belgium**, the Constitution was amended to facilitate gender parity at federal and federate level.⁴¹ In **Ireland**, the Equality Authority has produced a framework document⁴² which includes the objective of achieving political equality.⁴³ The Parliaments of two **Spanish** Autonomous Communities have also adopted laws on electoral equality, which oblige political parties to present an equal number of candidates of each sex.⁴⁴ Finally, in the **United Kingdom**, the Sex Discrimination (Election Candidates) Act 2002⁴⁵ amends United Kingdom sex discrimination legislation so as to permit political parties to select candidates from women-only shortlists.⁴⁶

In 2003 the spotlight will be on women in decision-making. Following the ongoing assessment of women's participation at the decision-making level, and in advance of the elections to the European Parliament in 2004, the Commission will concentrate its 2003 funding activities on the promotion of gender balance in decision-making, both in political and in economic life.

An open call for proposals was launched in October 2002 under the Gender Equality Programme. Proposals from NGOs or social partners at European level, and networks of regional or local authorities and organisations that aim to promote gender equality are invited.

11.4. Priority themes for the Future years in the Gender Equality Programme

In order to cover all strands of the Framework Strategy on Gender Equality (2001-2005), for which the Programme gives financial backing, the Commission has defined the following priorities:

2001: Equal Pay

2002: Reconciliation of work and family life

2003: Women in Decision-making

2004–2005: Gender stereotyping, including themes set out in the Framework Strategy

37 See Bulletin 2/2002, p. 33.

38 See Bulletin 2/2002, p. 33.

39 See http://www.bmfsfj.de/top/sonstige/Politikbereiche/Gleichstellung/ix4790_hm.

40 See Bulletin 2/2002, p. 24.

41 See Bulletin 2/2002, p. 17.

42 National Action Plan for Women, (April 2002) The document is available at www.equality.ie – go to publications.

43 See Bulletin 2/2002, p. 30.

44 See Bulletin 2/2002, p. 35.

45 The Act is available at: www.hmso.gov.uk/acts/acts2002/20020002.htm.

46 See Bulletin 1/2002, p. 40.

Chapter IV

HUMAN RIGHTS

12. Trafficking in human beings

The issues of combating trafficking in human beings, especially of women for sexual exploitation continued to be high on the political agenda in 2002. Tens of thousands women and children are trafficked into the European Union which gives rise to great concern.,

The fight against trafficking in human beings is one of the EU's political priorities. In 1996, it launched the STOP programme to support actions to combat trafficking in human beings and the sexual exploitation of children. It has intensified law-enforcement co-operation to deal with traffickers and has tried to tackle this problem in its talks with countries of origin, transit and destination, with a budget of €2 million for activities during 2002.

Within the framework of the 2002 Community budget, a new budget line A-3046 was adopted by the European Parliament for funding women's organisations other than the European Women's Lobby (EWL). This new line entitled '*Woman's Organisations*' with a budget of €300 000 was designed to cover grants to Women's Organisations other than the European Women's Lobby and be implemented by the Directorate-General for Employment and Social Affairs. Consequently, an open call for proposals was launched with the aim of creating a "consortium" of women's organisations not covered by the European Women's Lobby, which assist the victims of trafficking across Europe.

From 18 to 20 September 2002, the European Conference on "Preventing and Combating Trafficking in Human Beings – Global Challenge for the 21st Century" took place in Brussels. The Conference was initiated by the European Commission under the STOP II Programme and organised by the International Organisation for Migration (IOM) in close co-operation with the European Parliament and the European Commission. It brought together more than 1000 participants representing EU Member States, Candidate Countries, neighbouring countries of an enlarged Union, United States, Canada, international and inter-governmental and non governmental organisations (NGOs) and the EU institutions.

The Brussels Declaration is the major outcome of the conference. It aims at further developing European and international co-operation, concrete measures, standards, best practices and mechanisms to prevent and combat trafficking in human beings. To that end the Brussels Declaration comprises recommendations regarding prevention of trafficking, victim protection and assistance, police and judicial cooperation. The Commission is giving high priority to the implementation of the Brussels Declaration.

A Commission conference "Turning the spotlight on trafficking in women" on 5-6 December 2002 in Syracuse, Sicily, brought together experts and politicians from several EU and candidate countries. Existing tools to fight trafficking at national and EU level were discussed and prevention and assistance measures examined to stamp out this menace.

During the Conference, the creation of the "consortium" funded under the new budget line was announced. The consortium's activities will be co-ordinated by an Italian NGO, IRENE, with the aim of helping sister groupings in six member states⁴⁷ and Norway to provide assistance to some of the estimated half a million women and children who fall prey to trafficking each year in Europe.

13. Domestic violence

Within the context of the implementation of the Beijing Platform of Action and under the impulse of the Spanish Presidency in the first half of 2002, a Study and a Good Practice Guide on violence against women was published. Its findings were discussed by the Council, which underlined the importance of a multidisciplinary and multilevel approach to the eradication of violence against women, of the exchange of good practices within the EU, and of continuing to develop awareness-building campaigns. Building on this, the Council, under the Danish Presidency, adopted a set of indicators in December 2002.

The choice of these indicators demonstrates both a common concern and approach to domestic violence across Member States. Within this context, the Commission is drawing up a Communication aiming to pull together the common elements of the policies for the prevention and elimination of domestic violence into which these new indicators can be integrated in order to enhance action at Member State and European level.

The second phase of Community action (2004-2008) to prevent violence against children, young people and women and to protect victims and groups at risk (the DAPHNE II programme) was proposed in December 2002. The proposal builds on the experience gained during the implementation of the first programme, and the structure of this proposal is similar to that of the original Daphne programme, which runs during the period 2000-2003. The Daphne Programme, its projects and results are indeed recognised, in Europe and beyond, as a major programming tool against violence and a model of good practice in linking regional policy and frameworks with regional co-operative action.

14. Muslim women in Europe

One other initiative that was pursued in 2002 was the integration of Muslim women into European society. The Commission's 8 March International Women's Day event was devoted to this issue and on 24 October 2002 Commissioner Diamantopoulou hosted a webstreaming conference with a view to giving Muslim women living all around Europe the possibility to participate in an interesting and technically innovative discussion on how they perceive their role and involvement in European society and what they expect from the EU as a response.

The conference was part of the EU's efforts to combat discrimination and promote equality, and followed recent visits by Commissioner Diamantopoulou to the Palestinian Territories and Israel. The message delivered by the European Union is that "European society is founded on the principles of human rights, equality between men and women and non-discrimination. While it is true that Europeans must respect Muslims' way of life, Muslims living in Europe must themselves respect European principles and rules".

Indeed, the European Union has called for further efforts by both the European and the national institutions and agencies as well as the Muslim communities themselves to combat xenophobia and islamaphobia and to understand the needs, priorities and demands of Muslim

⁴⁷ Belgium, Denmark, France, Greece, Italy and Spain.

women. More needs to be done to acknowledge the barriers that these women face in gaining access to a job and education, and also the contributions they bring to their communities.

15. Stoning of women

The death penalty is no longer applied in any Member State. Thus, the death penalty in itself, and particularly when enforced through stoning is not considered acceptable. Unfortunately, stoning is more common than we realise as it gets little worldwide publicity. Women are heavily discriminated against in this respect, too. In 2002, 12 women were stoned to death in Iran for "moral" crimes. Men "just" get their hands amputated for similar offences.

In the Presidency Conclusions of the Barcelona Council (15-16 March 2002), the European Union expressed its concern with regard to information received on the potential stoning of a woman in Nigeria and urged the Nigerian authorities to fully respect human rights and human dignity, with particular reference to women.

In September 2002, 1.3 million signatures were presented to the Nigerian High Commissioner in London against a sentence of death by stoning for adultery imposed on a Nigerian woman. Amina Lawal, 30, was found guilty by an Islamic appeal court in Katsina state in March after bearing a child outside marriage. On 24 September 2002, Belgium demonstrated for Amina Lawal outside the Nigerian Embassy in Brussels.

16. Afghan women

Attention was given to the plight of Afghan women in the European Union in 2002. There are thousands of widows in the capital of Afghanistan. Women are forced to cover themselves from head to toe, denied access to education and proper health care, forbidden to work in order to support their families, and face brutal beatings if they do not comply with the rules set forth for them by their oppressors.

On 9th October 2002 Commissioner Diamantopoulou met with the Afghan Vice-President and first Women's Minister, Habiba Sorabi. Willingness was expressed on both sides. Both agreed that the situation of women in Afghanistan should not be forgotten and expressed their willingness to develop further co-operation to improve the situation for women in Afghanistan. Capacity building and education were central themes of the discussions along with EU-funded projects. Commissioner Diamantopoulou also underlined the need to involve women in all aspects of reconstruction and state building.

CHAPTER V

PERSPECTIVES FOR 2003

17. The Framework Strategy

The Commission work programme for 2003 will include the following horizontal priorities for all DGs and services:

- A gender impact assessment will be incorporated into the overall Impact Assessment of new proposals as appropriate, and gender mainstreaming will continue in selected policy areas which have not up to now been gender mainstreamed.
- Each service will enhance its efforts to collect gender-disaggregated data and systematically break down by gender all related statistics and develop gender equality indicators.
- Each DG and service will incorporate gender mainstreaming modules into its training plans for staff members of all levels, in particular management level.

18. Legal Initiatives

In the field of equal treatment, a **recast** of the existing Directives responds to the new guidelines for "better regulation" and aims to simplify and update existing Community legislation. The Commission will launch open consultation on the possible guidelines for this recast in the first quarter of the year, with a proposal scheduled for the end of the year.

In 2003, the Commission intends to produce a report on the implementation of the Directive on parental leave, including considerations on why so many fathers have not exercised this right.

19. Reinforcement of the Lisbon Strategy

As stated in the Commission's Communication⁴⁸ to the Barcelona Summit, an analysis of gender gaps, including the pay gap, will be prepared in 2003.

20. Greek and Italian Presidencies' initiatives on women in decision-making

In order to complete the Beijing indicators on women in decision-making, the Greek and Italian presidencies will prepare an analysis of women in decision-making in economic life, with indicators. This will coincide with the setting-up of the Commission database on decision-makers, which will encompass both political and economic life.

⁴⁸ COM (2002) 14 final, 15.01.02