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NOTE

From:	Permanent Representatives Committee (Part 1)
To:	Council
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Subject:	Response to the Commission's Strategic engagement for gender equality - Draft Council Conclusions

At its meeting on 7 March 2016, the EPSCO Council did not quite manage to reach an agreement on a package of two sets of draft Council Conclusions entitled "Response to the Commission's Strategic engagement for gender equality" and "Response to the Commission's List of actions to advance LGBTI".

In the light of the importance of equality in general, and of gender and LGBTI equality in particular, and following the request of several Member States, the Presidency decided to resume the negotiations on the package.

At its meeting on 8 June 2016, the Committee of Permanent Representatives supported the draft Conclusions on Gender equality as attached. (However, see also doc. 9948/16.)

Subject to an agreement on the package comprising both sets of Conclusions, the EPSCO Council is invited to adopt the attached draft Conclusions at its session on 16 June 2016.

**Response to the Commission's
Strategic engagement for gender equality
- Draft Council Conclusions**

WHEREAS

1. Respect both for human rights and respect for equality between women and men are founding values for the Union, as stated in the Treaty on European Union and in the Charter of Fundamental Rights of the European Union.
2. It is important to promote common values such as respect for human rights and equality between women and men as well as a common understanding that human rights are universal and apply to all, irrespective of, *inter alia*, sex.
3. The Treaty on the Functioning of the European Union (TFEU) provides that the Union shall aim in all its activities to eliminate inequalities and to promote equality between women and men, and to combat discrimination on various grounds, including sex, when defining and implementing its policies and activities¹ and empowers the Council to take action to combat discrimination on those grounds.²
4. This set of Conclusions builds on previous work and political commitments voiced by the European Parliament, the Council, the Commission and other relevant stakeholders, including the documents listed in Annex I.
5. Equality between women and men is a fundamental principle of the European Union enshrined in the Treaties and is one of the objectives and tasks of the Union, and mainstreaming the principle of equality between women and men in all its activities represents a specific mission for the Union.³

¹ Article 8 and 10 TFEU.

² Article 19 TFEU.

³ Articles 2 and 3(3) TEU and Article 8 TFEU

6. Equality between men and women is enshrined in Article 23 of the Charter of Fundamental Rights of the European Union.
7. The European Parliament and the Council have both invited the Commission to adopt a Strategy, with the same formal status as previous Strategies, for gender equality for the period after 2015.
8. In its Work Programme for 2016, the Commission has reaffirmed its commitment to continue its work to promote equality between men and women.
9. The Commission recently presented its Strategic engagement for gender equality 2016-2019 which sets out five priority areas: increasing female labour-market participation and the equal economic independence of women and men; reducing the gender pay, earnings and pension gaps and thus fighting poverty among women; promoting equality between women and men in decision-making; combating gender-based violence and protecting and supporting victims; and promoting gender equality and women's rights across the world.
10. The Union possesses a significant body of legislation promoting compliance with the principle of equal treatment for men and women in the fields of employment and access to goods and services.
11. The Union has played an important role in promoting gender equality worldwide and has committed itself, *inter alia*, to the full and effective realisation of the UN Beijing Platform for Action. Since 1999, the Council has adopted Conclusions with sets of quantitative and qualitative indicators on the critical areas of concern.

12. The UN Summit held on 25-27 September 2015 adopted the 2030 Agenda for Sustainable Development, including a stand-alone goal to “Achieve gender equality and empower all women and girls” as well as the commitment to mainstreaming gender equality in other goals. This universal agenda provides new obligations and opportunities to fully mainstream the gender dimension into all relevant EU and national strategies, policies and funding programmes and to systematically promote and implement gender impact assessments and gender budgeting, and to monitor and evaluate policies, including by collecting sound and comparable data disaggregated by sex and age, using available data wherever possible, with a view to achieving gender equality, not only in the context of external action, but also within the Union.
13. Although gender gaps have narrowed in recent decades, inequalities persist and challenges remain in several critical areas. There are still significant gender gaps in employment, self-employment, part-time work, entrepreneurship and decision-making, as well as in pay and pensions, and thus women also face a higher risk of poverty compared with men. Women are more likely to have completed higher education but are significantly under-represented, for example, in STEM⁴ studies and careers, in research and in senior posts at all levels of education. Moreover, men remain under-represented in fields such as child and elder care, early education, the health sector and unpaid work. Meanwhile gender-based violence and gender stereotypes remain widespread.
14. Men have a crucial role to play in ensuring progress towards gender equality, including through equal sharing of responsibilities for care of dependants, which is one of the preconditions for women's equal participation in the labour market. Creating institutional and, where appropriate, legislative frameworks that allow both women and men real personal freedom of choice in the reconciliation of work, family and private life offers advantages to both sexes and a way to advance the practical realisation of *de facto* equality between men and women.

⁴ Science, technology, engineering and mathematics.

15. According to the Commission's 2014 Report on equality between women and men, at the present rate of change, it would take another 70 years to achieve gender equality. A formal political commitment and active policy initiatives are thus needed to accelerate progress and meet the expectations of citizens. Gender equality is also a prerequisite for economic growth, prosperity and competitiveness and thus for the sustainability and well-being of our societies.
16. In the Trio Presidency Declaration signed in Brussels on 7 December 2015, the Dutch, Slovak and Maltese Presidencies reaffirmed the call for a new Commission initiative setting out a Strategy for equality between women and men 2016-2020 which should be closely linked to the Europe 2020 Strategy and which should also take into account the United Nations 2030 Agenda for Sustainable Development.

THE COUNCIL OF THE EUROPEAN UNION

17. REAFFIRMS ITS CALL ON THE EUROPEAN COMMISSION to enhance the status of its Strategic engagement for gender equality 2016-2019 by adopting it as a Communication, in keeping with the Strategy for equality between women and men 2010-2015, thus reaffirming its commitment to the promotion of equality between women and men and increasing visibility and awareness of gender equality in all policy areas. The Commission's Strategic engagement should also be closely linked to the Europe 2020 Strategy, and should take into account the United Nations 2030 Agenda for Sustainable Development.

WELCOMES

18. The Commission's commitment to ensuring coherence between the five key areas for action outlined in the Strategic engagement for gender equality 2016-2019 and the EU's external policy.
19. The five priority areas for action and the horizontal issues set out in the Commission's Strategic engagement for gender equality 2016-2019.

20. REAFFIRMS the importance of ensuring equal economic independence for women and men, including through measures aiming to raise to 75% the employment rate for women and men aged 20-64, in accordance with the headline target set in the Europe 2020 Strategy, and taking specific measures to achieve that target.
21. STRESSES that the Union institutions, the European Institute for Gender Equality (EIGE), the Member States, the social partners, bodies promoting gender equality, and civil society, all have a vital role to play in accelerating progress towards equality between women and men and in ensuring that the objectives of the Commission's Strategic engagement for gender equality 2016-2019 are met.
22. STRESSES that equal rights, opportunities and access to resources, and the equal sharing of care and family responsibilities by men and women, all help to support the multiple roles of women and men and are critical to their well-being and that of their families. The societal significance of the role of parents in the upbringing of children and caring for other dependants should also be acknowledged. Efforts to enhance work-life balance should therefore be stepped up with a view to supporting both women and men throughout the life course, bearing in mind that the availability of quality care services is key to the achievement of gender equality.
23. CALLS ON THE EUROPEAN COMMISSION to implement the actions outlined in its Strategic engagement without delay and in accordance with the timetable set out therein; to present new initiatives to address the work-life balance challenges faced by working parents and caregivers in order to advance gender equality, including by encouraging the equal sharing of care responsibilities; to take steps to reduce the serious threats and risks faced by refugee women in particular; to step up efforts to combat gender and other stereotypes; to reduce the gender gaps in employment, pay, earnings and pensions; to promote gender equality in decision-making; and to strengthen efforts to combat gender-based violence.

24. CALLS ON THE EUROPEAN COMMISSION AND THE MEMBER STATES, in accordance with their respective competences, to increase efforts and funding, where necessary, to support existing and/or new measures and strategies to combat all forms of violence against women and girls by applying a comprehensive policy that includes measures for prevention, protection and punishment, and also tackles emerging forms of violence; and to involve men and boys in the prevention of and fight against violence against women and girls.
25. CALLS, in this context, and in accordance with their competences, on THE MEMBER STATES to consider signing, ratifying and implementing the Council of Europe Convention on preventing and combating violence against women and domestic violence.
26. CALLS ON THE EUROPEAN COMMISSION AND THE MEMBER STATES, in accordance with their respective competences, to address the gender equality dimension of migration, asylum, refugee and social and economic integration policies, including by ensuring the full enjoyment of human rights.
27. CALLS ON THE EUROPEAN COMMISSION to step up its work on gender equality and to incorporate a concrete action plan for the implementation of a systematic and visible gender equality perspective into all EU activities and policies, to place gender equality on its agenda and adopt a new high-level Strategy for gender equality in the form of a Communication before the expiry of its Strategic engagement for gender equality 2016-2019.
28. CALLS ON THE EUROPEAN COMMISSION AND THE MEMBER STATES to implement and monitor the gender equality commitments created at the global level, making use of the High Level Group on Gender Mainstreaming to explore new ways of following up those commitments, developing synergies between the EU follow-up of the Beijing Platform for Action and the future follow-up at EU level of the 2030 Agenda for Sustainable Development.

29. CALLS ON THE EUROPEAN COMMISSION AND THE MEMBER STATES to reinforce and continue to support the action of national institutional mechanisms for the advancement of women and gender equality, including equality bodies, which are crucial for the advancement of *de jure* and *de facto* gender equality, as well as that of the European Network of Equality Bodies (Equinet).
30. CALLS ON THE EUROPEAN COMMISSION AND THE MEMBER STATES to further advance, where appropriate, the collection, compilation, analysis, and dissemination of timely, reliable and comparable data disaggregated by sex and age, in cooperation with EU and national statistical offices and making full use of the capacity and expertise of EIGE, in order to facilitate the achievement of *de facto* gender equality.
31. INVITES THE EUROPEAN COMMISSION to monitor progress in the field of gender equality in its annual reports on "Equality between Women and Men," to adopt those reports in official form, and to use them in the context of the European Semester to enhance gender mainstreaming.
32. CALLS ON THE EUROPEAN COMMISSION, in line with its obligations under the Treaty, to incorporate the gender equality perspective when preparing the post-2020 generation of EU funding programmes.

INVITES THE MEMBER STATES

33. In order to accelerate progress towards equality between women and men and to achieve *de facto* gender equality, taking into account their national circumstances, to:
 - (a) work together with the European Commission to promote equality between men and women, in line with the Commission's Strategic engagement for gender equality 2016-2019;
 - (b) ensure the effective implementation of their national gender equality strategies;

- (c) ensure that equality between women and men is effectively pursued in their national policies and in their National Reform Programmes in the context of the implementation of the Europe 2020 Strategy;
 - (d) improve the follow-up of the European Pact for Gender Equality by making full use of existing mechanisms, structures and indicators;
 - (e) take steps to facilitate the reconciliation of work, family and private life and the equal sharing of care responsibilities, and promote women's full participation in the labour market, including by providing access to affordable, quality childcare in line with the objectives set at the European Council in Barcelona in March 2002; and
 - (f) conduct awareness-raising on equality between women and men.
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References

1) European Parliament

European Parliament Resolution of 3 February 2016 on the new Strategy for Women's Rights and Gender Equality in Europe post-2015 (2016/2526(RSP))

European Parliament resolution of 09 June 2015 on the EU Strategy for equality between women and men post 2015 (2014/2152(INI))

2) Council

All Council Conclusions adopted on the review of the Beijing Platform for Action⁵, and especially those cited below.

Council Conclusions on Equality between women and men in the field of decision-making (14327/15)

Council Conclusions of 11 December 2014 on Gender equality in the EU: the way forward after 2015. Taking stock of 20 years of implementation of the Beijing Platform for Action (16891/14)

Council Conclusions of 7 March 2011 on the European Pact for Gender Equality (2011-2020) (OJ C 155, 25.5.2011, p. 10)

Council Conclusions on Preventing and combating all forms of violence against women and girls, including female genital mutilation (9543/14)

⁵ http://ec.europa.eu/justice/gender-equality/tools/statistics-indicators/platform-action/index_en.htm

3) **European Council**

Conclusions of the **European Council** (25/26 June 2015) (EUCO 22/15)

4) **Commission**

Commission Staff Working Document on a Strategic engagement for gender equality 2016-2019 (14746/15)

Commission and EEAS Joint Staff Working Document on Gender Equality and Women's Empowerment: Transforming the Lives of Girls and Women through EU External Relations 2016-2020 (12249/15)

Commission Staff Working Document 2014 Report on equality between women and men (6786/15)

Commission Staff Working Document 2015 Report on equality between women and men (6853/16)

Commission's Strategy for equality between women and men 2010-2015 (13767/10)

Commission's Roadmap for equality between women and men (2006-10) (COM(2006) 92 final)

5) **European Institute for Gender Equality**

Gender Equality Index: <http://eige.europa.eu/rdc/eige-publications/gender-equality-index-2015-measuring-gender-equality-european-union-2005-2012-report>