



Gender Equality

DG JUST D2

These slides accompany the explanation of the acquis to Albania and North Macedonia and can only be used for that purpose. Their content is subject to further development of the acquis and interpretation by the Court of Justice of the European Union

Presentation outline

Gender Equality – a fundamental EU value

Strategic engagement for gender equality 2016-2019

Regulation (EC) No 1922/2006 establishing a European Institute for Gender Equality

Directive 2004/113/EC on gender equality in access to goods and services

Violence against women and the EU accession to the Istanbul Convention

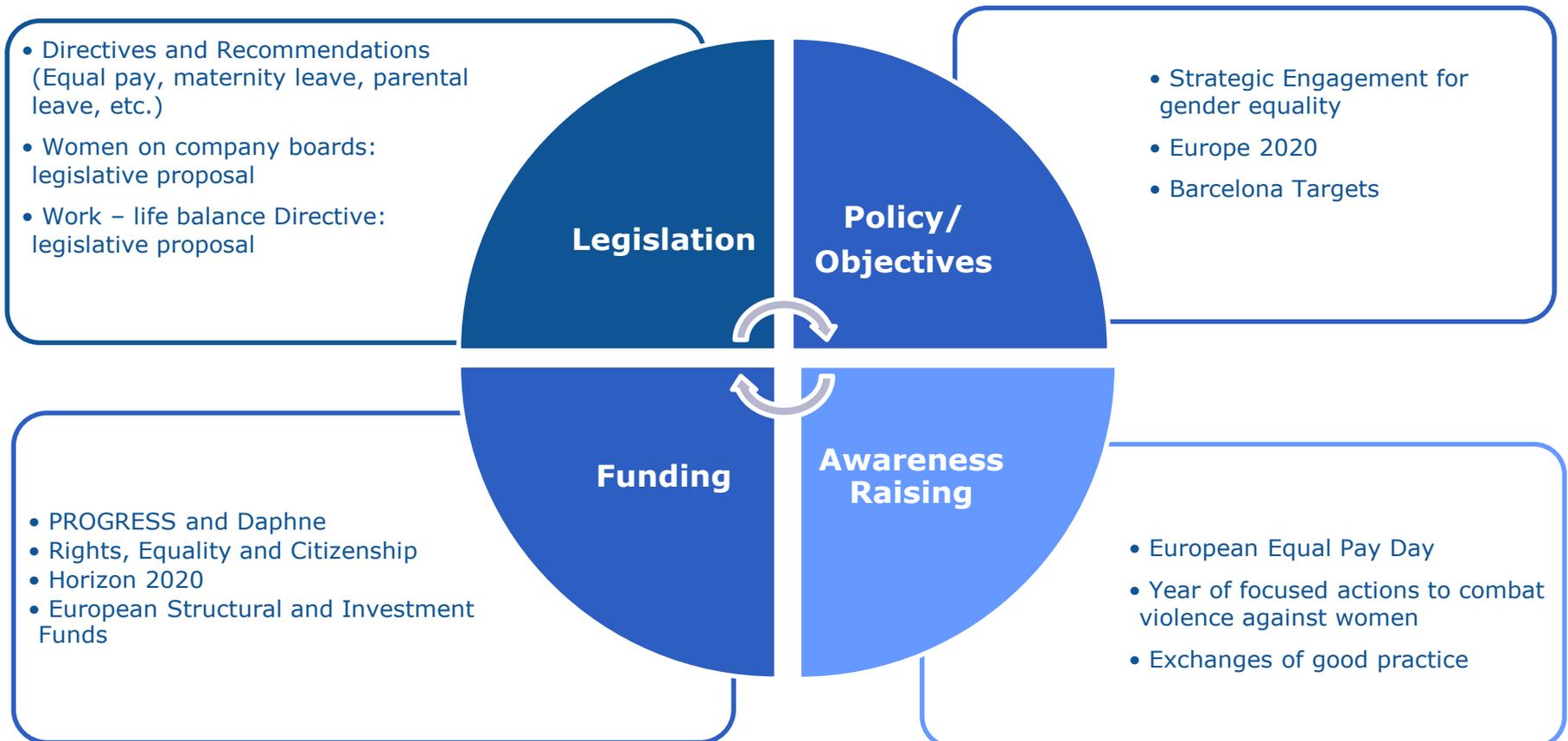
Gender equality – a fundamental EU value

Articles 2 and 3 of the Treaty on European Union

Article 8 of the Treaty on the Functioning of the European Union

Articles 21 and 23 of the Charter of Fundamental Rights of the European Union

How does the EU work on gender equality?



Strategic engagement for gender equality 2016-2019



- Sets the framework for the Commission's future work towards improving gender equality

- Sets out five priority areas of action, as well as objectives in each area and identifies more than 30 concrete actions

- Includes timelines and indicators, against which progress will be assessed

- Emphasises the commitment to also integrate a gender equality perspective into all EU policies

- Provides a reference framework for efforts undertaken at the European, national, regional and local levels.

Strategic engagement for gender equality

- priority areas for action 2016-2019

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



European Institute for Gender Equality

The European Institute for Gender Equality (EIGE) is an EU agency working to make gender equality a reality in the EU and beyond;

Established by Regulation (EC) No 1922/2006 of the European Parliament and of the Council of 20 December 2006 on establishing a European Institute for Gender Equality.

EIGE's tasks

It provides research and data and disseminates good practices by:

Producing studies and collecting statistics about gender equality in the EU.

Sharing knowledge and online resources and supporting the EU institutions, Member States and stakeholders from many different fields in their efforts to address gender inequalities.

Monitoring how the EU meets its international commitments for gender equality, such as the Beijing Platform for Action, and produces an annual progress report on this.

Working to stop violence against women and coordinating the European White Ribbon Campaign to engage men in the cause.

EIGE's working methods

EIGE's work is guided by a three-year strategic plan called 'the Single Programming Document'. This includes an annual work programme and a budget.

EIGE works with its stakeholders at various levels: the European Commission, the European Parliament and Council of the European Union and EU Member States.

EU Presidencies can also ask EIGE to carry out a study on one of the areas covered in the Beijing Platform for Action.

Civil society organisations, the academia, social partners and other gender equality experts are regular visitors to EIGE.

Violence against women in the EU - some figures

According to a 2014 survey by the European Union Agency for Fundamental Rights (FRA):

- **1 in 3 women experienced sexual or physical violence since age of 15;**
 - **1 in 20 women experienced rape;**
 - **75 % of women in qualified/management positions sexually harassed;**
 - **1 in ten women stalked /harassed through new technologies;**
- ... and under-reporting still persists!**

The Istanbul Convention – main features

- *The Council of Europe Convention on preventing and combating violence against women and domestic violence is the first regional legal instrument to set binding rules on combatting violence against women*
- *Violence against women a human rights violation*
- *Holistic approach: prevention, protection & prosecution*
- *Criminalisation of different forms of violence*
- *Aims to bring about societal change*

The Istanbul Convention – EU Accession Process

EU accession alongside the Member States

March 2016: Commission proposals

May 2017: Council signing decision

June 2017: EU signature

Ongoing work on the Council conclusion decision

Council qualified majority decision after consent by the European Parliament

The Istanbul Convention – added value of EU accession

The EU accession will:

- **Strengthen the existing political framework in the EU**
- **Ensure the uniform interpretation of the affected acquis in all Member States**
- **Improve data collection**
- **Strengthen the EU's impact on international fora**



Directive 2004/113/EC – the Goods and Services Directive

*Council Directive 2004/113/EC of 13 December 2004
implementing the principle of equal treatment between men and women in
the access to and supply of goods and services*

*Addresses sex-based discrimination, including harassment and sexual
harassment, outside of the labour market, namely in the supply of goods
and services*

Applies to:

- **All people and organisations (both in the public and private sectors);**
- **Making goods or services available to the public;**
- **Outside the area of private and family life;**
- **With the exception of the media, advertising and public and private education.**

Directive 2004/113/EC – the Goods and Services Directive

Does not affect an individual's freedom to choose a contractual partner, as long as the choice is not based on sex;

Does not require the provision of shared facilities to men and women, as long as they are not provided more favourably to members of one sex;

May not be used to justify regression in the protection already offered in the Member State;

Differences in treatment accepted if justified by a legitimate aim, appropriate and necessary.

The Goods and Services Directive - main features

- Principle of equal treatment
- Prohibition of direct and indirect discrimination (including harassment and sexual harassment and instruction to discriminate)
- Permits positive action
- Legal and/or administrative remedies
- Sanctions: dissuasive, proportionate -> real and effective compensation
- Equality bodies' and other organisations' right to engage in support or on behalf of a complainant
- Burden of proof

The Goods and Services Directive - implementation in the area of financial services

When applied in the provision of insurance and related financial services

- the unisex rule (Art. 5 of the Directive)

provides that the use of sex as a factor in the calculation of premiums and benefits shall not result in differences in individuals' premiums and benefits.

- the 'Test Achats' ruling (C-236/09)

- Annulment of Article 5(2) of the Directive*
- Principle of equal treatment fully applicable to financial services*

Thank you for your attention!

