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Proposal for a

COUNCIL RECOMMENDATION

**on the balanced participation of
women and men in decision-making**

(presented by the Commission)

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Council Recommendation on the balanced participation of
women and men in decision-making**

Explanatory Memorandum

I INTRODUCTION

Changes in the roles of women and men are one of the major features of social change in Europe. Upheavals in the labour market, changes in demographic and family structures, and developments in education and training have also played a major part. Policies conducted on the initiative of the Member States and the activities of organisations involved in promoting equal opportunities have led to some real progress.

The Community has been one of the prime movers in changing the status of women in society. It first consolidated the legal principle of equal treatment at work, and to a large extent with regard to social security, on the basis of Article 119 of the Treaty enshrining the principle of equal pay. Realising that equal opportunities are conditional upon, but not necessarily guaranteed by, equality in law, the Commission also instituted a host of measures to promote *de facto* equality - mainly through its three consecutive equal opportunities programmes - in many different and mutually complementary ways, such as forming networks, stepping up information and communication activities, supporting pilot activities or studies and identifying and disseminating sound practice, etc.

However, *de facto* inequality still exists. The scarcity of women in the circles where collective decisions are prepared or taken is identified as one of the causes of inequality between women and men and of our societies' structural inflexibility. The repercussions on society as a whole of decisions at national and international level in political, economic, social and cultural domains, taken by groups mainly made up of men, "*tend to reflect the values, points of view and the personal experience of their authors*"¹.

The question of women's participation in decision-making has been on the Community agenda since 1984, when the Council adopted a Recommendation on the promotion of positive action for women. This was confirmed once again in 1986 by the Council Resolution on the promotion of equal opportunities for women. The Council Resolution of 21 May 1991 on the third Community programme on equal opportunities for women and men (1991-1995) set itself equal representation in decision-making as one of its goals.

The network of experts on women in decision-making, established in the context of this programme, provided statistics on how representation is shared between women and men in governments, elected assemblies (from the European Parliament to elected assemblies of local municipalities in the Member States), administrations and the advisory bodies involved in decision-making. The network members collaborated on research work on decision-making in sectors other than the political sectors, especially finance, health, education and justice and helped to highlight strategies which were likely to promote equal access to decision-making circles.

¹ Les femmes et le changement structurel (Women and structural change), Paris, OECD, 1991

In its resolution of 11 February 1994, the European Parliament called upon the Commission "to step up implementation of the equal opportunities policy... to combat individual obstacles which hinder women from taking part in decision-making" and to define "measures and actions to promote greater participation of women in the decision-making process".

The European Union at the fourth World Conference stressed the need for responsibilities, powers and rights to be shared equally which constitutes one of the main elements of the Platform for Action and the Declaration adopted at the end of the conference.

The fourth Community action medium-term action programme on equal opportunities for women and men (1996-2000) proposed by the Commission includes measures to achieve balanced participation of men and women in decision-making.

The requirement for women and men to share decision-making represents a goal which is regarded as beneficial for society as a whole. It is not simply a matter for the Member States. The social partners, political organisations, NGOs and the media must play their part. It is therefore appropriate, in the present case, to consult the Economic and Social Committee and the Committee of Regions.

At the end of its Resolution of 27 March 1995, the Council asked the Commission to prepare a draft recommendation to promote the balanced participation of women and men in decision-making. This is the subject of this proposal for a recommendation which, in conformity with the principle of subsidiarity, calls upon the Member States to choose suitable measures which can range from mere encouragement to legislation.

II. PRESENTATION

1. Subject of the recommendation

The aim is to encourage the Member States to examine the question of the balance between women and men in decision-making in all areas (political, social, economic and cultural) and forms (the decision-making circles themselves and also the bodies which prepare and contribute to decision-making) and to adopt a comprehensive and integrated strategy to achieve such a balance.

2. The sectors involved in the comprehensive and integrated strategy

- a) Education and training: The existing imbalances mainly result from the stereotyping of men's and women's roles by education and training and the presentation of the role and the contribution of women in society. Equal access to decision-making is dependent on school textbooks and education and training not representing public responsibilities as being reserved for men and private responsibilities for women but as being shared between the two.
- b) Advertising in the media: In our societies, communication plays a key part in reinforcing the role models created by education and training. The media have, often and still tend to, stereotype men's and women's roles, especially in advertising. Without prejudice to freedom of expression, the Member States are called upon to take suitable measures to stop advertising undermining equality.

- c) Institutional communication: The Member States themselves use communication for the public good and for general interest. Action by and help from the State in preparing and disseminating campaigns designed to demonstrate the advantages of equality in decision-making have proved effective and should be stepped up.
- d) The social partners, political organisations and media enterprises: Balanced participation of men and women in decision-making is not solely a matter for public institutions and the national administration. The States must alert all social and cultural partners and players to the importance of establishing such a balance in their organisations and must encourage them, by suitable means, to do so by preparing equal opportunities plans to ease access to decision-making for women.

3. Showing how far men and women share decision-making, developing research, and taking advantage of and disseminating examples of sound strategy

- a) The need to compile and publish statistics: The existing imbalance between men and women in decision-making is not properly appreciated as there is a statistical time lag in this area. The States are thus encouraged to develop existing, or introduce new, statistics providing as accurate and complete as possible a picture of how the two sexes are represented in political, administrative, economic, social and cultural decision-making circles. These statistics must be published.
- b) The need for both quantitative and qualitative studies on the two sexes' involvement in decision-making: Since the existing imbalances are ingrained in history and culture, any attempt to correct them will come up against prejudice and opposition. The Member States are called upon to support, develop and publicise studies which help assess the situation in terms of scale and also identify the legal, social and cultural obstacles to more balanced participation of the sexes in decision-making. As calls for equal representation in decision-making are a recent development, it is also necessary to encourage research on partnership between men and women in the decision-making process, strategies conducive to such partnership and ways of assessing them.
- c) Experimentation and dissemination of good practice: Experimentation and dissemination of examples of good practice are needed to pave the way to equality in decision-making. Here, it is up to the States to support, encourage and raise the profile of initiatives taken in this area in order for them to become widespread.

4. The specific role of the States

- a) As regards the presence of women in government: This is mainly a question of political will. Appointing more women to key posts in government is a way of setting an example to other sectors of society. It is therefore recommended that the Member States promote a better balance between men and women in government.
- b) As regards the presence of women in elected assemblies and advisory bodies: In spite of most efforts have been made in this area, there are few women in the elected assemblies at national, regional and local level in most Member States. The same is true of the advisory bodies which help to prepare public decisions. Here again, State action can bring about significant changes and induce a knock-

on effect. Plans or programmes, sometimes with target figures, and support measures for women to enable them to gain access to assemblies and bodies have proved effective. The States are asked to continue implementing these or, if they do not yet exist, to introduce them.

c) As regards decision-making in general government: The operational side of the civil services is mainly staffed by women, whereas management and supervisory staff are mainly men in the majority of the States. The States are reminded of the need to implement or step up equal opportunities plans in this sector and are called upon to ensure that, when civil servants are recruited by competition, men and women are equally represented in the committees and selection boards which prepare and conduct the competitions, as overrepresentation of one of the sexes is likely to affect the nature and content of the competition and the selection process.

d) As regards communication enterprises: The media - be it the press, radio or television - have a special responsibility; as they produce information, images and programmes which themselves influence social behaviour. It is thus crucial for the States to encourage these enterprises to adopt equal opportunities measures, particularly to equalise representation in their management bodies, especially those responsible for decisions concerning programme production.

**PROPOSAL FOR
A COUNCIL RECOMMENDATION ON THE BALANCED
PARTICIPATION OF WOMEN AND MEN
IN DECISION-MAKING**

THE COUNCIL OF THE EUROPEAN UNION,

having regard to the Treaty establishing the European Community, and in particular Article 235 thereof,

having regard to the Commission's proposal¹,

having regard to the opinion of the European Parliament²,

having regard to the opinion of the Economic and Social Committee³,

having regard to the opinion of the Committee of the Regions⁴,

Whereas the Council has adopted a series of legislative instruments and political commitments in the field of equal treatment and opportunities for men and women⁵;

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Council Directive 75/117/EEC on the approximation of the laws of the Member States relating to the application of the principle of equal pay for men and women, OJ No L 45, 19.2.75, p. 19.

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 No L 39, 14.2.76, p. 40.

Council Directive 79/7/EEC on the progressive implementation of the principle of equal treatment for men and women in matters of social security, OJ No L 6, 10.1.79, p. 24.

Council Directive 86/378/EEC on the implementation of the principle of equal treatment for men and women in occupational social security schemes, OJ No L 225, 12.8.86, p. 40.

Council Directive 86/613/EEC on the application of the principle of equal treatment between men and women engaged in an activity, including agriculture, in a self-employed capacity and on the protection of self-employed women during pregnancy and motherhood, OJ No L 359, 19.12.86, p. 56.

Council Directive 92/85/EEC on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding, OJ No L 348, 28.11.92, p. 1.

Council Recommendation of 13 December 1984 on the promotion of positive action for women (84/635/EEC), OJ No L 331, 19.12.84, p. 34.

Council Recommendation of 31 March 1992 on child care (92/242/EEC), OJ No L 123, 8.5.92, p. 16.

Council Resolution of 12 July 1982 on the promotion of equal opportunities for women, OJ No C 186, 21.7.82, p. 3.

Council Resolution of 7 June 1984 on action to combat unemployment amongst women, OJ No C 161, 21.6.84, p. 4.

Resolution of the Council and of the Ministers for Education meeting within the Council of 3 June 1985 containing an action programme on equal opportunities for girls and boys in education, OJ No C 166, 5.7.85, p. 1.

Whereas the Heads of State and Government, meeting within the European Council in Essen and Cannes, stressed that equal opportunities for women and men and the fight against unemployment were paramount tasks of the European Union and its Member States;

Whereas attention was focused on women's access to decision-making in the Council Recommendation of 13 December 1984 on the promotion of positive action for women; in the Council Resolution of 24 July 1986 on the promotion of equal opportunities for women and in the Council Resolution of 21 May 1991 on the Third Medium-Term Community Action Programme on Equal Opportunities for Women and Men (1991-1995);

Whereas the Council Resolution of 27 March 1995 on the balanced participation of women and men in decision-making called on the Member States to "promote the balanced participation of men and women in decision-making as a priority objective in the context of their respective practices regarding equal opportunities for women and men and to adopt this objective as such in their government's programmes" and, moreover, called upon the Commission "to draw up a draft recommendation to be submitted to the Council aimed at promoting the balanced participation of women and men in decision-making";

Whereas the European Parliament in its Resolution of 11 February 1994⁶ "on women in decision-making bodies" asked the Commission "to step up implementation of the equal opportunities policy ... to combat individual obstacles which hinder women from taking part in decision-making" and to define "measures and actions to promote greater participation of women in the decision-making process";

Whereas the European Commission's Fourth Medium-Term Community Action Programme on Equal Opportunities for Women and Men (1996 to 2000)⁷, which has been submitted to the Council for decision, included promotion of the balanced participation of women and men in decision-making as one of its six main objectives;

Whereas the Declaration and the Action Platform of the Fourth World Conference on Women stressed the need to ensure that responsibilities, powers and rights are shared

Second Council Resolution of 24 July 1986 on the promotion of equal opportunities for women, OJ No C 203, 12.8.86, p. 2.

Council Resolution of 16 December 1988 on the reintegration and late integration of women into working life, OJ No C 333, 28.12.88, p. 1.

Council Resolution of 29 May 1990 on the protection of the dignity of women and men at work, OJ No C 157, 27.6.90, p. 3.

Council Resolution of 21 May 1991 on the third medium-term Community action programme on equal opportunities for women and men (1991-1995), OJ No C 142, 31.5.91, p. 1.

Council Resolution of 22 June 1994 on the promotion of equal opportunities for men and women through action by the European Structural Funds, OJ No C 231, 20.8.94, p. 1.

Council Resolution of 6 December 1994 on equal participation by women in an employment-intensive economic growth strategy within the European Union, OJ No C 368, 29.12.94, p. 3.

Council Resolution of 27 March 1995 on the balanced participation of women and men in decision-making, OJ No C 168, 4.7.95, p. 3.

⁶ A3-0035/94, 11.02.94 (EP 179.623)

⁷ COM(95) 381 final, 95/0206 (CNS)

equally, and that the Member States are fully involved in the implementation of the platform for action⁸;

Whereas the underrepresentation of women in decision-making bodies is largely a result of the delay in women's attaining equal rights and of obstacles to their gaining economic independence;

Whereas women are still underrepresented in such bodies - be they public or private, political, administrative, economic, social or cultural;

Whereas women account for over half the population and balanced participation of women and men in representation and administration of nations is a requirement for democracy;

Whereas the underrepresentation of women in decision-making posts constitutes a loss for society as a whole and does not allow the interests and needs of the whole population to be catered for in full;

Whereas a balanced participation of men and women in decision-making is likely to give rise to different ideas, values and behaviour which will result in more justice and equality in the world for both men and women;

Whereas the Member States, the social partners, political parties and organisations, NGOs and the media have a key role to play in creating a society where public and private, economic, political and domestic responsibilities are shared equally by women and men;

Whereas, in conformity with the principle of subsidiarity and proportionality as set out in Article 3B of the Treaty establishing the European Community, the aim of the present Recommendation -the balanced participation of women and men in decision-making- can be pursued more effectively by the exchange of information and examples of good practice within a common framework for all Member States; it is therefore appropriate to propose, at Community level, guidelines to promote a balanced representation of women and men in decision-making bodies; whereas the present recommendation is limited to the minimum necessary to obtain this objective and does not exceed what is necessary;

Whereas the Treaty does not confer, for the purpose of the adoption of this Recommendation, any other powers than those set out in article 235,

RECOMMENDS THAT THE MEMBER STATES:

1. Adopt a comprehensive and integrated strategy designed to promote balanced representation of women and men in places of power, influence and decision, and develop or introduce suitable legislative or regulatory measures or incentives to achieve this.

⁸ Communication from the Commission to the Council of 29.5.1995 (COM(95)221-final) on a new partnership between women and men : Equal sharing and participation

2.

- a) Highlight in school textbooks and curricula and in education and training at all levels the role and the contribution of women in society and stress the importance of sharing both public and private responsibilities between women and men.
- b) Take suitable steps so that the image of women and men in the media and advertising neither reinforces nor consolidates unjustified stereotyping of men's and women's responsibilities.
- c) Devise, encourage and propagate public campaigns to alert public opinion to the usefulness and advantages for society as a whole of balanced participation by women and men in decision-making.
- d) Alert the social partners, political parties and groups, associations and NGOs and the media to the importance of a balance between women and men in decision-making bodies, and encourage them to develop equal opportunities plans with measures to ease access to decision-making for women.

3.

- a) Develop or promote the production and publication of statistics illustrating how men and women are represented in decision-making circles in general and in political and administrative domains, public councils and committees, administrative and management boards at national, regional and local level and in the economy and social and cultural life in particular.
- b) Support, develop and encourage quantitative and qualitative studies on women and men in decision-making and especially on the legal, social or cultural obstacles to decision-making for persons of either sex, on ideas and concepts which are likely to enhance the concept of a democratic partnership between women and men and on strategies to bring about equality in decision-making.
- c) Support and encourage initiatives creating examples of good practice in the various areas of decision-making and develop programmes for the dissemination and exchange of experience with a view to propagating such practice.

4.

- a) Promote a better balance between women and men at all levels of **government**,
- b) Introduce or pursue active measures, such as mentorship activities and target figures, to promote a balance between women and men in **political representation at national, regional and local level**, including advisory bodies which contribute to public decision-making. Particular attention should be paid to the promotion of a balanced composition in committees, commissions and working groups at national as well as European level.

- c) Implement or develop equal opportunities plans for the **public sector** incorporating the concept of balanced participation in decision-making, and ensure, when recruitment competitions take place, that women and men are, as far as possible, represented equally in the committees responsible for preparing competitions and in the selection boards,
- d) Encourage the **private sector** to increase the presence of women at all levels of decision-making, notably by the adoption, or within the framework, of equality plans or positive action programmes,
- e) Encourage **press, radio and television** organisations to adopt measures to promote balanced participation by women and men in production, management and decision-making bodies.

AND THEREFORE CALLS ON THE COMMISSION:

- 1. to step up its efforts to provide information, alert public opinion, encourage research and promote pilot activities to achieve balanced participation by women and men in decision-making,
- 2. to encourage and organise, in conjunction with the Member States, systematic pooling of experience and assessment of policies implemented to achieve a balance between women and men in decision-making,
- 3. to submit a report to the Council, within three years of adoption of this Recommendation, on progress achieved in implementing it on the basis of information provided by the Member States.

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DOCUMENTS

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