



COMMISSION OF THE EUROPEAN COMMUNITIES

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Proposal for a

COUNCIL DECISION

**on the fourth medium-term Community action programme
on equal opportunities for women and men (1996-2000)**

(presented by the Commission)

EXPLANATORY MEMORANDUM

FOURTH MEDIUM-TERM COMMUNITY ACTION PROGRAMME ON EQUAL OPPORTUNITIES FOR WOMEN AND MEN (1996-2000)

1. 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.
2. 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.
3. Nevertheless, there is still gender bias in many fields. The rate of unemployment amongst women is higher than amongst men, women account for the majority of the long-term unemployed, they often have low-skilled, poorly paid and insecure jobs and there are still gaps in pay between men and women in most regions of the Union. And there are still not enough women to whom decision-making posts and a full share in political and social life are open. Furthermore their participation in the economy as entrepreneurs is still very limited.
4. What has been done so far to promote equal opportunities must be continued and stepped up. The Union has a duty to make its contribution, within the limits of its powers and its resources, especially by consolidating the *acquis communautaire*, ensuring that equality law is built upon and existing legislation applied consistently, and working towards the integration of equal opportunities in the process of preparing, implementing and monitoring all policies, measures and activities at Community national, regional and local level.
5. Recently the European Council - the highest level of the Council - acknowledged that promoting equal opportunities, together with combating unemployment, was one of the Union's paramount tasks. The European Parliament, pursuing its commitment in this area, urged the Union to step up and expand its equal opportunities activities.

6. This was the background against which the Commission prepared its proposal for the new programme. To this end, it launched a wide-ranging consultation process and designed the programme to provide a framework for action, discussion and exchange for all initiatives contributing to equal opportunities for men and women in the European Union and in its Member States.
7. The programme is scheduled to run for five years (1996-2000) and concentrates on six aims:
 - mobilising all the actors in economic and social life to promote equal opportunities;
 - promoting equal opportunities in a changing economy;
 - encouraging a policy to reconcile family and working life for women and men;
 - promoting a gender balance in decision-making;
 - making conditions more conducive to exercising equality rights;
 - supporting the implementation, monitoring and assessment of activities in order to achieve the above aims.
8. The Commission intends to implement this programme in partnership with the Member States and all other parties concerned. It will, in particular, consult regularly with the Advisory Committee on Equal Opportunities for women and men.

ARTICLE BY ARTICLE GUIDE

Article 1

This article states the programme's title and period of application.

Article 2

This article sets out its prime objectives in the light of experience acquired in implementing the previous three programmes and the contributions received during the consultation process for preparing the White Paper on the future of European Social Policy and consultation on the broad outlines of the fourth programme.

Article 3

This article lists the various measures which can be implemented, enhanced and/or supported under the programme.

Article 4

This article emphasises the synergy which is required with Structural Fund activities. It should be borne in mind that the Framework Regulation governing the Structural Funds refers to equal opportunities and that the Council has adopted a resolution on the Structural Funds' contribution to promoting equal opportunities.

Article 5

Standard text

Article 6

The programme will be implemented in partnership with players and authorities involved in promoting equal opportunities in the Member States. The Commission proposes in this respect to collaborate with the Advisory Committee for Equal Opportunities for women and men.

Article 7

Provision is made for an interim report and a final report on the programme.

Proposal for a
COUNCIL DECISION
**on the fourth medium-term Community action programme
on equal opportunities for women and men (1996-2000)**

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 proposal from the Commission¹,

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 Regions⁴,

Whereas the Council has adopted six directives, two recommendations and nine resolutions in the area of equal opportunities for women and men⁵,

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⁵Council 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, 19.02.1975, 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, 14.02.76, 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, 10.01.79, p.24;

Whereas the Council's Directives and measures in the field of equal opportunities for women and men have played a major part in improving the situation for women;

Whereas equality for women and men is a basic principle recognised by Community law;

Whereas the Heads of States and Governments, meeting within the European Council at Essen on 10 and 11 December 1994, emphasized that equality of opportunities for women and men, together with the fight against unemployment, is a paramount task of the European Union and its Member States;

Whereas in the White Paper on Growth, Competitiveness and Employment, the Commission underlines the need to strengthen equal opportunities policies for women and men in employment;⁶

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, 12.08.86, 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 (92/241/EEC), OJ No L 123, 08.05.92, p.16.

Council Resolution of 12 July 1982 on the promotion of equal opportunities for women, OJ No C 186, 21.07.82, p.3;

Council Resolution of 7 June 1984 on action to combat unemployment amongst women, OJ No C 161, 21.06.84, 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, 05.07.85, p.1;

Second Council Resolution of 24 July 1986 on the promotion of equal opportunities for women, OJ No C 203, 12.08.86, 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, 27.06.90, 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, 31.05.91, p.1;

Council Resolution of 22 June 1994 on the promotion of equal opportunities for women and men through action by the European Structural Funds, OJ No C 231, 20.08.94, p.1;

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

⁶Bulletin of the European Communities, Supplement 6/93.

Whereas in the White Paper on European Social Policy the Commission undertakes to present during 1995 a fourth action programme on equal opportunities for women and men, to come into force in 1996;⁷

Whereas the European Parliament has strongly and repeatedly urged the Union to strengthen its policy in the field of equal opportunities for women and men⁸;

Whereas the first three medium-term Community action programmes on equal opportunities for women and men (1982-1985, 1986-1990, 1991-1995) have played an important role in improving the situation of women and in promoting cooperation at all levels in this respect;

Whereas it is necessary to consolidate and build upon the results of the three programmes and whereas, despite the efforts made both at national and Community level, there is still gender bias, particularly with regard to employment and pay;

Whereas boosting education and vocational training and increasing the number of working women can help to enhance the competitiveness of the European economy;

Whereas there is a need to develop measures taking into account the social and economic changes, and in particular to respond to changes in family structures, in the roles of women and men in society, in the organisation of working life and in the demographic composition of society;

Whereas active partnership between the Commission, the Member States, the social partners and all other organisations concerned needs to be promoted in this area and synergy between all the relevant policies and measures encouraged;

Whereas the present programme can, in accordance with Article 3b of the Treaty, and without prejudice to the competences of the Member States for promoting equal opportunities, bring Community added value by identifying and stimulating good practice and policies, encouraging innovation and exchanging of relevant experience;

Whereas the Treaty does not provide, for the adoption of the programme, powers others than those of article 235,

⁷COM (94) 333 of 27 July 1994.

⁸Resolution on the evaluation of the Third Community action programme on equal opportunities for women and men and proposals for the Fourth Community action programme A4-0104/95 of 14 June 1995.

DECIDES AS FOLLOWS:

Article 1

This Decision establishes the fourth medium-term Community action programme on equal opportunities for women and men (hereinafter called the programme) for the period from 1 January 1996 to 31 December 2000.

The programme is intended to promote integration of equal opportunities in the process of preparing, implementing and monitoring all policies, measures and activities at Community, national, regional and local level.

Article 2

The programme has the following six aims:

- to mobilise all the actors in economic and social life to promote equal opportunities;
- to promote equal opportunities in a changing economy;
- to encourage a policy to reconcile family and working life for women and men;
- to promote a gender balance in decision-making;
- to make conditions more conducive to exercising equality rights;
- to support implementation, monitoring and assessment of activities in order to achieve the above aims.

Article 3

In order to achieve the aims set out in Article 2, the following measures may be implemented, enhanced and/or supported under the programme:

- a) Methodological, technical and financial support for integrated projects for identifying and transferring good practice in the domains of the economy, enterprises and employment, reconciling working and family life, and participation by women in decision-making.
- b) Setting up of facilities for observing and monitoring relevant policies with regard to equal opportunities and conducting of studies on all the economic, social and legal issues arising in connection with equal opportunities.
- c) Ongoing assessment of activities undertaken under the programme.
- d) Implementation of any action designed to promote the widest possible exchange of information and dissemination of the *acquis communautaires* on equal pay, equal treatment and equal opportunities and the results of the programme's initiatives.

Article 4

The Commission and the Member States shall encourage consistency and complementarity between the initiatives undertaken under the present programme and under the Structural Funds and other Community policies or activities, including those concerning education and vocational training.

Article 5

The activities under the programme which will be open to participants from the countries of the European Economic Area, the countries of Central and Eastern Europe, Cyprus and Malta and the Union's partner countries in the Mediterranean will be defined in the context of the Union's relations with these countries.

Article 6

The Commission shall implement the programme in accordance with this Decision. To this effect, it shall cooperate in a spirit of partnership with the Member States.

Article 7

- 7.1 The Commission shall submit an interim report on the implementation of the programme to the European Parliament, the Council, the Economic and Social Committee and the Committee of Regions by 31 December 1998 at the latest.
- 7.2 The Commission shall submit a final report on implementation of the programme to the European Parliament, the Council, the Economic and Social Committee and the Committee of Regions by 31 December 2001 at the latest.

Article 8

This Decision shall be published in the Official Journal of the European Communities.

Done at Brussels,

For the Council
The President

FINANCIAL STATEMENT

1 TITLE OF OPERATION

Fourth medium-term Community action programme on equal opportunities for women and men

2 BUDGET HEADINGS INVOLVED

B3-4012 Equal opportunities
A0-1178 Technical assistance, consultants
A0-238 Administrative costs

3 LEGAL BASIS

Application of Article 235 of the Treaty. Council decision expected at the end of 1995.

4 DESCRIPTION OF OPERATION

4.1 General objective

The programme's general objective is to promote integration of equal opportunities - in partnership with all the actors concerned - in the process of preparing, implementing and monitoring all policies, measures and activities at Community, national, regional and local level.

The programme will provide a framework for action, discussion and exchange for any initiatives which contribute to promoting equal opportunities in the European Union and in the Member States.

4.2 Period covered

The programme covers the period from 1 January 1996 to 31 December 2000.

5 CLASSIFICATION OF EXPENDITURE OR REVENUE

- 5.1 Non-compulsory expenditure
- 5.2 Differentiated appropriations
- 5.3 Type of revenue involved: none

6 TYPE OF EXPENDITURE OR REVENUE

- 6.1 Subsidies, mainly 100%, for contracts for studies, services, meetings of experts and organisation of conferences, seminars and model projects and for expenditure on publication and dissemination decided upon by the Commission.
- 6.2 Subsidies, generally less than 75% of the total costs for operations co-financed by public or private organisations at the request of the latter.

- 6.3 Interest rate subsidy: none.
- 6.4 Other: none.
- 6.5 Reimbursement: partial or total reimbursement can be requested if the activities for which a subsidy was granted were not carried out or only carried out in part.
- 6.6 The proposed operation will not cause any change in the level of revenue.

7 FINANCIAL IMPACT

7.1 Estimates have been made on the basis of past experience. They take account of the dictates of major legal provisions on equality and the conclusions of the European Council in Essen, which identified equal opportunities as a priority task for the European Union. The breakdown is provisional and only covers activities directly under budget heading B3-4012. However, it should be borne in mind that some activities will be promoted in synergy with other budget headings, particularly B3-4010, European employment support and promotion facility, or in connection with the activities of the Structural Funds, especially the European Social Fund, and also with budgetary headings of other Directorates-General (DG X, DG XXII and DG XXIII). Activities coming under budget heading B3-4012 will also be supported by administrative expenditure set out under 10.

7.2 Itemised breakdown

ECU million

SPECIFIC OBJECTIVES	1996	1997	1998	1999	2000	TOTAL
1. Integration/partnership	2.50	4.20	4.60	5.00	5.40	23.00
2. Employment/entrepreneurship	2.00	2.40	2.60	2.80	3.00	13.00
3. Reconciliation	1.00	1.10	1.20	1.30	1.40	6.00
4. Decision-making	1.00	1.10	1.20	1.30	1.40	6.00
5. Women's rights/information	1.00	1.10	1.20	1.30	1.40	6.00
6. Monitoring/assessment	1.00	1.10	1.20	1.30	1.40	6.00
TOTAL	10.00	11.00	12.00	13.00	14.00	60.00

The provisional amounts are in million ecus. This breakdown is purely for information and does not indicate the sums which will actually be allocated by the budgetary authority for each of the years under consideration. The breakdown in a given field of action is given by way of guidance. The provisional amounts for subsequent years of implementing the programme will have to be defined in the relevant preliminary draft budgets.

7.3 Indicative schedule of appropriations

ECU million

	1996	1997	1998	1999	2000	2001 and subs. yrs	TOTAL
COMMITMENT APPROPRIATIONS	10	11	12	13	14	1	60
PAYMENT APPROPRIATIONS	3.1	9.4	11.5	12.5	13.5	10	60
1996	3.1						3.1
1997	4.9	4.5					9.4
1998	2	5	4.5				11.5
1999		1.5	6	5			12.5
2000			1.5	6.5	5.5		13.5
20001				1.5	7		8.5
and subs. yrs					1.5		1.5
TOTAL	10	11	12	13	14	1	60

8 FRAUD PREVENTION MEASURES

The operations financed will be examined *ex-ante*, *in itinere* and *ex-post* by the departments responsible with regard to both quality and cost-benefit ratio. These measures will be supplemented by the activities, which including on-site inspection, of the financial departments of the Commission and the Court of Auditors. Contracts between the Commission and beneficiaries of payments provide for fraud prevention guaranteeing proper use of Community financial contributions.

9 ELEMENTS OF COST-EFFECTIVENESS ANALYSIS

9.1 Specific objectives

1. Integrating equal opportunities through partnership in a changing society

The assessment of the Third Programme highlighted the need to focus activities more and to take advantage of the combined effect of existing mechanisms in the interests of greater efficiency and a higher profile.

Support to model projects for integrating equality is intended to provide a benchmark for and encourage practices most likely to promote equal opportunities at local level where action is taken combining multiple partnerships with intervention by various Community, national or regional instruments. The partnership approach will be developed at all levels but especially regional level where it will be based on the Structural Funds' activities. Integrating equal opportunities in the European social dialogue is crucial at a time where the social partners' contribution to forging European social policy is becoming more and more important.

2. Promoting equal opportunities in the economy and the labour market

What has been established so far shows that desegregation of the labour market is a key factor in moving towards equal pay and upgrading women's work. Measures to encourage and support women setting up their own enterprises will be designed to do just this.

Specific indicators and tools for assessing employment policies need to be devised to determine whether equal opportunities remain a genuine concern in programmes and measures for combating unemployment. Activities in this area will encourage and complement measures in the Member States.

3. Reconciling working and family life

The concept of reconciliation has emerged from work carried out in various bodies and has featured in previous programmes. A Council Recommendation on child care was adopted in 1992. This issue will henceforth be an integral part of social policy in the wider sense and will be factored into the discussion on organisation of working hours. It is one of the themes addressed by social dialogue at European level and constitutes one of the Structural Funds' strands of action, both as a source of employment and as a form of structural intervention. The Fourth Programme will support practices which conform with the standards of quality and scale defined with a view to promoting equal opportunities and boosting employment in this sector.

4. Promoting a gender balance in decision-making

A gender balance in decision-making is a *sine qua non* in a democracy. Following the activities conducted in this field under the Third Action Programme, the Fourth Programme will support exchanges of information and sound practice between Member States, research into and assessment of strategies and means used to promote participation by women in decision-making in all spheres of political, economic and social life by the social players concerned (social partners, public or private institutions and NGOs).

5. Enabling women to exercise their rights

The problem of information on women's rights is related to the general issue of the Commission's need to improve its information policy. However, it is compounded by the special needs of women who, according to opinion surveys, are less well informed than men about Community policy and the *acquis communautaire*. There is increasing demand amongst women for rapid access to clear information on Community equal opportunities policy.

The programme's aim to make Community equal opportunities law more effective reflects the priority defined in the medium-term Social Action Programme for 1995 to 1997 and is to be achieved by seeing that people are better informed and getting more legal practitioners involved.

6. Implementing, monitoring and evaluating the programme

The Commission will need a technical assistance unit to implement a programme with such a wide range of activities and measures (conferences, research, studies, model projects and information, etc.). This will function as a clearing house for monitoring

activities receiving technical and/or financial support from the Commission and will coordinate initiatives and disseminate and exchange information and good practice in the 15 Member States in a consistent and uniform fashion.

The Commission will draw up a report on equal opportunities each year and will also submit an interim report to the European Parliament and the Council in 1998 and a final report in 2001.

9.2 Grounds for the operation

The Community has been a prime mover 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. Since 1982, the Commission has also implemented three equal opportunities action programmes. The *acquis communautaire* has been considerable in terms of legislation (six Council Directives and several Council Recommendations and Resolutions) and of forming networks and identifying and transferring good practice. Accordingly, the mid-term assessment report on the Third Programme stressed the need to sustain efforts to desegregate the labour market, reconcile working and family life, involve women in decision-making, implement equality law and promote partnership between the parties concerned. The added value of Community action along these lines was confirmed during the very extensive consultation process undertaken by the Commission in preparation for this proposal (involving the Member States, Parliament, the social partners, non-governmental organisations, experts, etc).

In December 1994, the European Council confirmed that combating unemployment and promoting equal opportunities were the Union's priority tasks. In this context, the Fourth Action Programme is designed to integrate equality into Community, national, regional and local policies in partnership with all the players involved. The Commission considers it necessary to step up its activities in this field by adopting a more integrated policy concentrating on the priority objectives mentioned above.

9.3 Monitoring and evaluation

As this is a framework programme for action, discussion and exchanges for all the initiatives contributing to promoting equal opportunities in the European Union, monitoring and assessment - in order to determine how far its goals have been attained - form an integral part of its activities.

Assessment will comprise an analysis of efficiency and will compare the results obtained with the objectives of each activity in terms of quality and scale. Assessment of model projects will mainly be designed to determine whether good practice demonstrated in this context is transferable.

The Commission will submit an interim report on the programme to the European Parliament and the Council by 31 December 1998 at the latest.

9.4 Coherence with financial programming

The activities provided for are incorporated in the financial programming of DG V.

10 ADMINISTRATIVE EXPENDITURE

The administrative resources required will be released by the Commission's annual decision on the allocation of resources, taking account of the additional staff and amounts allocated by the budgetary authority

10.1 Impact on the number of staff

Type of staff		Staff to be deployed for management		Who		Duration
		permanent staff	temporary staff	will be provided from existing resources in DG V or department concerned	will be provided from additional resources	
Officials or temporary staff	A	4	1	5	/	5 years (duration of programme)
	B	1	1	2		
	C	1	1	2		
Other resources		1	10 men/year	10	/	5 years (duration of programme)
TOTAL		6	13	19	/	5 years (duration of programme)

10.2 Overall financial impact in terms of additional human resources

ECU

	AMOUNTS	CALCULATION METHOD
Officials		
Temporary agents		
Other resources		

Staff of the Employment Directorate of DG V will set up and implement the programme and will analyse the outcome.

Consultants will be in charge of managing activities relating to model projects, transfer of good practice, observation and monitoring of policy and information and dissemination.

10.3 Increase of other operating expenditure resulting from the programme

(ECU)

BUDGETARY HEADING (number and title)	AMOUNTS	CALCULATION METHOD

**Fourth Medium-Term Community
Action Programme
on Equal Opportunities
for Women and Men
(1996-2000)**

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INTRODUCTION

- 1 Equal treatment for women and men is a basic principle in law and equal opportunities form an integral part of democratic citizenship.

Respect for human dignity and full and equal participation by women in political, economic, social and cultural life and in decision-making processes are basic requirements of democracy.

This year, with the 4th World Conference on Women being held, the Union has a duty to build upon its achievements to date and to confirm and increase its commitment to the democratic values of equal opportunities.

The Commission has recently confirmed¹, as part of its attachment to European citizenship and democracy, the need for a fundamental text constituting a summary of rights and duties of citizens with particular reference to equal opportunities.

- 2 Changes in the roles of women and men are one of the major features of evolution in society. Over the last 30 years, increasing participation by women in the labour market, their resulting economic independence and their entry into secondary and higher education and in domains and sectors traditionally occupied by men have wrought major, irreversible changes. In the light of current demographic change, especially ageing of the population, the growing number of working women is a crucial economic asset which we need to exploit in order to use our human resources for maximum benefit². The impact of these developments on the organisation of work and the need to respond to changing aspirations and hence to develop new forms of employment now form the focal point in taking up the challenges presented by the employment situation now and in the future.

Other factors, apart from purely economic ones, which influence the collective and individual behaviour of economic and social agents are demographic change and the transformation of family structures, the construction of new partnerships between men and women and the evolution of individual roles for mothers and fathers.

- 3 Yet situations still exist which are unacceptable in a democracy. Is it normal for there to be yawning gaps in pay between men and women in 1996, almost 40 years after the signing of the Treaty of Rome? How can one remain unmoved at the high rate of female unemployment and the increasing number of women

¹ See the Commission's Report on the functioning of the Treaty on European Union, prepared as a contribution to the current reflections concerning the 1996 I.G.C. (SEC (95) 731 fin. of 10.05.95)

² In its report on the demographic situation in the European Union (COM (94) 595), the Commission stresses that the ageing of the population places such a growing burden on the working population that it is vital to mobilise all the human resources of the population of working age and hence to increase the number of women in employment (between 1990 and 2020 the number of people over 65 will increase by 15 million, and the figure for those under 15 will drop by 9 million and those between 15 and 65 by 9 million too).

suffering from poverty? Is it normal for so few women to be in decision-making bodies in the Union in general? How can attacks on women's dignity and the violence to which they are subjected in Europe and in the world be tolerated?

- 4 The Community has been the driving force 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.

At the same time, realising that equal opportunities are conditional upon but not necessarily guaranteed by equality in law, it gradually 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, culminating in the Third Action Programme, which contributed towards:

- desegregating the labour market by applying Community law and promoting positive action and pilot projects for equal opportunities in education and vocational training;
- reconciling family and working life more effectively;
- promoting entrepreneurship amongst women;
- encouraging a change of mentality and attitude, through the media and through education;
- developing innovation through the Structural Funds and transferring it through the NOW initiative;
- promoting a gender balance in decision-making;
- integrating equal opportunities in the relevant Community policies³.

It should also be pointed out that the new Regulations of the Structural Funds, adopted in 1993, include equal opportunities as part of the new objectives of the Funds as well as laying down the respect of the principle of equal opportunities in the implementation of measures financed under the Funds.

- 5 The Community's key role has been widely recognised by the Community institutions and by various public or private organisations, including non governmental organisations, involved in or representing women's interests - witness the contributions received when the Green and White Papers on the future of European social policy and the present programme were being prepared.

- 6 However, the fact is that several surveys on the future of Europe have shown women to be frequently more reluctant to come out in support of furthering the construction of Europe.

Is this because of a lack of information? Does it betray unease with regard to economic and social change? Do they feel that they are not sufficiently involved or have a sufficiently active role in Community life? Are they expressing disappointment at what they see as being inadequate progress?

³ See the Mid-Term report on the Third Community Medium-term Action Programme on Equal opportunities between women and men (COM (95) 246 of 13 June 1995)

- 7 This is a considerable challenge to the Union and it has reacted positively to this situation.

Apart from continuing and stepping up its activities in this area, the Commission stressed in its White Paper on Growth, Competitiveness and Employment that solidarity based on equality for men and women was an essential element of this three-pronged plan. Over the last few months it has formed a group of Members of the Commission under the auspices of the President, which is responsible for stimulating the debate within the Commission and for ensuring that equal opportunities are built into all policies and become a common strand of Community action, and has instructed an interdepartmental group to prepare the ground for and monitor this course of action. The outcome of the work of this group will be a communication which will review the equal opportunities dimension of all activities of the Commission.

Recently, the European Council – the highest level of the Council - acknowledged that promoting equal opportunities, together with combating unemployment, was one of the Union's paramount tasks.

The European Parliament, pursuing its commitment in this area, urged the Union to step up and expand its activities to cover a wider field.

The Economic and Social Committee actively encouraged the Union to expand and intensify its efforts to promote equal opportunities.

- 8 Against this background, the Commission undertook to present a fourth equal opportunities programme.

To this end, it launched a wide-ranging consultation process as soon as work started on the Green Paper and then the White Paper on the future of European social policy.

Moreover, on the Fourth Programme itself, a short consultative document, "Advancing Equal Opportunities", containing the principal features of the programme was sent to the Women's Rights Committee of the European Parliament, the Advisory Committee on Equal Opportunities and Women's Rights, the European Women's Lobby and the social partners.

They have offered the Commission most useful contributions and stressed the importance of protecting and building on the *acquis* and the desirability of further strengthening and broadening of policies and activities at Union level, in a more integrated and concentrated way.

This programme pursues the course of action already plotted by the Community and will therefore have to consolidate and build upon the major achievements mentioned above. But above all it will also have to make a significant contribution to solving existing problems and meeting new challenges and respond to the expectations and concerns expressed by women.

However, one thing needs to be made clear right from the start: the Union can not and ought not to monopolise the action. Much of it is up to the Member States,

their education systems, their regional and local authorities, the various partners in economic and social life, the social partners, voluntary organisations, the media and, not least, the partnership between men and women.

Nevertheless, the Commission, on the strength of the *acquis communautaire*, its experience and its commitment can and must extend its role as the driving force and motivator as well as fulfilling its basic duty as guardian of the Treaties, mainly by strengthening equality law, supporting and disseminating sound practice and policies and encouraging debate, even on sensitive and intractable issues.

This course of action is in line with the conclusions of the mid-term assessment report on the Third Programme which stressed the need to press for coordination and complementarity between the activities of the Commission, the Member States and the social partners and to look at ways of increasing synergy between measures taken at all levels.

Bearing this in mind, and taking into account its own resources, the Commission proposes that the fourth programme, from 1996 to 2000, provide an action and reference framework to stimulate interaction and partnership at all levels (national, regional, local and Community) and in all domains to integrate equal opportunities into the process of preparing, implementing and monitoring all relevant Community and national policies and programmes. This is the principle of mainstreaming which will be expanded upon in the follow-up to the White Paper on Growth, Competitiveness and Employment.

Against this background, the Community institutions will take care to give women more of a say at all stages of preparing, negotiating and deciding upon Community policies, by providing for equal access to posts carrying responsibility.

This integrational approach, which will set the tone for implementing the fourth programme, calls for action and resources to be concentrated on a limited number of clearly defined aims which have been selected with a view to provide the best possible multiplier effect and synergy with initiatives at all levels :

- 1) mobilising all the actors in economic and social life to promote equal opportunities;
- 2) promoting equal opportunities as a means of adjusting working life to the changes taking place, mainly through the Structural Funds;
- 3) encouraging a policy to reconcile family and working life for men and women;
- 4) promoting a gender balance in decision-making;
- 5) ensuring that conditions are more conducive to women who are nationals of or resident in the Union exercising active citizenship;
- 6) supporting implementation, monitoring and assessment of activities conducted in order to achieve the above aims.

The profusion of initiatives and structures developed previously which have played a fundamental role in developing the *acquis communautaires* must now give way to an integrated approach and more streamlined management of activities to ensure that the Community equal opportunities policy is more

consistent and has a higher profile. This is why, for example, provision will be made for an integrated clearing house (ANIMA) structure to promote the development and exchange of innovation and sound practice in order to achieve the programme's aims. This structure should help to facilitate the dissemination of information in close liaison with the planned information centres at national and regional level.

Legislative action will comprise a sustained effort to adopt outstanding proposals in the most suitable way, which will include application of the Agreement on Social Policy annexed to the Maastricht Treaty, and also new proposals designed to consolidate the legal framework for equal opportunities. Efforts to make conditions more conducive to rights being exercised in full will be focused mainly on promoting the dignity of women and men at work and in society in general.

In order to enable progress to be measured, a system will be set up to monitor, assess and analyse the programme's activities, one of the key components being an annual report on equal opportunities.

OBJECTIVE 1

BUILDING PARTNERSHIP IN A CHANGING SOCIETY

Democracy, a fundamental value of the European Union, requires the integration of an explicit equality dimension into all policies, programmes, actions, financial and support frameworks, and evaluation systems of the Community, as well as at national, regional, and other appropriate levels.

How can the European Union contribute to the monumental task of integrating equal opportunities into planning and policy and into new fields of action? This is the challenge that faces the Fourth Action Programme. The Programme will provide support and develop actions to stimulate key partners to combine their resources in a spirit of partnership to integrate equality into the mainstream of policy. It proposes to cooperate with all concerned actors both at European and national level, to involve the social partners as well as the actors engaged in regional and local development and those having a multiplier effect on attitude change. It will build on the experience of local projects aimed at promoting integrated approaches to equal opportunities.

1.1. Promoting partnership between the players concerned at national and Community level

Before equal opportunities can be integrated in all fields of economic and social life everybody has to be mobilised who, for one reason or another, contributes to formulating and implementing the relevant policies and decisions. The Commission thus intends to contribute, within the limits of its powers and resources, to this process of mobilisation by cooperating closely with the Member States, the social partners and non-governmental organisations. To this end, it will promote cooperation between the players concerned by inviting interested parties to support practical initiatives and to pool their experience and, if necessary, to set up permanent partnership structures. It will also help to identify sound practice and successful experiments in key areas of equal opportunities mapped out in previous programmes: integration in employment, reconciling family and working life, participation in decision-making and the exercise of rights.

Action

The new Advisory Committee for Equal Opportunities for Women and Men will play a key role in the partnership which the Commission plans to develop. The composition of the Committee has been adjusted to take in the Member States, the national equal opportunities bodies and the social partners.

The Commission will also contribute to the discussion and exchanges on equal opportunities issues in every Member State by organising, with the national authorities, seminars and meetings for the exchange of information. These seminars should promote cooperation between the authorities, the social partners and non-government organisations.

1.2. Integrating Equality in the European Social Dialogue

Social partners at European level have been involved in various activities concerning equal opportunities, including the adoption of a joint opinion on women and training in 1993 and a compendium of good practice in this field issued in 1995. The Social Dialogue takes place at different levels and in different forms and involves various processes and structures. It is important to ensure that the equality dimension is adequately reflected throughout the layers of the Social Dialogue, and that the processes of the latter are accessible to those most concerned with advancing equal opportunities at all levels. To this end, it would be helpful to increase awareness of the mechanisms of the Social Dialogue and of their possible impact on issues of equality.

Actions

The Social Partners will be invited to consider, if they so wish, the possibility of developing European networking and exchange between their equal opportunities officers at different levels of their organisations where they exist and of designating such persons where they don't exist. These officers would act as guides for Trade Union and Employer organisations into the European Social Dialogue process and its impact on equal opportunities.

They could inter alia facilitate national, transregional and transnational exchanges of information. Study visit schemes for the national equality officers and members of equality units already appointed to some Social Partner organisations will be supported if social partners so wish. The Commission will offer to underpin this process at European level through the provision of technical and financial support.

The Commission will promote monitoring of Community equal opportunities initiatives and programmes in the framework of the social dialogue at cross-branch and sectoral level.

1.3. Developing Partnership at Regional and Local level

The social, historical and cultural diversity of the regions and municipalities of Europe is one of its many strengths. The active contribution of the regions together with the Member States and the institutions of the European Community provides the means for social and economic policies to reach ever larger numbers of citizens. Strengthening the regional level of economic development and decision-making is part of the democratisation of Europe. Partnership between regions and municipalities of the Member States and the European Commission in the field of equal opportunities has not to date been given sufficient development and has to be encouraged. The Fourth Programme proposes to promote the integration of an equality dimension into the regional-local level throughout the European Union.

Actions

The Fourth Programme will support, in partnership with the competent national authorities, equal opportunities centres in one or more regions of each Member State. Regional information centres on equal opportunities will, for the first time, be an expression of a European regional policy which takes account, in practical measures, of equal treatment between women and men. Regional equal opportunities centres will be points of contact and information for equal opportunities policies and programmes, measures and actions emanating from European, national or local/regional institutions. They will build on the experience of "National Animation Strategies" initiated under the Third Action Programme. These centres will provide and exchange information on equal opportunities policies and in particular the European component thereof.

Regional Information Centres could network together to ensure added value and cross-fertilization of actions.

The ERDF could provide support for setting up and networking these centres under the terms of Article 10, for innovative action in regional economic development.

Geographically balanced distribution between rural and urban areas as well as coordination with existing information structures financed by the Community will have to be ensured.

1.4. Supporting Integrated Equality Projects

The Commission proposes to support pilot projects designed to promote equal opportunities vigorously within a given urban or rural area in line with the partnership approach underlying the entire programme and with a view to extending this approach to practical experiments and innovation which might prompt more discussion and initiative.

Such projects, which would be a practical manifestation of local partnership, would be designed to establish a sustained drive for equal opportunities. Enterprises or their organisations, training bodies, trade union organisations and local authorities could, for example, agree to join forces to reduce segregation in the local labour market to enable women, *inter alia*, to benefit from measures for training and for easing access to employment in occupations and sectors of activity where women are traditionally under-represented.

A project could also see local partners (local authorities, the social partners, associations, etc) agreeing to help to reconcile working and family life (by setting up neighbourhood services, which mainly employ women and can create jobs for them, adjusting working hours and the organisation of work etc).

Or again, in a rural area, the players involved in local development could agree to pool their efforts and some of their resources in order to do justice to the goal of promoting equal opportunities (by taking action on behalf of female agricultural workers, examining what part women could play in diversifying activities to create jobs, tackling specific

problems of isolation, giving them a say in decisions on rural development, and involving them in alternative activities in rural areas).

The programme could provide such projects with technical and methodological assistance and financial support aimed specifically at organising a partnership and promoting consistency and synergy amongst the activities of the partners concerned.

Integrated Equality Projects are intended to be a part of a coordinated strategy between the European Union and Member States to integrate the equality dimension into local employment and development. The setting up of these Equality Projects will rely on establishing a partnership between relevant institutions, including Community institutions, elected authorities, public bodies, non-governmental organisations, and representative bodies of employers and employees, with a view to developing in a given local area a range of actions intended to promote the full participation of women in social, political and economic life. The projects will aim at concentrating into a single local focus the growing number of diverse actions and measures of Member States, regions, and other institutions and bodies concerned with integrating an equality dimension into policies and actions.

The potential of such projects to create a supportive framework in favour of changes in enterprise and organisational culture in public, private, non-profit and non-governmental organisations, will be tested, monitored and assessed.

This approach will provide an opportunity to develop new focused policies resulting from the integration of Community, national, regional and local labour market and integration measures concerning the fields of pay, pay systems, training and counselling, health and safety, care work, local employment initiatives and enterprise development for women, informal economy actions and improvements in the balance of the sexes in representative structures and indirectly elected bodies.

Actions

In accordance with guidelines produced by the Commission, the design and implementation of the projects will be defined by local promoters, in partnership with all the actors concerned, with due regard to national and local circumstances.

30 to 40 Integrated Equality Projects throughout Europe will be selected by the Commission after consulting the Advisory Committee, to be awarded financial support in the framework of cofinancing rules. Particular attention will be paid, in the selection process, to the relevance of the strategy proposed by the applicants with regard to the needs and the potential of the concerned urban or rural areas. Each project will bring together public and private actors and agencies willing to develop equal opportunities policies and practices in an integrated way.

The programme is not intended to finance all the local activities which could be conducted for the benefit of women and which could, after all, attract support from the Structural Funds or other Community policies. Support under this programme will be mainly designed to promote coordination between activities and cooperation between the players who have embarked on an integrated approach to equal opportunities and have agreed to pool their resources permanently for this purpose and to form a network and take part in a process of partnership, transnational exchanges and assessment.

Such projects will contribute to identifying the best and most successful practices, measures, and methods, to reduce labour market segregation, promote the economic independence of women, facilitate adaptation at local level to the changing economic and social conditions, and promote full and equal participation of women in social and economic life.

A series of such projects could produce a number of European models for the development of equality through a mixed range of approaches.

The experience gained will be disseminated widely through European guides to good practice.

1.5. Promoting a Change of Attitudes: Education, Training, Culture and the Media

Coping with change in European Society has been identified in the White Paper on Growth, Competitiveness and Employment and the White Paper on Social Policy as well as in the Medium-term rolling Social Action Programme of the Commission as a major challenge. Coping with change is about changing attitudes, in addition to structures and systems. The rigidity of sex roles in the labour market and between public and private life has survived the massive technological changes in the production process and communications that affect the organisation of working life.

The consistency of sex role stereotyping has passed relatively unnoticed despite the present erosion of the social contract which has underpinned relations between women

and men for centuries, leaving a situation in which the combination of work with family life is extremely difficult. There are new demands for free time and for a personal life outside the workplace.

Sex differences in education, the labour market and the family are critically associated with ideas on appropriate roles for men and women to be reflected in public policy. Central to concerns of men and women as equal citizen-partners is the sharp separation of public and private spheres into male and female spheres.

The media, new communications and multi-media systems are at the heart of the reinforcement of sex stereotyped images of women's and men's roles as workers or carers, earners or dependents, productive or inactive. Sex-stereotyped images lag behind the emerging reality in European society.

Attitude change is not merely a question of conveying a positive image of women in education, culture and the media. This is one of the lessons of the Third Programme of Action. What is at stake is promoting a change in women's and men's experiences and their aspirations in the public and private domains. This is a long term goal to which the Commission can contribute, building on the achievements of the Third Action Programme and stimulating transnational research, information and awareness raising. Women's studies and research are still very unevenly developed in Member States. In some Member States, their contribution to the development of gender awareness in the formulation of policies is used and recognised. At European level, the interdisciplinary approach of women's studies could well be an asset for the integration of equality in a variety of policy fields.

Concerning education more specifically, the SOCRATES programme recently adopted by the Council draws attention to the need to develop projects involving parents, teachers and schools in order to promote non sexist education, including through schools curricula and text books.

Actions

The Commission will build on initiatives undertaken in the fields of education, training, culture and the media in existing programmes and initiatives aimed at inspiring a change in attitudes towards a more balanced partnership of women and men in European society. It will support audiovisual activities and publications promoting positive images of the role of women and men in society.

It will in particular develop new proposals to combat gender stereotyping by encouraging girls and boys, women and men, to develop skills traditionally associated with one particular sex both through its action programmes and initiatives in this area (SOCRATES, LEONARDO, MEDIA, ...) and in its forthcoming White Paper on Education.

The Commission will support research from a European perspective into the evolving roles of women and men in contemporary society. It will encourage networking and exchange between experts and diffusion of research results, particularly those of women's studies.

OBJECTIVE 2

PROMOTING EQUALITY IN A CHANGING ECONOMY

The conclusions of the Essen Summit in December of 1994 identified equality of opportunity for women and men, as a 'paramount task of the European Union and its Member States' and necessary to the continued dynamic development of an internal market. These conclusions were confirmed at the Cannes European Council. The follow-up action plans to Essen have reflected the widely held view that equal opportunity policies depend on men and women being able to support themselves by taking up employment. The promotion of equality in a changing economy requires that equal opportunities policies be integrated into all aspects of economic planning and policy.

2.1. Desegregating the Labour Market and Promoting the Value of Women's Work

There has been a certain amount of progress in the position of women in the labour market over the past few years. The rise in the labour force participation of women has been the motor of European employment growth. Since the mid-eighties women have been the principal source of increase in European labour forces. However, this massive influx of women into the labour market has not been matched by diversity of employment. Paradoxically, systems of segregation and marginalisation of women within economic sectors and groups of occupations have survived the overall feminisation of employment. Occupational segregation remains a central characteristic of all European labour markets notwithstanding the level of development of economies.

Two out of five of all jobs in the European Union are now held by women and the majority of the new jobs created during the last years are held by women. 35 % of the active labour force in agriculture are women whereas only 10 % are head of farms. However, 3 out of 10 part-time workers, 7 out of 10 family workers, 5 out of 10 temporary employees and 6 out of 10 clerical workers are women. Unemployment rates among women (13% at 02.95) in the European Union continue to be higher than those for men.

Bearing in mind that the right to equal pay under Article 119 is a fundamental right under Community law, the Commission has undertaken a strategy, announced in the Memorandum on Equal Pay, of improving awareness and information on pay discrimination. The right to equal pay concerns every male and female worker in the European Union and applies in all employment situations where work of equal value is performed. Phenomena such as occupational segregation and low pay, whilst complicating the task of detecting pay discrimination, cannot restrict the scope of Article 119.

The unacceptable persistence of differences in pay and related compensations at work and the huge body of case law in this area will necessitate a more systematic approach to monitoring and enforcement of Community and national law in the coming years.

The value of women's unremunerated or undervalued contributions to the economies of Europe remains unrecognised in most economic analysis. This is the case in relation to

homeworking, contributions to farm enterprise and semi-recognised and undervalued work in the care sector. The costs of non-integration of women into Europe's economies should be further researched and publicised.

Education and vocational training programmes are powerful tools to stimulate desegregation. In this context, the LEONARDO DA VINCI programme (Council Decision n°1081/94 of 1 December 1994) draws attention to the need for a specific effort to open up new areas of work for women and encourage them to return to work after a career break. In addition to supporting an overall objective of promoting equal opportunities within the framework of this mainstream training programme, it makes specific financial provision for projects designed to adapt the content and methodology of training to women's needs, to network Member States' initiatives in this area, the training of trainers in the field of equal opportunities. As part of its new approach towards lifelong learning, it also makes provision to fund projects related to developing women's career prospects, in particular where women are under-represented.

Actions

The Commission will undertake actions to promote the integration of women's issues and the equality of opportunity dimension into all aspects of employment planning, policies, initiatives and programmes. Specific attention will be paid to integrating a gender dimension in the new developments linked to the information society so that its potential benefits are equally shared between women and men. To that effect, the results of research on the differences in occupation, working conditions and informal support systems between male and female teleworkers will be taken into account for policy proposals on telework.

Alongside its role as guardian of the Treaty, in particular as regards the implementation of Article 119, the Commission will pursue the course of action described in the Memorandum on Equal Pay, namely improving baseline data on women and pay, improving dissemination of research findings and relevant jurisprudence, and supporting the development of training modules for pay negotiators. Moreover, the European code of practice on equal pay will be disseminated widely.

The Commission will undertake and promote studies, exchange of information, social and economic research and initiatives in relation to employment, positive action and related policy fields. Initiatives will focus specifically on the informal sector, health and safety, atypical employment, including homeworking, women's entrepreneurship and local employment initiatives. The Commission will also undertake reviews of labour market policy as regards equal opportunities.

On the basis of research into the question of public procurement procedures as a means of promoting equal opportunities, the Commission will adapt its own public procurement practices with a view to promoting equal opportunities, by including standard provisions on the necessary respect of the principle of equal pay and equal treatment between women and men.

It will also issue a Communication on the scope for a contract compliance policy under the Community public procurement directives.

In line with the results of the Essen European Council and the White Paper on Growth, Competitiveness and Employment, the Commission will establish an expert group to advise and help with the analysis and monitoring of equal opportunities in the labour market.

It will also develop actions within the framework of the proposed 1996 "European Year of Lifelong Learning" with a view to promoting diversification of vocational choices for women and men.

The Commission will finalise its consultations with the Social Partners under the Social Protocol on a Directive to reverse the burden of proof in equality cases. It will also consult them, under the Social Protocol, on atypical work, with particular reference to part-time work. In the light of the results of these consultations, the Commission will decide what further action should be proposed.

The Member States can reinforce the actions of the programme by promoting research, labour market integration programmes and initiatives and by monitoring the implementation of their employment-related plans in terms of their impact on women.

2.2. Encouraging Women's Entrepreneurship

The experience gained by the Commission in the course of three previous action programmes in the field of enterprise creation, through its programme of Local Employment Initiatives for women, exchanges and research, has enabled it to acquire a technical knowledge in the field of women's entrepreneurship at European level. Some knowledge of the important role played and problems faced by women as entrepreneurs and as assisting spouses, in small and medium-sized enterprises has also been acquired by the Commission in the context of its policies on SMEs.

The service sector is a growth sector of European employment where enterprise and self-employment can lead to regularising previously informal economic activities. This latter process, in turn, can open up new rights: to social security, a pension, a status, professional recognition and an opportunity to join decision-making structures. An important gap persists between the proportions of men and women ready to become self-employed or start up businesses.

Objective difficulties are faced by women entrepreneurs, such as inaccessibility of finance, absence of appropriate business guidance services, inadequate availability of vocational training geared specifically to the needs of women starting up and running successfully a business and lack of recognition of the competences of women entrepreneurs by the economic environment.

Agricultural restructuring and changes in the Common Agricultural Policy are forecast to radically transform rural life in the Community. Improving the status of women in farming and in family businesses in rural areas is a challenge for the future to which women's entrepreneurship can make a contribution.

In this respect, Council Directive 86/613/EEC of 11 December 86 on the application of the principle of equal treatment between women and men engaged in activities including agriculture in a self-employed capacity, does not appear to have had the impact originally hoped for, which is due to the modest nature of the obligations imposed by it.

Actions

Support will be further developed for locally based enterprise creation activities for women, by the promotion of structures, networks and organisations which facilitate women's access to the single market. The Commission's activities in the field of enterprises, and in particular as relates to SMEs, will be monitored in terms of their impact on equal opportunities. The development of specific financial tools for very small enterprises will be explored with relevant operators and in particular attention will be given to the question of access to credit by women entrepreneurs.

Activities related to advisory structures and information centres facilitating the start-up of SMEs by women will be strengthened. The evolving needs for training and technical support in order to encourage women entrepreneurs will be evaluated and appropriate measures will be proposed.

The Commission will continue to study the progress achieved in relation to the impact of Council Directive 86/613/EEC and will propose action to promote its objectives. After carrying out a thorough assessment of the situation, and a wide consultation of all interested partners, the Commission will propose a revised directive designed to provide a response to the real needs in this area.

2.3. Shaping Structural Change: Equal Opportunities in the Structural Funds

The Regulations governing the Structural Funds agreed in 1993 explicitly refer to the principle of equal opportunities between women and men. The Council stressed the importance of such a contribution in its Resolution of 22 June 1994⁴, which emphasized that structural action as a whole and especially ESF have to contribute to equal opportunities, and which called for increased efforts both from the Member States and from the Commission in this respect.

In the past programming period, the main part of the Structural Funds' contribution to equal opportunities came from the ESF. Women had access to ESF support through its general measures dealing with long term unemployment and the occupational integration of young people (objectives 3 and 4). In addition, specific actions targeted at women accounted for approximately 5 % of available resources. As the impact of this assistance on promoting equal opportunities proved to be too limited, the Commission launched a specific Community Initiative aimed at supporting new opportunities for women (NOW, 1990-1993), which encouraged innovation and transnational exchange and which strengthened the Structural Funds' intervention by exploring new ways to tackle the obstacles for the professional integration of women.

⁴ Council Resolution of 22 June 1994 on the promotion of equal opportunities for women and men through action by the European Structural Funds, OJ NO C 231, 20.8.94, page 1.

Within the current programming period (1994-1999), the promotion of equal opportunities is referred to in all ESF programming documents, especially those of Objective 3, as a priority which should apply horizontally to all general measures to be supported. In a number of Member States, these programming documents also refer to a specific series of actions aimed at promoting equal opportunities (within Objective 3 or within the human resources component of Objective 1) and are intended to complement the horizontal approach adopted. The new flexibility of the revised ESF regulations has also made it possible to approach the problem from an overall point of view (pathways to integration).

Moreover, the new Community initiative "Employment and Human Resources Development" (1994-1999) comprises three core strands, one of which is specifically devoted to equal opportunities and is operating as the second NOW programme (the two other strands HORIZON and YOUTHSTART, and other Community initiatives such as ADAPT, LEADER II and INTERREG II are not conceived with specific reference to equal opportunities but can of course benefit women).

Some of the activities funded by the EAGGF relate mainly to womens' employment in agriculture and in the rural environment and some of the infrastructure financed by the ERDF (such as child care facilities) and more generally the help it provides in restoring the local and regional economic fabric, is intended to promote womens' employment and the reconciling of family and working life.

Henceforth, the principle of equal opportunities will be set out in standard clauses of decisions to grant aid, and the Member States shall be responsible for applying it. The Commission will have to define the operational procedures for application by issuing more concrete guidelines and more precise control procedures than those contained in the regulating provisions.

Monitoring and evaluation are crucial to ensure that the aims affirmed in the programming instruments of all Structural Funds will receive a practical expression in the implementation process. This does not only concern the specific measures but also and foremost the general measures. It is worth recalling in this respect that for the past programming period, there was little reliable data and information on the extent to which women really had access to and got benefit from general measures supported by Structural Funds, and that this situation generated misunderstandings, mistrust and frustration.

Actions

The monitoring committees have a strategic role to play in adapting action and funding to policy priorities and evaluation findings and this role calls for a close partnership between the Commission, the Member States and other interested parties. With a view to mobilizing these Committees around equal opportunities issues, the Commission will continue to encourage the participation in these Committees of bodies and services involved in these issues at regional and national level. It will also encourage these Committees to include equal opportunities on their agenda in order to discuss specific initiatives aimed at consolidating the measures taken and to improve efforts in this respect within the mainstream of Structural Fund actions as well as within Community initiatives. Moreover, the Commission will support the Committees and cooperate with the Member States in the development of objective and transparent evaluation procedures, tools and indicators, especially in order to assess the involvement of women in general measures, their implementation, their relevance and their outcome, to discuss possible ongoing adjustments arising in connection with broad policy developments, especially the follow up to the Essen process, and to make use, when necessary, of the flexibility which results from the necessary annual reprogramming of unspent credits.

In order to support this partnership with the Member States' authorities and the Monitoring Committees at national and regional level, the Commission will pursue its efforts aimed at mobilizing the actors concerned, improving information, and transferring good practices. Particular attention should be paid in this respect, to the dissemination of the lessons of the NOW Community initiative and to improving the visibility of the measures implemented. The creation and the development of networks bringing together innovative projects on equality issues will stimulate the dissemination of know-how and ensure a multiplier effect.

All Structural Funds have to contribute, within the framework of their specific objectives, to equal opportunities. The Commission and the Member States have therefore to cooperate and combine their efforts to ensure that the Structural Funds operate so as to further strengthen the diversification of vocational training and professional integration of women, to develop accompanying measures such as child care and care for dependants, and to improve the position of women in the decision-making process. Improving coherence and synergy between Structural Funds operations and equal opportunities policy is a major task of the Group of Commissioners and the Interservice Group on Equal Opportunities, especially as regards mainstreaming. A Communication on Equal Opportunities and the role of the Structural Funds will be presented by the Commission early in 1996. In order to launch a debate on these issues with all those concerned, the Commission will organise a major European conference to be held in the Spring of 1996.

OBJECTIVE 3

WOMEN AND MEN COMBINING WORK WITH HOUSEHOLD-FAMILY LIFE

The changing pattern of demography, household composition and family types requires new responses corresponding to changed living conditions in Europe. The organisation of European society is not adapted to these changes. The challenge of the late nineties is to put forward viable solutions for the reconciliation of working life with the needs of families, households and individuals.

A wide range of policy options at various levels of responsibility is reflected in the developments which have taken place in the Member States. These new developments in services, in labour market arrangements and provisions may be viewed as preparatory forms of a new social and economic infrastructure needed to support the household and the family.

3.1. Reconciling Work and Household-Family Life

There is now ample research evidence that responsibilities for the care of young children, adults and persons with special needs, inside and outside the household, constitute an obstacle to the labour force participation and advancement of women throughout Europe.

The increasing labour force participation of women leads to new demands on transport, school hours, commuting patterns and the urban habitat. Such changes can be viewed as having a reflationary potential on local economies. In this regard, fiscal incentives and obstacles for dual earner households can play a role in determining not only the labour force participation rates of women, but also their duration and patterns of consumption of child care and care of the elderly and dependents.

The care household services sector of employment is an expanding sector. It is itself a field of highly concentrated occupational segregation of women. In 1992 the Council of Ministers adopted a Recommendation on Child Care which was supplemented by a Guide to Good Practice issued by the European Commission in 1995. The Recommendation and the Guide put forward criteria for the setting of standards for services providing care for young children.

Developing policies for the combining of household and work responsibilities for men as well as women involves providing choices through a range of options. Combining work and personal life can be approached through a variety of leave arrangements. Care time leave, encompassing a number of currently compartmentalised career breaks policies, would respond to a diversity of household situations of women and men within a framework of flexible, agreed, remunerated systems.

Reconciling work and Household Family Life is particularly difficult in rural areas due to distances, problems of transport and limited number of childcare facilities. Special efforts have to be undertaken to improve the situation.

The reorganisation and re-thinking of working time in relation to equality policies has been the subject of extensive research and debate amongst European researchers in 1994 and 1995. There is concern that the development of new flexible working arrangements may in practice reinforce existing sex segregation on the labour market and contribute to forming clusters of lower-paid workers. In this regard, comparative studies on job sharing would fill a gap in knowledge.

The role of the social partners is significant in developing, promoting and evaluating an appropriate range of care options, care time packages and reconciliation measures suited and adapted to the employment environment of both women and men. Such measures must nevertheless be consistent with maintaining standards that contribute to improving working conditions in Europe.

Improving knowledge and encouraging the debate on these issues should contribute to the definition of the best ways to reinforce the contribution of the Structural Funds to the efforts aimed at reducing constraints on women (care services) and adapting working organisation and working time.

Actions

Developing policies for the combination of household and work responsibilities of men and women will be investigated and compared in the course of the Fourth Programme. A range of options and policy choices will be explored. A long outstanding issue has been the adoption of a Directive on Parental Leave and leave for family reasons. In February 1995, the Commission launched consultations with the social partners under the Agreement on Social Policy on the broader issue of reconciliation of work and family. It is hoped that agreement can be reached in this area before the end of 1995. The Commission intends to follow this matter very closely. Following the report on the implementation of the Council Recommendation on child care, the Commission will propose measures aiming at setting higher standards for the care of children and other dependents possibly within a framework directive.

The Commission proposes to establish and support debates, studies, exchanges and information on employment and social protection at European level. Research and action on care and reconciliation will be co-ordinated and hitherto dispersed developments in relation to public and private time, proposals for leave and other methods of reconciliation, policies on working time and on social infrastructures and care provision will be brought together.

The Member States will be invited to contribute to the development of thinking and practice in this field by researching and publishing the results of findings, actions, costs and policy outcomes of the various approaches to the reconciliation of work and family arrangements. Knowledge of existing standards in terms of quality and quantity of child care and other forms of care would be useful for the development of employment policies in the area.

3.2. Promoting the Individualisation of Rights

The White Paper on Growth, Competitiveness and Employment invites the Member States to strengthen equal opportunities for women and men in employment, in particular by:

- "eliminating any potentially discriminatory fiscal and social protection policies which can discourage women's equal participation in the formal labour market";
- "ensuring that taxation and social security systems reflect the fact that women and men may well act as individuals in seeking employment and reconciling family and working life".

Equal treatment in social security is not yet totally achieved. In particular the Directive proposed by the Commission in 1987 concerning the completion of this principle has not been discussed by the Council since 1991.

Moreover, the massive entry of women onto the labour market and the changes in family structures since the post-war period have led to a re-examination of the assumptions underpinning social rights and their acquisition. The funding of social security and principles of personal taxation have been generally posited on the social organisation of the family with the man as the sole breadwinner per household. The growth of unemployment and the numbers of persons outside the labour market and the ageing demographic structure has raised questions as to the future financing of social security and the prospects for the different European welfare regimes. These themes provide the context for the debate on the principle of the individualisation of rights in social security.

The individualisation of rights would constitute a qualitative leap in an approach to the equal treatment of women and men at work. The European equal treatment Directives follow a logic of 'correcting' existing systems by suppressing existing discriminations. Individualisation would modify this perspective by placing equal treatment between individuals among fundamental principles to be respected.

Individualisation policies have a particular relevance during a period of unemployment. While the market treats individuals as such, social security and other welfare regimes treat individuals as elements of households or family structures. The presence or absence of individualised rights to social security can reduce or exacerbate the unequal status of women on the labour market.

The principle and policies of individualisation include the individualisation of rights to have access to training programmes and measures of integration into the labour market. Individualisation also concerns the gender neutrality of fiscal policy. There is a relationship between individualised rights, mobility and social security. The Commission will promote the analysis of the relationship between the individualisation of rights within social protection and equal opportunities as part of its initiatives with regard to social protection and the process of convergence of social protection policies and objectives. Exact and factual comparative data concerning the systems of the different Member States would contribute to a deeper understanding of the issue, and of the possible direction of policy developments.

Actions

The Commission will withdraw its 1987 proposal and will present a new proposal on the completion of equal treatment in social security, in order to take account of developments, e.g. in the Court caselaw, which have occurred in the meantime.

As far as individualisation is concerned, the Commission has launched a number of technical studies to test the neutrality of taxation systems on the individual autonomy of women. Further technical studies on the costs and consequences of individualisation for different social security regimes and benefits, and on the implications for part-time and full-time work remain to be undertaken.

The Commission intends to undertake further studies on the subject of individualisation of rights in social security, tax and related areas drawing on experience gained in the Member States. In the light of the findings of these studies, the Commission proposes to publish a Communication on the individualisation of rights in 1997. This Communication will analyse the impact of the current systems on women's autonomy, the possible lines of reform and the costs and benefits of such changes. In the light of this Communication, the Commission will decide which proposals would be appropriate to bring about progressive change in this area.

OBJECTIVE 4

PROMOTING A GENDER BALANCE IN DECISION-MAKING

One of the achievements of the Third Action programme has been to highlight the absence or under-representation of women in centres of power, influence and decision-making. The principle of equality between the sexes is one of the basic principles of the European model of democracy. Nevertheless, the right to participate in elections and to be eligible for senior posts in administration have not produced equality in practice. The unbalanced representation of women in representative, administrative and advisory bodies, in the media, finance, justice and public administration, manifests a democratic deficit and deprives these institutions of their full legitimacy.

Changes in political life and in cultures of decision-making in the private sector, as well as an interest in the efficient use of human resources and talents, are factors creating a favourable environment for achieving a gender balance in representation and influence. The increased presence of women in decision-making institutions and bodies would provide for a renewal of values, ideas and styles of behaviour beneficial to society as a whole and contribute to achieving the goal of parity of representation.

The new European context in this field is marked by the recent significant increase of women in the European Commission and in the European Parliament. Five women Commissioners (25%) have been appointed and a Group of Commissioners on equal opportunities for women and men has been set up to integrate the principle of equality in all European policies and programmes. Furthermore, in its communication of 5 July 1995, the Commission has recently set new targets for recruitment and promotion of women to leading posts in its staff, and it intends to further pursue its efforts with a view to promoting a better balance between women and men at all levels.

146 women were elected (25,7%) to the European Parliament in June 1994. The current percentage, which includes the new Member States, is 27,6%. In its Resolution of 11 February 1994, the European Parliament stresses that the promotion of women in decision-making reinforces the legitimacy and quality of decision-making bodies. The promotion of gender balance in decision-making was also the subject of a Resolution adopted by the Council on 27 March 1995, which emphasizes the need to bring about changes in structures and attitudes in order to achieve genuine equality of access to decision-making posts.

4.1. Developing Strategies to Promote a Gender Balance

The Commission intends to develop an integrated policy for the promotion of a gender balance in decision-making by improving women's participation both in terms of quantity (increasing the number) and quality (increasing women's influence) in policy-making at European level. Moreover, the Commission will encourage and support similar actions in the other levels of decision-making (national, regional, local), and by other actors (Member States, social partners, NGOs).

A broad range of actions can be developed in order to improve the representation of women at different points of hierarchical structures and tend towards a gender balance. In the light of the principle of complementarity and subsidiarity different types of actor will be encouraged to explore the use of means like awareness campaigns, research, use of targets and quotas, support of networks and women's training in leadership. Equally important is the strengthening of equality bodies, women's associations and NGOs.

Actions

As well as the actions set out under section 4.2. below, the Commission will propose a Council Recommendation on gender balance for women and men in decision-making, building on the experience accumulated under the Third Action Programme in this field.

4.2. Stimulating Research and the Exchange of Good Practice

The issue of decision-making has been clearly identified as central to the achievement of equal opportunities in the widest sense. The process of analysing the obstacles common to Member States has begun and preliminary exchanges on good practices to improve women's participation are underway.

There is a need for a closer cooperation between and better support of the social partners and women's NGOs in developing strategies to achieve a balanced representation of women in organs of power, influence and decision-making in European society.

Actions

The Commission proposes to develop coordinated research in order to improve the collection of data to ascertain the progress of women in decision-making in the public and private sector and to develop promotional strategies to achieve a balanced representation of women and men.

The Commission will encourage and support exchanges and good practice by public administration, social partners and political parties and associations in the development of policies and the adoption of measures which aim at establishing a gender balance in all sectors of European society.

In cooperation with Member States, the Commission will support scientific research, measurement indicators, awareness campaigns, seminars and exchanges in this area to generate the development of new strategies.

The Commission will stimulate changes of mentalities, in particular by means of debate on women's membership of and participation in decision-making bodies, including the feasibility of mentorship programmes and of the establishment of targets and quotas to achieve a balance of the sexes in high ranking positions in all fields.

OBJECTIVE 5

ENABLING WOMEN TO EXERCISE THEIR RIGHTS

5.1. Enforcing Community Law

The European model of equality constitutes a unique body of knowledge, laws, institutions and practices which have conferred formal rights on women and advanced their status in the European Union. Knowledge and information play a central role in enabling women to comprehend rights and obligations and have access to systems which vindicate and protect those rights. There remain, as yet substantial differences between the Member States as to availability of that knowledge and information, access to justice to establish rights, the waiting periods to enforce them, information on the correct procedures and the compensation and remedies available. The volume and complexity of information to be assimilated as regards substantive rights and procedures can be fairly daunting. There still remain barriers to the effective implementation of existing Community law.

Actions

The Fourth Action Programme proposes to enable women to exercise their rights by stimulating an increased involvement of all relevant legal actors in this area, improving procedures for enforcement of Community law and increasing the quality and quantity of information on European law and social policies. The Commission will support and undertake a range of awareness and information actions in the field of legal enforcement and information. It will promote in particular seminars and conferences involving legal actors at all levels. It will issue a communication clarifying the impact of Community law on occupational pensions, pensionable age, etc... Furthermore, as stated above (p.14), the European code of practice on equal pay will be widely disseminated in order to enhance understanding of this topic throughout the Community. The Commission will also support a group of legal experts in equality law whose work will be directed to the assembly and dissemination of information to those active in the legal sphere.

The Commission will build on the work already carried out within the framework of former action programmes, in order to strengthen Community law. The abovementioned proposals are part of this process, especially those concerning the possible follow-up to the reconciliation initiative and the Council Recommendation on child care, the revised Directive on the completion of equal treatment in social security, the proposals presented under the Social Protocol, in particular on the Burden of Proof, on part-time work, and the proposal for a revision of Directive 86/613 on self-employed women. Moreover, the Commission will work towards a binding Community instrument for the protection of the dignity of women and men in the workplace (see p.27).

5.2. Providing Information on Equal Opportunities

Knowledge of rights promotes self-confidence and strengthens women's status as citizens with a full role to play in public policy and civil society. There is a growing demand for speedily delivered, clearly worded and accessible information on European Union policy in the field of equal opportunities.

The proliferation of European Community initiatives in the field of equal opportunities has proceeded at a relatively fast pace in the course of the Third Action Programme. The majority of initiatives are of fixed duration, and information must be constantly up-dated. The European Parliament has contributed to the provision of information through its public hearings, enquiries, debates and awareness campaigns on a broad range of issues concerning women in Europe and at global level.

Actions

The Commission intends, in the light of a feasibility study currently underway, to follow up the "National Animation Strategies" set up under the Third Action Programme by supporting the setting up of centres in the Member States, specialising in the provision of information concerning equal opportunities issues at European level.

5.3. Promoting the Dignity of Women and Men in the Workplace and in Society

The protection of the dignity of women and men in the workplace has been confirmed as a principle of equal opportunities policy by the Council Resolution of 29 May 1990 and by the adoption of a Commission recommendation and a code of practice on sexual harassment in the workplace of 27 November 1991. These important instruments stress that conduct of a sexual or other nature which is unwanted, unreasonable and offensive to the recipient, and which impinges on a person's employment opportunities, can be contrary to the principle of equal treatment. The Commission will continue to support the implementation of this approach.

Awareness has grown during the course of the Third Action Programme, and more recently in relation to the global preparations for the United Nations Fourth World Conference in Beijing, China in 1995, that the fundamental rights of women do not always enjoy protection. The right or freedom to work in a violence-free workplace, to live in a violence-free environment and the right not to be subject to sexual exploitation are rights which are generally protected by national law. Weak enforcement or failure to sanction infringements inhibits women from exercising their rights, diminishes their status and reduces their likelihood of obtaining equality of treatment in the workplace.

A number of Member States have developed effective policies and judicial awareness procedures and have joined with NGOs in developing social awareness programmes to address these questions.

Member States, the European Commission and International Organisations have turned to examining the question of women asylum seekers, displaced persons, women migrants and refugees, in order to identify the particular difficulties faced by women among these groups.

Women's perceived dependency in these groups may raise barriers to the obtention and retention of status as legal residents in countries of the Union. This in turn deters these women from benefiting from the legal right of temporary or permanent residence, the opportunity to enter integration and resettlement programmes, and to enjoy the benefits of family reunification in those Member States which have developed policies in these fields.

Actions

The Commission will make a proposal designed to achieve a binding Community instrument on sexual harassment at work. Social partners will, in the context of the European Social Dialogue, be invited to examine what role they could play in the elaboration of such an instrument. It will be based on the terms of the 1991 Commission Recommendation on the Protection of Dignity, especially as regards the adoption of adequate procedures in the workplace to handle incidents of sexual harassment effectively.

The Commission invites the Member States to exchange information on a regular basis on the promotion of the dignity of all women and men living in the countries of the Union. The areas of particular interest could include those where Member States with effective policies in these fields might wish to share their knowledge with others, and those where the Member States share a common concern to examine jointly issues that affect them all. Priority areas might be those where the dignity of women and men is undermined by abuses connected with illegal employment, cross-border trafficking in human beings or other forms of exploitation and abuse.

OBJECTIVE 6

IMPLEMENTING, MONITORING AND EVALUATING THE PROGRAMME

Implementation

The programme will be implemented in close co-operation with Member States. The new Advisory Committee on Equal Opportunities includes representatives of government departments, national bodies set up by official decision and having a particular responsibility for equality matters, as well as social partners who will become full members.

The somewhat fragmented approach which has characterised the implementation of policy under the Third Action Programme will be avoided by the establishment of a unique structure for the provision of technical assistance to the Commission's services across the spectrum of the activities outlined above.

This body should play a key role; on the one hand, it will assist the Commission in running the programme, promoting exchanges of good practice, developing methodological approaches, and on the other hand it will ensure synergy, cross-fertilization of know-how and integration of the gender dimension in relevant policies and activities.

Actions

The Commission will establish a common co-ordinating structure ANIMA to provide it with the technical assistance necessary to promote, develop and review the programme proposals related to the abovementioned fields of the law, decision-making, reconciliation, media, culture and education and specific employment issues.

This broad co-ordinating structure will function as a clearing house for action-research, best practices in the field, the organisation of transnational exchanges and groups, positive action, review systems, and sets of model projects.

It will rationalise and replace existing structures and networks and therefore ensure a more cost-effective management of the programme.

Functioning as a new structured platform for the implementation of the programme, ANIMA will facilitate effective review of progress in the field of equal opportunities and furnish a visible reference point for co-operation with the Member States.

This new and more concentrated implementation system will facilitate the integration of the equality dimension in the fields covered by the fourth programme.

Monitoring

Despite the extensive developments of equal opportunities policies in the European Community, the methods and monitoring systems to measure progress have been proved insufficient in the Third Action Programme. The Fourth Programme will specifically address the development of monitoring systems to permit an on-going review of progress. Specific qualitative and quantitative indicators, against which progress can be measured, are being developed.

Actions

As promised in the White Paper on European Social Policy, the Commission will publish an annual equality report on progress in the field of equal opportunities which will serve as a monitoring instrument for the Community and the Member States and will form the basis for any necessary adjustment.

The Advisory Committee will have an important function to perform as a partner in an ongoing monitoring process, since national experience enables a comparison to be made of the outcomes of the different measures, as well as an assessment of the principal obstacles to equality and of the main areas of success.

Integration

The Commission's initiatives aimed at integrating equal opportunities into the policies of the Community will be developed through the work of the Commissioners' Group on Equality and of the inter-departmental group which prepares their work with a view to stimulating the involvement of all relevant Commission services in Equal Opportunities issues.

This group is working to carry out a review of all the policies and actions of the Commission in which equal opportunities do, or could, play a role. There are already a number of activities and initiatives in various fields, both internal and external to the Community, and the Commission is examining the possibility of further progress in these areas. On the basis of this work, it will be possible to bring forward new ideas for the integration of women's concerns into broader areas of Community policy.

Actions

The Commission will present a Communication at the beginning of 1996 on the integration of equal opportunities into the relevant policies of the Community, with a view to enriching the Union process by the more systematic inclusion of this dimension.

Evaluation

Ongoing evaluation is a key condition of the success of the Programme as a whole. The Commission will encourage the promoters of projects as well as the partners involved in specific initiatives to set up self evaluation procedures right from the beginning. It will also set up external evaluation procedures, with a view to obtaining independent assessment of the work carried out and the Community added value of the programme.

Actions

A mid-term review of progress achieved will take place not later than 31 December 1998. It will provide an opportunity to assess and, if necessary, to adjust the programme, notably in the light of the Communication on the "mainstreaming" of equal opportunities policies mentioned above at p.29, of the outcomes of the UN Beijing Conference on Women and of the 1996 Intergovernmental Conference.

The Commission will present to the Council and the European Parliament a final report on the implementation of the programme not later than 31 December 2001.

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