

Women of Europe

commission

Priorities for consumer policy

Editorial

On 29 March, the 1996 Intergovernmental Conference will be officially inaugurated in Turin (Italy) by the Italian Presidency of the Council of Ministers in the presence of heads of state and government of European Union Member States.

This date marks the official launch of the review of the Maastricht Treaty, a process which started several months ago within the European institutions and within the civil society and economic, political and social worlds.

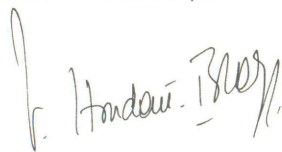
This Conference, written into the Maastricht Treaty which was ratified in 1991, presents a dual challenge: making Europe the business of its citizens and making a success of the future enlargement of the European Union. The question of enlargement, together with the single currency, was one of the main points on the agenda of the last Madrid Summit.

Other than the enlargement of the European Union and its impact on the European institution's decision-making mechanisms, another ambition of Member States is to create the most favourable conditions to strengthen cooperation with certain parts of the world, especially Mediterranean countries. This cooperation is considered as complementary to policies of opening up to the East.

Invoked at the Essen Summit and reiterated during the Cannes Summit when the Spanish Presidency said that "the strengthening of ties with the Mediterranean basin remains a major priority" because of the region's geopolitical importance for Europe, the European Union's Troika (made up of the French, Spanish and Italian presidencies of the Council) started developing a "Partnership for peace, stability and prosperity". This was given concrete form with the signing by European Union Member States and non-member countries of the "Barcelona Declaration" last November which aims to create an area of political, economic and social stability, to establish a global partnership and to reinforce links between the countries of the Mediterranean.

This Declaration, which defines the objectives and practicalities of the partnership, also stresses women's important role in it. Signatories committed themselves to promoting women's active participation in economic and social life.

Women in Mediterranean countries are key players in the development of a social, cultural and human partnership in these countries and they will, I am certain, foster inter-cultural dialogue and respect which remain vital elements in the construction of a Citizen's Europe. ●



Véronique Houdart-Blazy

Head of Section - Information for Women

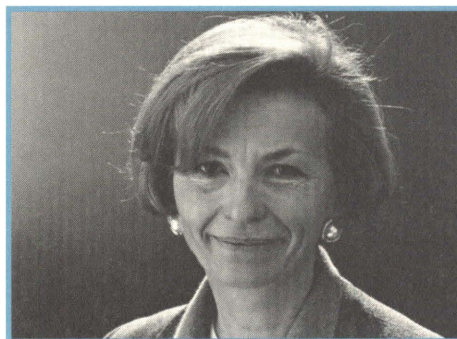
Interview with Marina Manfredi, advisor to Commissioner Emma Bonino

Consumer education and information is the top European Commission priority for consumer policy, according to its newly adopted three-year work programme. A major effort will be made to provide consumers of all ages with information to protect their interests.

"After 20 years of putting together a body of consumer legislation of about 50 directives, we realised that this legislation was little known in legal or consumer circles in many of the Member States. Further, much of it was not being applied because there was no demand and no pressure being put on governments to do so," explained Marina Manfredi, advisor to Emma Bonino, the European Commissioner in charge of Consumer Policy. "Much of the action supported by the European Commission will be geared towards awareness raising," Marina Manfredi explained. Next year the Commission intends producing a series of consumer guides providing practical and legal information on a range of subjects, she added. "For children we have the competition for young consumers" and Commissioner Bonino has asked Education Ministers to include elements of the *European consumer guide to the single market* in their didactic material, she said.

Financial services, public services and food safety were three areas where consumer interest is high. "The information contained on food packaging is of particular concern," Marina Manfredi said. "Currently, there are long lists of ingredients, often in codes, that the consumer is unable to decipher. The idea is to simplify this and provide consumers with the best and most useful information." The information society was identified as another target area for action. The Commission promised measures to facilitate access to systems, support education and training efforts and ensure that a proper regulatory framework is set up for teleshopping and electronic payment systems.

Consumer policies needed to meet the major challenges facing the Union, the Commission said. These included the introduction of the single European currency, achieving sustainable patterns of development and consumption, and EU enlargement to Central and Eastern European countries. The Commission also said it wanted to ensure EU development policies had a consumer policy dimension particularly in the areas of health, education and environment and in projects to fight poverty and malnutrition. "This area is of particular interest to Commissioner Bonino, who is also responsible for humanitarian aid," Marina Manfredi explained. "There is a new awareness of consumer issues in developing countries, especially in Africa. We intend organising some pilot projects jointly with *Consumers International*



Emma Bonino

and the Commission will be involved in a major conference on development policies and consumer issues in Zimbabwe in March."

Strengthening consumer representation throughout the EU was another goal of the Commission's work programme. "There is a huge problem of poor consumer representation in the southern Member States," Marina Manfredi explained. "These Member States, like their northern partners, will be asked to participate in launching and supporting consumer associations." ●

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The Madrid summit Laying the foundations for Europe of the future

The single currency and the enlargement of the European Union to eastern and southern European countries dominated discussions at the 15 and 16 December Council in Madrid. At the meeting, heads of state and government from the 15 EU Member States agreed on "a political agenda" for the next five years which included treaty reform, the transition to the "Euro" (the name chosen at the summit for the future single European currency) and enlargement.

Combating unemployment and equal opportunities for women and men on the labour market were reiterated as priority tasks for the European Union and Member States. To improve the situation of women on the labour market, EU leaders advocated in the summit conclusions the promotion of "equal opportunities in all public policies affecting employment, an

active policy of labour market desegregation using a renewed approach to part-time working as a transitional measure, and the reconciliation of family and working life for women and men."

Women were singled out with the low-skilled, young people, the long-term unemployed and other "disadvantaged categories" as needing "special attention" when implementing employment promotion measures. A number of such measures were urged by EU leaders based on the recommendations contained in a report on employment drawn up jointly by EU Social and Financial Affairs Ministers as well as the European Commission and presented to the summit. They include improving investment in training, increasing flexibility in the organisation of work and working hours, encouraging local development initiatives, developing active job creation

measures, improving employment information services for job seekers and continuing policies of wage and tax restraint.

EU leaders also promised to review annually progress made on the action platform adopted at the Beijing Conference. They said they wanted to continue the fight against social exclusion in the EU through the promotion of greater solidarity and for joint action to combat racism and xenophobia. They set the date and venue for the launch of the InterGovernmental Conference on 29 March 1996 in Turin.

EU-Mediterranean Partnership Signed

The Spanish Presidency of the EU Council of Ministers hosted a ministerial Conference between the European Union and non-EU Mediterranean countries in Barcelona on 27 and 28 November. The Conference was the culmination of a process begun with the presentation and launch of the Euro-Mediterranean Partnership project at the Essen and Cannes Summits in December 1994 and June 1995 (see *Women of Europe Newsletter* N° 54 - "Three Presidencies and a new impetus to Mediterranean Policy"). This project, which aims to bring greater economic, social and political stability to the Mediterranean region through increased cooperation, has been strongly promoted by the French, Spanish and Italian Presidencies. The official Euro-Mediterranean Conference was accompanied by a number of other meetings including the Conference of Mediterranean Cities, hosted by Barcelona's Mayor Pascual Maragall, a meeting of 14 European regions presided by Catalonia's President Jordi Pujol, an Alternative Forum attended by some 300 NGOs from the EU and Mediterranean countries, the Euromed Civil Forum bringing together some 1,000 representatives from universities and social, economic and cultural bodies from 40 countries. All these meetings aimed to examine how a new North-South partnership could be achieved and how to build stronger links between Mediterranean countries.

An ambitious new "partnership for peace and prosperity", the Barcelona Declaration, was signed by the 27 governments attending the Euro-Mediterranean Conference which included the 15 European Union

Member States, 11 Mediterranean countries (Algeria, Cyprus, Egypt, Israel, Jordan, Lebanon, Malta, Morocco, Syria, Tunisia and Turkey) and the Palestinian Authority. The Declaration provides a framework for cooperation between the specific partners until the year 2010. Care was taken to emphasise that this initiative was complementary and did not "replace other actions and initiatives undertaken in favour of peace, stability and development in the region." The signatories will work together in partnership to strengthen political dialogue, develop economic and financial cooperation and put greater emphasis on the social, cultural and human dimension. The key role that women have to play in all areas of development in these countries was recognised by the signatories who undertook to promote their active participation in economic and social life.

The Declaration provides for a "Euro-Mediterranean" free-trade area by 2010 and an increase in EU financial aid and investment. As a result, the signatories hope the Mediterranean will become "an area of shared prosperity" with sustainable economic development and improved living and working conditions. As part of this economic and financial partnership, the signatories said particular attention will be paid to women.

In the Declaration, Ministers also agreed to uphold principles of democracy and national sovereignty, respect human and minority rights "without any discrimination on grounds of race, nationality, languages, religion or sex," promote pluralism, cultural diversity and tolerance and combat acts of racism and xenophobia. The Mediterranean was considered as an area of non-nuclear proliferation.

To reduce migratory pressures, Ministers also agreed to cooperate on improving vocational training and job creation schemes and step up the fight against illegal immigration. EU Ministers promised to safeguard the rights of legally resident migrants.

A dialogue between the different cultures of the Mediterranean region was urged and exchanges at human, scientific and technological levels so as to bring people closer and promote inter-cultural understanding. The media, education and training, cultural exchanges and language learning all had a role to play. "Social development must go hand

in hand with economic development" the Declaration stated. The signatories agreed to set up a series of working groups and a permanent secretariat in Barcelona. The Foreign Ministers of the signatory countries will meet annually.



Barcelona: "Sagrada Família"

Committee on Women's Rights

The Euromed Civil Forum

The Euromed Civil Forum, the largest of the meetings held alongside the official Conference, was organised by the Catalan Regional Authority and the Catalan Institute for the Mediterranean with the support of the European Commission, the Spanish Foreign Affairs Ministry and UNESCO. It examined in a series of Forum workshops a range of subjects from education to environmental protection, trade to tourism, media to migration, investment, technology and the social, political and economic role of women.

The Catalan Women's Institute, which organised the workshop on the role of women in the development of this region and their rights, said it deplored the "one and a half lines" devoted to women in the Barcelona Declaration and the fact that priority had been given to security matters "at the expense of human beings." It said workshop participants called for a specific programme on women within the Euromed framework focusing on four main areas:

- the recognition and application of women's rights
- the reinforcement of women's economic capacity and independence
- strengthening trans-Mediterranean cooperation between women's NGOs and equal opportunities bodies
- the development of an aid and cooperation policy for research, culture, media and resources.

A follow-up committee was set up after these workshops to monitor progress. ●

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The European Parliament's Committee on Women's Rights held a general political debate on the implications of the European Court of Justice ruling in the Kalanke vs Freie Hansestadt Bremen case during its 17 and 18 October meeting (see *Focus* on page 4 of this issue). During this meeting, a discussion was also held on the Fourth Equal Opportunities Action Programme. Francesca Bennasar Tous presented her report to the Committee in which she proposed stricter monitoring and enforcement of Community equality legislation as well as measures to ensure a wider dissemination of information on equal opportunities. The Committee also discussed a range of other issues at this meeting including preparations for accession of Central and Eastern European countries, the Poverty 3 programme, traffic in persons and a report on the situation of the wives of self-employed workers.

At the Committee's 23 and 24 November meeting, Paola Colombo Svevo called on the European Commission and Member States to take measures to close the pay gap between women and men. Paola Colombo Svevo based her report on the Commission's 1994 memorandum on equal pay for work of equal value and on reinforcing article 119. She said improvements were needed on available data in the field of women's and men's pay levels and on the effects of occupational segregation.

She saw an urgent need for information campaigns targeted at women to explain how they can get legal redress in cases of wage discrimination. She said the Commission should make greater use of its power to take to court governments which did not adequately guarantee equal pay for work of equal value.

Antoinette Fouque also presented her report on the implementation of the action plan adopted at the Cairo Conference on Population and Development in September 1994. She said she intended focusing mainly on good quality health care, reproductive health, sexually transmitted diseases and sexual rights. She added that she would also take account of the problem of an ageing population, migration, the environment and budgetary considerations. ●

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Europe's Way to the Information Society

An opinion by Imelda Read, British Labour MEP, on the Commission's action plan "Europe's way to the Information Society" highlighted the economic and social potential offered to women by the information society and warned of the dangers of a two-tier society of those who use and benefit from the information society and those who are excluded and alienated from it. Adopted at the November meeting of the Committee on Women's Rights, the opinion looks at three areas: women's employment; equal access to the global information highway; and the degrading and violent images portrayed on the Internet. The opinion will be included in a report by Belgian MEP Fernand Herman for the Committee on Economic and Monetary Affairs and Industrial Policy to be presented to the Parliament in 1996.



Imelda Read

Photo: European Parliament

policies will be articulated." It aims to clarify the regulatory and legal framework; to deal with technical issues; to look at the social, societal and cultural dimension including linguistic aspects; and to increase public awareness of the information society. Employment was singled out by the Commission as a priority area in its action plan. It said it intended to ensure "that the opportunities to develop new and better jobs are exploited to the full and that the potential negative effects are addressed." As a result it said it will be carrying out a series of studies and evaluations examining the wider social and employment consequences of more flexible forms of working offered by communications technologies, including teleworking.

In an interview granted to *Women of Europe Newsletter*, Imelda Read said the impact of the information society on women's employment and especially the growing phenomenon of teleworking among women could be worrying unless good management and employment practices were introduced. "Many of the new jobs created by the information society are semi-skilled, often

The Commission's action plan on the information society responds to growing public awareness of the economic and social importance of information and communications technologies. It gives a framework within which "a series of relevant

insecure," she said, "and most of these jobs are done by women working from home so confirming current labour market segregation. Men, in comparison, do most of the sophisticated information technology jobs," she said.

"Telehomeworking for both women and men can bring benefits," Imelda Read said, "especially for the disabled and those living in rural areas," but she also warned of the dangers - low pay, reduced or no job protection, isolation, health and safety risks and increased stress. It is estimated that there might be 20 million teleworkers by the year 2000, she added. "My concern is their employment status, their prospects for training and job promotion," all issues which "have not been addressed adequately. In my Opinion, I have called for a directive on teleworking and for teleworkers to be given employee status once they have worked for the same employer for a certain length of time." She was also critical of "the temptation" for employers and governments to consider homeworking as a "ready-made solution" to childcare. "This is why the Committee's opinion calls for binding EU legislation on childcare. It is inconceivable to think that women can work while feeding or amusing the baby. There is an urgent need for more policy initiatives in these fields," she said.

Women's access to communications technology was another area raised by Imelda Read. She wants special attention to be paid to science and technology training for girls in schools. "Indeed I would have liked to look more at the whole area of vocational training and its potential role in breaking down traditional patterns of employment segregation," she explained.

There are major legal and technical difficulties which stand in the way of a speedy regulation of the "horrific" images of women being portrayed on the Internet, she said. Imelda Read quoted claims that an estimated half of all non-academic searches for materials on the Internet are for pornography. "One of the major problems," she explained, "is that there is no uniform definition of pornography in the different Member States." A solution being put forward by the Committee on Women's Rights "is that anything considered illegal for publication in newspapers or magazines should also be made illegal for new communications." ●

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Action programme on equal opportunities adopted

The Fourth Medium-Term Equal Opportunities Action Programme to run from 1.06.96 to 31.12.2000 was established by the Council of Ministers on 22 December 1995.

The programme aims to promote the integration of equal opportunities between women and men into the preparation, implementation and monitoring of all European Union and Member State activities, while respecting their respective competences.

The Commission's action will focus on six key objectives. The first year will concentrate on setting up the implementation structures for the programme (ANIMA and the management committee), the exchange and development of information and experience of good practice, studies and research and the dissemination of information. ●

Women journalists' forum on the Mediterranean and the future

Some 50 women journalists from different Mediterranean countries met in a separate forum entitled "Women journalists, the Mediterranean and the future." Organized by the *Spanish European Women Journalists' Network* on 1 and 2 December, the forum aimed to establish closer links between women journalists from both sides of the Mediterranean and to examine women's role in the media of these countries. The rich cultural, linguistic and religious diversity of the region was the central theme of this meeting which sought to bridge cultural differences and foster greater mutual understanding. ●

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Court of Justice: Positive discrimination challenged

The uproar that surrounded the recent ruling of the European Court of Justice (C-450/93 *Kalanke vs Freie Hansestadt Bremen*) over the use of employment quotas to promote women has calmed down leaving legal experts to argue over the complexities of this judgement. The Court ruled on 17 October that the use of employment quotas giving absolute and unconditional priority to women over similarly qualified men when selecting candidates for a job or for promotion was incompatible with the EU 1976 Equal Treatment Directive, and therefore unlawful.



on the labour market and to pursue a career on an equal footing with men. »

This exception to each individual's right not to be a victim of discrimination must be interpreted "strictly" according to the Court. On a close examination of the Bremen rules in question, the Court found that they "go beyond promoting equal opportunities and overstep the limits of the exception" in the Directive because they "guarantee women absolute and unconditional priority for appointment or promotion."

The Case was referred to the European Court by Germany's Federal Labour Court. It involved a Bremen law which stipulates that, in job recruitment procedures, women who have the same qualifications as men are to be given priority in sectors where they are under-represented. Women were considered to be under-represented if they did not make up at least half of the staff in each level.

Legal experts told the European Parliament's Committee on Legal Affairs and Citizen's Rights and the Committee on Women's Rights that the Court was interpreting the Directive in its strictest sense, taking account of individual rights only. It did not mean that positive discrimination was always unlawful but should be limited. It is the automatic priority given to women over men that the Court objected to.

A German landscape gardener, Eckhard Kalanke, who unsuccessfully applied for the post of department head in the city of Bremen's parks department claimed that his colleague, who was equally qualified, got the job because of this Bremen law. He decided to appeal to the city's arbitration court.

Eliane Vogel-Polsky, Professor of Law at Brussels University said "the question is whether the right of each individual not to be discriminated against on grounds of sex, a right which has been recognised by the Court as a fundamental right, should take precedence over the rights of a disadvantaged group, in this case women, to be compensated for past (and current) discrimination?"

The European Court said that under the EU's Equal Treatment Directive all discrimination on grounds of sex is unlawful. There is one exception to this rule in the Directive which the Court said allows for national measures relating to access to employment, including promotion, which give a specific advantage to women with a view to improving their ability to compete

This is the dilemma facing equality legislation in EU Member States, Eliane Vogel-Polsky explained. ●