



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 24.11.2000
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2000/0143 (CNS)

Amended Proposal for a

COUNCIL DECISION

**on the Programme relating to the Community framework strategy
on gender equality (2001-2005)**

(presented by the Commission pursuant to Article 250 (2) of the EC Treaty)

EXPLANATORY MEMORANDUM

I. INTRODUCTION

On 7 June 2000 the Commission adopted a communication towards a Community framework strategy on gender equality (2001-2005) and a proposal for a Council decision establishing a programme relating to the Community framework strategy on gender equality (2001-2005), based on Article 13 of the Treaty establishing the European Community. The Committee of the Regions adopted its opinion on the strategy and the programme 23 October 2000 and the Economic and Social Committee is expected to adopt its opinion on 28 November 2000. The European Parliament adopted its opinion on the proposal for a Council decision establishing a Programme on 15 November 2000.

In the light of those opinions, the Commission has now modified its original proposal.

II. AMENDMENTS

The proposal has reinforced the links between the framework strategy and the Community programme relating to it, *inter alia* by stating that the first objective of the programme is to assist in the implementation of the framework strategy.

The role of the programme in supporting gender equality in the applicant countries has been spelt out in the modified proposal as it has been done with the fact that women are often subject to multiple discrimination.

Further clarification has been included of the need for consistency and complementarity with activities under other Community programmes and initiatives, including the programmes DAPHNE, STOP, the fight against poverty and social exclusion and the research framework programme and the social agenda.

The role of non-governmental organisations and the social partners in the programme have been highlighted and the Commission will make relevant information available to them. One additional recital recognises the importance of strengthening the capacity of key players involved in promoting gender equality, facilitating networking and promoting the synergy among the different networks.

Further clarification has been included in the Annex, for the examples of actions to be implemented by the programme under the different strands.

An additional recital has been added to put in evidence the significance for gender equality of recent Council texts in the area of employment and other recital includes a reference to the declaration and platform for action adopted at the UN Fourth Conference on Women.

Amended Proposal for a

COUNCIL DECISION

**on the Programme relating to the Community framework strategy
on gender equality (2001-2005)**

[Text with EEA relevance]

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 13 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 the Regions⁴,

Whereas:

- (1) The principle of equal treatment for women and men is a fundamental principle of Community law and the Directives and other acts adopted in keeping with it have played a major part in improving the situation of women.
- (2) Experience of action at Community level has shown that promoting gender equality in practice calls for a combination of measures and, in particular, of legislation and practical action designed to reinforce each other. **Experience has also shown that Community action in this field should be pursued through the combination of gender mainstreaming and specific actions. It is also recognised the important role of men for attaining gender equality.**
- (3) The persistence of **gender discrimination of a structural nature, of double - and often multiple - discrimination affecting numerous women as well as the persistence of gender** inequality **justify** the continuation and strengthening of Community action in the field **and the adoption of new methods and approaches to the problem.**

¹ OJ C
² OJ C
³ OJ C
⁴ OJ C

- (4) The European Parliament, in its resolution on the interim report on the implementation of the medium-term Community action programme on equal opportunities for men and women (1996-2000)⁵, has called on the Commission to submit a proposal for a fifth action programme.
- (5) The Council, in its conclusions of 22 October 1999 has stressed the importance of a new action programme to promote equality for women and men.
- (6) **The declaration and Platform for action adopted at the UN Fourth World Conference on Women called upon Governments, the international community and civil society to take strategic action to eliminate discrimination against women and remove obstacles to gender equality. The Special Session of the UN general Assemble held in June 2000 --Beijing +5- confirmed the need of a full and to accelerated implementation of the Beijing Platform for action.**
- (7) **The European Council meetings in Lisbon, on 23-24 March 2000, and in Santa Maria da Feira, on 19-20 June 2000, urged the Commission and the Member States to further all aspects of equal opportunities in employment policy, for example by reducing occupational segregation and making it easier to reconcile working life and family life, in particular by setting a new benchmark for improved childcare provision. The Council also set quantitative targets, including an increase in the employment rate for women from the present 51% to 60% by the year 2010.**
- (8) The new Community **framework** strategy for gender equality⁶ **will embrace all activities of the Community, in line with Article 3.2 of the Treaty, which aims to eliminate inequalities and to promote equality between women and men.** This Programme will provide the structure for the horizontal and co-ordinating activities necessary to ensure coherence and to develop synergies with regard to the **implementation of the framework strategy.** ~~gender-related activities of all Community policies.~~
- (9) In order to reinforce the added value of Community action, the Commission, in co-operation with the Member States, should ensure, at all levels, the coherence and complementarity of actions implemented in the framework of this Decision and other relevant Community policies, instruments and actions, in particular those under Articles 125 to 130 of the Treaty concerning a co-ordinated strategy for employment, and under the European Social Fund.
- (10) **Efforts to strengthen capacity of key players involved in promoting gender equality should include exchange of information, experience and best practices among networks, including the network of Parliamentary Committees for Equal Opportunities for Women and Men in Member States and in the European Parliament and the Commission's experts' networks. Promotion of synergy among the members of the networks should be a priority issue.**
- (11) It is necessary for the success of any Community action for the results to be monitored and evaluated against the aims.

⁵ A4 - 0194/99 - PE 230 041/DEF, OJ C 279, 1.10.1999, p. 88.

⁶ COM(2000) 335 final

- (12) In accordance with Article 2 of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁷; measures for the implementation of this Decision should be adopted by use of the advisory procedure provided for in Article 3 of that Decision.
- (13) Provision should be made to open up this Programme to the applicant countries of Central and Eastern Europe, in accordance with the conditions established in the Europe Agreements, in their additional protocols and in the decisions of the respective Association Councils, to Cyprus, Malta and Turkey, funded by additional appropriations in accordance with the procedures to be agreed with those countries.
- (14) In accordance with the principles of subsidiarity and proportionality as set out in Article 5 of the Treaty, the objective of the proposed action by the Community, namely to promote gender equality, cannot be sufficiently achieved by the Member States by reason of, *inter alia*, the need for multilateral partnerships, transnational exchange of information and Community-wide dissemination of good practice, and can therefore, by reason of the scale and effects of the action, be better achieved by the Community. This Decision confines itself to the minimum required in order to achieve that objective and does not go beyond what is necessary for that purpose,
- (15) **All member states and candidate countries have signed and ratified the UN Convention for the Elimination of All Forms of Discrimination against Women (CEDAW)**

HAS ADOPTED THIS DECISION:

⁷ OJ L 184, 17.7.1999, p. 23.

Article 1

Establishment of a Programme

This Decision establishes a Programme to promote, **assist and support the Community framework strategy on** gender equality, hereinafter referred to as "the Programme" for the period from 1 January 2001 to 31 December 2005.

Article 2

Principles

1. The Programme is **one of the necessary instruments to implement** related to the Community's overall strategy on gender equality, which embraces all Community policies **and all Community actions** geared to achieving gender equality, including gender mainstreaming policies and specific actions targeted at **all** women.
2. The Programme shall coordinate, support and finance **the implementation of** horizontal ~~and coordinating~~ activities under the fields of intervention of the Community strategy on gender equality. These are economic life, equal participation and representation, social rights, civil life, gender roles and stereotypes. Gender equality in the enlargement of the Community as well as the gender dimension of the Community's external relations and development cooperation policies are horizontal issues which will permeate all areas of intervention of the framework strategy.

Article 3

Objectives

The Programme shall have the following objectives:

- (a) **To assist in the implementation of the Community framework strategy on gender equality;**
- (b) To promote and disseminate the values and practices underlying gender equality;
- (c) To improve the understanding of issues related to direct and indirect gender discrimination, **including multiple discrimination affecting women**, by determining where it exists and to what extent and by evaluating the effectiveness of policies and practice;
- (d) To develop the capacity of key players (independent bodies responsible for the promotion of gender equality, social partners and non-governmental organisations, especially at national, regional and local levels) to promote gender equality effectively, in particular through support for the exchange of information and good practice and networking at Community level.
- (e) **To assist the Community in assessing the need for further initiatives, including, where necessary, legislation; to combat gender discrimination and promote equality between women and men.**

- (f) **To support and promote the applicant countries' efforts to achieve gender equality.**

Article 4

Community actions

1. With a view to achieving the objectives set out in Article 3, the following actions will be implemented within a transnational framework:
 - (a) Awareness-raising

Primarily by emphasising the Community dimension of the promotion of gender equality and by publicising the results of the Programme, in particular through publications, campaigns and events.
 - (b) Analysis and evaluation

Analysis of factors and policies relating to gender equality, including the collection of statistics, studies, gender impact assessment, tools and mechanisms, development of indicators and benchmarks and effective dissemination of results. This will also include monitoring of the implementation and application of Community equality law by evaluating legislation and practice in order to assess their impact and effectiveness.
 - (c) Capacity building

Transnational cooperation between key players through the promotion of networking and exchange of experiences at Community level between national, **regional and local** authorities, social partners and non-governmental organisations.
2. Arrangements for the implementation of the actions described in paragraph 1 are set out in the Annex.

Article 5

Implementation of the Programme and cooperation with Member States

1. The Commission shall:
 - (a) ensure the implementation of the Community actions covered by this Programme in accordance with the Annex;
 - (b) regularly exchange views with the Members of the Committee referred to in Article 6, with representatives of social partners at Community level and non-governmental organisations on the implementation and follow-up of the Programme and on related policy orientations. **To this end, the Commission shall make relevant information available to the non-governmental organisations and to the social partners**
 - (c) promote active partnership and dialogue between all the partners involved in the Programme, inter alia to encourage an integrated and coordinated approach to promote gender equality.

2. The Commission, in cooperation with the Member States, shall take the necessary steps to:
 - (a) promote the involvement in the Programme of all the parties concerned;
 - (b) ensure the dissemination of the results of the actions undertaken within this Programme;
 - (c) provide appropriate information, publicity and follow-up with regard to actions supported by this Programme.

Article 6

Committee

1. The Commission shall be assisted by a committee composed of representatives of the Member States and chaired by the representative of the Commission (hereinafter referred to as "the Committee").
2. Where reference is made to this paragraph, the advisory procedure laid down in Article 3 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 7 thereof.
3. The representative of the Commission shall in particular consult the Committee on:
 - (a) the general guidelines for the implementation of the Programme;
 - (b) the annual budgets and the distribution of funding between measures;
 - (c) the annual plan of work for the implementation of the Programme's actions.
4. The representative of the Commission shall also consult the Committee on other appropriate matters concerning the implementation of this Programme.
5. To ensure the consistency and complementarity of this Programme with other measures referred to in Article 7, the Commission shall keep the Committee regularly informed about other Community action contributing to promote gender equality. Where appropriate, the Commission shall establish regular and structured cooperation between this Committee and the monitoring committees established for other relevant policies, instruments and actions.

Article 7

Consistency and complementarity

1. The Commission shall, in cooperation with the Member States, ensure overall consistency with other Union and Community policies, instruments and actions, in particular by establishing appropriate mechanisms **and tools, i.e.: gender impact assessments, monitoring tools and benchmarks** to coordinate the activities of this Programme with relevant activities ~~in~~ **of particular relevance for the advancement of women, such as** ~~relating to~~ **research, employment, non-discrimination, the fight against poverty and** social **exclusion**, ~~inclusion~~, **health**, education, training and youth

policy, **culture**, justice and home affairs and in the field of enlargement and of the Community's external relations, **(including the Community activities in the area of human rights)**.

2. The Commission and the Member States shall ensure consistency and complementarity between action undertaken under this Programme and other relevant Union and Community actions, in particular under the Structural Funds, the Community Initiative EQUAL, **DAPHNE, STOP, PHARE and MEDA programmes, the research Framework programme, the fight against poverty and social exclusion, the social agenda** and the Community action programme to combat discrimination (2001-2006).
3. The Member States shall **facilitate and** make all possible efforts to ensure **that the consistency and complementarity between activities under this Programme are consistent with and complement** those carried out at national, regional and local levels.

Article 8

Participation of EFTA/EEA countries, the associated countries of Central and Eastern Europe, Cyprus, Malta and Turkey

This Programme shall be open to the participation of:

- (a) the EFTA/EEA countries in accordance with the conditions established in the EEA Agreement;
- (b) the applicant countries of Central and Eastern Europe (CEECs) in accordance with the conditions established in the European Agreements, in their additional protocols and in the decisions of the respective Association Councils;
- (c) Cyprus, Malta and Turkey, funded by additional appropriations in accordance with procedures to be agreed with those countries.

Article 9

Monitoring and evaluation

1. The Commission shall regularly monitor this Programme in cooperation with the committee referred to in Article 6.
2. The Programme shall be evaluated by the Commission at its mid-term and at the end of the Programme with the assistance of independent experts. The evaluation will assess the relevance and effectiveness of actions implemented with regard to the objectives referred to in Article 2. It will also examine the impact of the Programme as a whole. The evaluation will also examine the complementarity between action under this Programme and that pursued under other relevant Community policies, instruments and actions.

3. The Commission shall submit an interim evaluation report by 31 December 2003 at the latest to the European Parliament, the Council, the Economic and Social Committee and the Committee of Regions.
 4. The Commission shall submit a final evaluation report on the Framework Strategy and the Programme to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions by 31 December 2006 at the latest.
- (4 bis) **All evaluation reports shall indicate to what extent funds have been made available to Member States and governmental bodies and to what extent to NGOs**

Article 10

Addressees

This Decision is addressed to the Member States.

Done at Brussels,

*For the Council
The President*

ANNEX

I. AREAS OF ACTION

The Programme may operate in one or more of the following fields of intervention:

1. Economic life

The area relates to the remaining gender gaps in the labour market and the ways to tackle them. The aims are to increase the employment rate of women, to reduce the unemployment rates among women, the gender segregation of the labour market and the gender pay gap.

2. Equal participation and representation

The area addresses the lack of women's participation in decision-making bodies. The actions deal with strategies to promote women in political, economic and social decision-making, **at all levels, i.e.: Community, national, regional and local, including activities in external relations and development cooperation (such as women's participation and role in international missions).**

3. Social rights

Effective gender mainstreaming needs to be applied to all policy areas which have an impact on women's daily life such as transport, public health and the fight against discrimination on other grounds. **There shall be coordination with the action programme against discrimination as well as other relevant programmes.** The actions will aim at improving the application of Community legislation in particular on social protection and in the areas of parental leave, maternity protection and working time **and at finding ways and means for making it easier to reconcile working life and family life, in particular by setting benchmarks for improved provisions concerning childcare and care of elderly.**

4. Civil life

The area addresses the enforcement of the human rights of women. The actions will promote the recognition of human rights of women, enforce equal opportunity rights and strengthen the fight against gender related violence and trafficking in women.

5. Gender roles and stereotypes

The area addresses the stereotyped images of women and men and the need to change behaviour, attitudes, norms and values which define and influence gender roles in the society. The actions cover gender mainstreaming in particular in education, training, culture, science, media and sport policies.

II. TYPES OF ACTION

The following measures may be supported by the Programme, in a transnational framework:

Strand 1 - Awareness raising

- (1) The organisation of conferences, seminars and events at European level;
- (2) The organisation of a European Equality week at Community level and in each Member State **and in applicant countries in compliance with Article 8,** at the same time under the same topic coordinated by the Commission and conducted by the responsible authority in each individual Member State. **One such topic could be combating violence against women and children;**
- (3) The organisation of European media campaigns and events to support the transnational exchange of information and the identification and dissemination of good practice, including the award of an annual prize to companies successful in promoting gender equality and with a view to strengthen the visibility of gender issues;
- (4) The publication of materials to disseminate the results of the Programme, including the construction of an Internet Site providing examples of good practice, a forum for the exchange of ideas and a database of potential partners for transnational exchange actions as well as e-links to the existing relevant web-sites in the Member States;
- (5) The implementation of transnational initiatives such as meetings, seminars, campaigns, etc, on particular topics approved annually, after discussion with the Committee of the Programme. The aim of these activities is to support and improve the synergy among national policies on gender equality and to develop a Community added value;
- (6) Organisation of seminars, **and dissemination of information about and** in support of the implementation of Community law in the field of gender equality, **with particular attention to the needs and requirements of the accession countries.**

Strand 2 - Analysis and evaluation

- (1) The development and dissemination of comparable statistics, broken down by sex, statistical series on women and men's situation in different policy areas, **including pay statistics for women and men performing equivalent work;**
- (2) The development and dissemination of methodologies and indicators for evaluating the effectiveness of gender equality policies and practice (benchmarking);
- (3) The analysis of: women's situation in the labour market, implementation of equality legislation in the Member States, influence and impact of social protection and taxation on women and men, and advancement of women in decision making levels will be carried out and the results and lessons learned will be disseminated
- (4) The collection and evaluation of updated information and experience on successful initiatives, methods and techniques related with women and the media, including overcoming gender stereotypes and promoting **varied** positive portrayals of women and men in the media;
- (5) The publication of an Annual Report on Gender Equality in the European Union including the progress towards reaching of the benchmarks and the evaluation of the results achieved;

- (6) The realisation **and dissemination** of thematic studies on the target areas comparing and contrasting approaches within and across Member States and applicant countries.

In implementing this strand the Commission will in particular ensure consistency and complementarity with the activities conducted by other Commission services or by European agencies; in particular, the European Foundation for the Improvement of working and living conditions, **CEDEFOP**, and the Community RTD Framework programme.

Strand 3 - Strengthening capacity

The following measures may be supported in order to improve the capacity and effectiveness of key players involved in promoting gender equality:

- Transnational exchange actions, involving a wide range of players, to transfer information, lessons learned and good practice. These activities may be conducted by NGOs or social partners at European level and transnational networks of regional or local authorities and of organisations which aim to promote gender equality.
- These activities may include comparison of the effectiveness of processes, methods and tools related to the chosen themes, mutual transfer and application of good practice, exchanges of personnel, joint development of products, processes, strategy and methodology, adaptation to different contexts of methods, tools and processes identified as good practice, and/or dissemination of results, profile-raising materials and events.

III. METHOD OF PRESENTING APPLICATIONS FOR SUPPORT

Strand 1 Actions (2), (3) and (4) of this strand will be implemented in response to open calls for tenders. Actions (5) and (6), to be implemented by the Member State authorities in charge of gender equality or by equality bodies, may be subsidised in response to restricted calls for proposals addressed to the Member States.

Strand 2 Actions under this strand will be implemented via the Commission, normally in response to calls for tenders. Action (1) will be implemented following the relevant Eurostat procedures.

Strand 3 Strand 3 will be implemented in response to open calls for proposals organised by the Commission, which will vet the proposals. The actions may be implemented by NGOs or social partners at European level, transnational networks of regional or local authorities or by transnational networks of organisations, which aim to promote gender equality

IV. CARRYING OUT THE ACTIONS

- (1) The actions to be taken may be funded by service contracts following calls for tender or by subsidies for joint financing with other sources. In the latter case, the level of financial assistance by the Commission may not exceed, as a general rule, 80% of the expenditure actually incurred by the recipient.
- (2) In carrying out the Programme, the Commission may require additional resources, including recourse to experts. These requirements will be decided in the context of the Commission's ongoing assessment of resource allocation.

- (3) In carrying out the Programme, the Commission may have recourse to technical and/or administrative assistance, to the mutual benefit of the Commission and of the beneficiaries, related to identification, preparation, management, monitoring, audit and control.
- (4) The Commission may also undertake information, publication and dissemination actions. It may also undertake evaluation studies and organise seminars, colloquia or other meetings of experts.
- (5) The Commission will prepare annual work plans setting out the priorities and actions to be undertaken. Moreover, it will also specify the arrangements and criteria to be applied in selecting and financing actions under this Programme. In so doing, it will seek the opinion of the Committee mentioned in Article 6.
- (6) Actions undertaken will fully respect the principles of data protection.