

## KEY STUDIES

# WOMEN'S RIGHTS AND GENDER EQUALITY THE EVIDENCE-BASE FOR BETTER LAW-MAKING FOR ALL CITIZENS

## BACKGROUND

Equality between men and women is one of the founding values of the Union (Article 2 TEU) and enshrined in the Charter of Fundamental Rights (Article 23). Equality between the sexes (Article 3(2) TEU) can be pursued through Article 153(1i) TFEU that supports better opportunities and treatment at work. Article 157 TFEU more precisely requests from Member States to ensure **equal pay**. Besides, it authorises **positive action** in favour of the underrepresented sex. Furthermore, Article 19 TFEU enables legislation to combat discrimination based on sex and other grounds.

Finally, Article 8 TFEU obliges the Union to eliminate inequalities through '**gender mainstreaming**'.

Consequently, the Parliament and the Council, on proposal by the Commission, adopted a number of laws. For example, in 2006, former legislative acts were consolidated in Directive 2006/54/EC on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation. This recast Directive includes definitions of **direct and indirect discrimination** related to sex and obliges employers to take preventive measures to combat **(sexual) harassment**. Member States should reinforce the sanctions for discrimination and provide for the setting up national bodies responsible for promoting equal treatment between women and men.

Outside of employment, Directive 2004/113/EC of 13 December 2004 implements the principle of equal treatment between men and women in the **access to and supply of goods and services**.

For more information on legislation and European Court of Justice rulings in the area of gender equality, please see European Parliament's Fact Sheet number 5.10.8 on Equality between men and women.

## PURPOSE

51 % of the Union's population are women. Taking into account their needs is relevant for better law-making.

The Strategy for equality between men and women 2010-2015 is the main tool to support gender equality in the implementation of the prominent EU2020 strategy for smart, sustainable and inclusive growth.

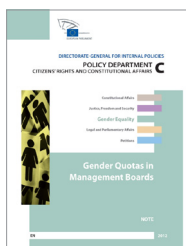
In this framework, the following key studies and workshop contributions enable evidence-based policy making.

Scan the QR code or just click on the title of the publication to access it directly.



## DECISION-MAKING

### Gender quotas in management boards - February 2012



This note compares the effectiveness of legal instruments for narrowing the gender gap in corporate management boards with that of voluntary regimes. Findings suggest that legal instruments to enforce quotas are an effective and fast means of achieving change. The use of voluntary regimes has led to some increase in the proportion of women on corporate boards, but the effects are significantly smaller and slower than when applying legal instruments. Indeed, the only instance of achieving 40% of each gender was through the use of legal instruments to enforce quotas. The note also identifies and reports on the positions and recommendations of nine international bodies on this matter.

(Available in EN, executive summary in FR and DE)





### Women in decision-making: the role of the new media for increased political participation - June 2013



This study reviews the barriers to women’s involvement in politics and, through case studies and research with new media users, how new media may help to increase women’s involvement at different levels of political participation, including formal representative politics.

(Available in EN)



### Consumer behaviour in a digital environment - August 2011



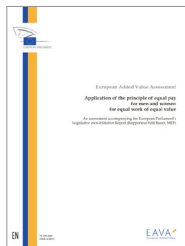
This study analyses consumer behaviour of men and women and the interaction between consumers and businesses in the digital environment. At issue is how consumers benefit from the digital environment and whether and how they change their purchasing behaviour. A number of barriers to e-commerce and a more integrated European digital market are identified and specific policy recommendations are provided.

(Available in EN, executive summary in FR and DE)



## ECONOMIC INDEPENDENCE

### Application of the principle of equal pay for men and women for equal work of equal value - June 2013



Women across the European Union bring home 16.2% less than their male counterparts in the EU. This figure is more than just a statistic: it has real-life consequences for the women concerned, for their families and for society at large. The European Parliament firmly believes that reducing the pay gap remains a political priority. It is not only about economic empowerment, it is also a matter of social justice. This EU Added Value Assessment supports the European Parliament’s view and takes the view that reducing the gender pay gap, in particular by revising Directive 2006/54/EC, could be very beneficial, not only for individuals but also for society in general. It would help achieve inclusive growth and ensure economic and social cohesion and competitiveness, in line with the objectives set in the Europe 2020 Strategy. (Available in EN, FR, DE and HU)



### Combining the entry of young people in the labour market with the retention of older workers - April 2013

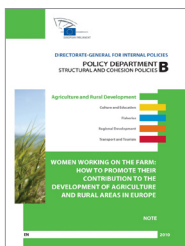


This study provides an overview of the employment situation of young and old workers, male and female, in the EU Member States, setting out the most recent developments during the crisis and dealing with policies implemented to promote the employment of both groups. The evidence collected shows that there is no competition between young and older workers on the labour market. Structural or general policies to enhance the functioning of EU labour markets are crucial to improving the situation of both groups. However, the responsibility for employment policies still predominantly lies within Member States of the European Union, although initiatives taken at the EU level can provide added value, particularly through stimulating the exchange of experiences and facilitating regional and cross-border mobility throughout the EU.

(Available in EN, executive summary in FR and DE)



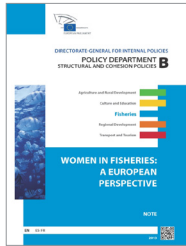
### Women working on the farm: how to promote their contribution to the development of agriculture and rural areas in Europe? - September 2010



This note provides an overview of the situation of women in farming across the European Union. It looks at women’s contribution to the farm labour force, their contribution to farm income through off-farm work and diversification activities. It examines patterns of land inheritance and differences between the way men and women access land to farm. It highlights differences between women on large and small farms, and more significantly, differences between women in the old and new Member States. It considers the political and legal framework of the EU and how it impacts on women on farms. Finally it offers some recommendations for the CAP post 2013. (Available in EN)



## Women in fisheries: a European perspective - July 2013



This note gives an overview of the current situation faced by women in the fisheries and aquaculture sector in Europe and the prerequisites for improved gender mainstreaming. It presents and discusses the available data on female employment in the sector, the problems faced by women's fisheries organisations and their future prospects. The note also proposes that the impact of the EFF on the promotion of gender equality should be evaluated, and outlines the expectations vested in the EMFF.



(Available in EN, FR and ES)

## The role of women in the green economy: the issue of mobility - May 2012

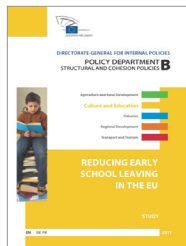


This note highlights the characteristics and determinants of gender differences in mobility patterns emerging from the literature and presents an overview of how transport policies have been adapted to support women's mobility needs, focusing on examples of practices implemented in four European countries. The results show significant, albeit declining, gender differences related to gender roles within households and the labour market as well as demographic trends. The policy recommendations underline the need to consider gender and environment mainstreaming in transport policies.



(Available in EN, executive summary in FR and DE)

## Reducing early school leaving in the EU - June 2011



This study reviews the scale and nature of the problem of early school leaving for boys and girls in the EU. It examines in detail how countries are trying to tackle this problem and identifies characteristics of effective policies, leading to a range of recommendations for European and national level actors in the future. The study is based on in-depth country research in nine Member States, as well as analysis of international and national literature.



(Available in EN, FR, DE and PT, executive summary in 21 languages)

## Data for the evaluation of the European semester process from a gender equality perspective - March 2012



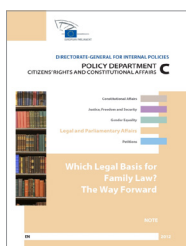
The study sets out 83 indicators for the inclusion of the gender perspective in the evaluation of the Europe 2020 Strategy (for coordinating the European macroeconomic, fiscal and social policies) during the European Semester process (synchronising the assessment of fiscal and structural policies of the EU Member States). The indicators encompass the five EU 2020 headline targets and are meant to introduce a gender perspective into the indicators dashboard of the European Semester. The proposal for a WIKI EU Semester & Gender Equality Web Platform is put forward as an option enhancing contributions and the follow-up of the European Semester process from a gender equality perspective by civil society organisations.



(Available in EN, executive summary in FR and DE)

# DIGNITY, INTEGRITY AND THE ELIMINATION OF GENDER-BASED VIOLENCE

## Which legal basis for family law? The way forward - November 2012



Many of the current features of European family law can be linked to their particular legal basis. This paper evaluates the content and limits of the legal bases of EU family law rules with a view to establishing the optimum mechanism(s) for further legislative progress in view of the Union's aims in this field. Particular consideration is given to the possible use of the passerelle provision (Art 81(3)) and recourse to enhanced cooperation.



(Available in EN, executive summary in 21 languages)



## Overview of the worldwide best practices for rape prevention and for assisting women victims of rape - October 2013



The study provides an overview of the worldwide best practices for rape prevention and for assisting women victims of rape. It reviews the international literature and offers selected examples of promising practices. It addresses the comprehensive range of policies in the fields of gender equality; law and justice; economy, development and social inclusion; culture, education and media; and health. It presents a wide-ranging set of examples of best practice. It concludes with a series of recommendations, based on the social scientific evidence presented in the study.



(Available in EN, executive summary in FR and DE)

## Empowerment of Roma women within the European framework of National Roma Inclusion Strategies - September 2013



This study focuses on the concept of empowerment of Romani women to analyse the existing living conditions of Romani women, interpret the national Roma inclusion strategy and to scrutinise good practices. The analysis shows that the present living conditions of Romani women in European Member States call for intervention. Romani women's empowerment and gender main-streaming approaches have to be fostered in National Roma Inclusion Strategies.



(Available in EN, executive summary in FR and DE)

## A comparative study on the regime of surrogacy in EU Member States - May 2013



This study provides a preliminary overview of the wide range of policy concerns relating to surrogacy as a practice at national, European and global level. It undertakes an extensive examination of national legal approaches to surrogacy. It also analyses existing European Union law and the law of the European Convention of Human Rights to determine what obligations and possibilities surround national and transnational surrogacy. The study concludes that it is impossible to indicate a particular legal trend across the EU, however all Member States appear to agree on the need for a child to have clearly defined legal parents and civil status.



(Available in EN, executive summary in FR, DE, IT and ES)

## WOMEN'S RIGHTS AND GENDER EQUALITY IN EU EXTERNAL RELATIONS

### Women's rights during democratic transitions - November 2012



This study provides analysis and recent research relevant for EU action to support universal standards for promoting women's rights in the context of democratic transitions with a focus on the MENA region. The authors share the view that women's rights will be the litmus test of a successful democratic transition. Special attention is paid to women's political participation gender-sensitive legislation, constitutions and accountability systems. Violence against women is treated as a cross cutting issue affecting women in the region and preventing them from enjoying their rights in all areas of public life and from influencing the political agendas. Finally, the study provides a list of pragmatic recommendations to the EU as an external promoter of democracy and gender equality. (Available in EN)



## POLICY DEPARTMENTS

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Policy departments deliver policy analysis in a wide variety of formats, ranging from studies and in-depth analyses to briefings and the Fact Sheets on the EU. This written output serves a variety of purposes by feeding directly into the legislative work of a specific committee or serving as a briefing for delegations of Members.

Apart from a few confidential documents, all texts produced by policy departments are available on the Parliament's website for the benefit of all Members and the wider public. Policy departments also organise events, including workshops and expert panels, that enhance Parliament's analytical capacity and develop common approaches to current political issues.

All studies: [www.europarl.europa.eu/studies](http://www.europarl.europa.eu/studies) Fact Sheets: [www.europarl.europa.eu/factsheets](http://www.europarl.europa.eu/factsheets)

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