



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 1 April 2009**

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**SOC 181**

**NOTE**

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from :	Presidency
to :	Social Questions Working Party
on :	8 April 2009
Subject :	<b>Equal opportunities for women and men of the 50+ generation: active life and dignified ageing</b> <b>= Draft Council Conclusions</b>

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In the context of the implementation of the International Plan of Action on Ageing endorsed by the UN General Assembly in 1982<sup>1</sup>; of the Montreal Declaration on Rights and Duties of Older People adopted at the 4<sup>th</sup> Global Conference on Ageing of the International Federation on Ageing (IFA) in Montreal on 5-9 September 1999; of the Madrid International Plan of Action on Ageing adopted at the Second World Assembly on Ageing on 8-12 April 2002; and of the Regional Implementation Strategy for the Madrid International Plan of Action on Ageing adopted at the Ministerial Conference on Ageing in Berlin on 13 September 2002, the Czech Presidency has chosen to work on the cross-sectional topic of “Equal opportunities for women and men of the 50+ generation: active life and dignified ageing”.

Delegations will find in the Annex draft Council Conclusions on this theme, for examination by the Social Questions Working Party. The accompanying report prepared by the Czech Presidency will be forwarded later as Addendum 1 to this document.

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<sup>1</sup> Resolution 37/51.

**DRAFT COUNCIL CONCLUSIONS**

**on**

**Equal opportunities for women and men  
of the 50+ generation: active life and dignified ageing**

THE COUNCIL OF THE EUROPEAN UNION

1. RECOGNIZING that:

- (a) gender equality is a fundamental principle of the European Union enshrined in the EC Treaty and one of the objectives and tasks of the Community and that mainstreaming equality between women and men in all its activities represents a specific mission for the Community;
- (b) gender equality policies are essential instruments for ensuring economic growth, prosperity and competitiveness, especially in the context of the Lisbon Strategy for growth and employment;
- (c) throughout the EU, women and men above the age of 50 face serious challenges as they seek to live active lives and to age with dignity. Such challenges relate to a number of cross-sectional issues, such as the demand for an increasingly mobile and flexible labour force in the context of global economic competition and the fact that re-training opportunities may not always be available; the persistence of gender stereotypes, which, compounded by discrimination faced by the elderly on the labour market, particularly reduce the employment opportunities of elderly women; the impact of career breaks on women's pension entitlements, which, together with the persisting gender pay gap, expose them to a higher risk of poverty in old age as compared with men; as well as older people's increased reliance on healthcare and long-term care provisions, and the associated financial burdens.

2. CONSIDERING:

- a) the Vienna International Plan of Action on Ageing, which was endorsed by the UN General Assembly in 1982<sup>2</sup>, and is focused on strengthening the ability of states and civil society effectively to address global ageing, to use the development potential of older people, to respond to their needs and to protect them, and which affirms that ageing should be considered in the context of economic, social and cultural development, as well in the context of international strategies and plans;
- b) the United Nations Principles for Older Persons, which were adopted by the UN General Assembly on 16 December 1991<sup>3</sup> and cover five areas: independence, participation, care, self-fulfilment and dignity; these principles acknowledge the tremendous diversity of the situations faced by older persons, not only between countries but within countries and between individuals, which require a correspondingly wide range of policy responses;
- c) the Montreal Declaration on the Rights and Duties of Older People, which was adopted at the 4<sup>th</sup> Global Conference of the IFA in Montreal on 5-9 September 1999, and which affirms that older people have the right to dignity and respect and that their responsibilities include contributing to the realisation of older people's rights through participation in the political processes of their communities in accordance with UN democratic principles. The Montreal Declaration also calls on the United Nations to assure that ageing concerns are systematically incorporated into the agendas and research of relevant United Nations entities and programmes, and that issues of ageing are appropriately addressed on the development agenda. This also means substantially strengthening the capacity of the public, private, volunteer and non-governmental sectors to contribute and to work together for the benefit of older persons;
- d) that the Lisbon European Council of 23-24 March 2000 recognized the importance of furthering all aspects of equal opportunities, including reducing occupational segregation and making it easier to reconcile working life and family life;

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<sup>2</sup> Resolution 37/51.

<sup>3</sup> Resolution 46/91.

- e) the Resolution of the Council and of the Ministers for Employment and Social Policy, meeting within the Council, on the balanced participation of women and men in family and working life (2000)<sup>4</sup>, which declares that it is necessary to promote measures to improve the quality of life for all, in active solidarity between men and women *vis-à-vis* both future and older generations; and the Resolution of the Council and the Representatives of the Governments of the Member States, meeting within the Council, on the Opportunities and challenges of demographic change in Europe: the contribution of older people to economic and social development (2007)<sup>5</sup>, which recalls that mobilising the full potential of older people is a key response to demographic change;
- f) the Madrid International Plan of Action on Ageing, adopted at the Second World Assembly on Ageing on 8-12 April 2002, which focuses on three areas: older persons and development, advancing health and well-being into old age, and ensuring enabling and supportive environments. The Plan of Action also sets up follow-up mechanisms, including for the assessment of performance at the national, regional and international levels;
- g) the Regional Implementation Strategy for the Madrid International Plan of Action on Ageing, adopted at the Ministerial Conference on Ageing in Berlin on 11-13 September 2002;
- h) that the Commission prepares, in collaboration with the EU Member States, an annual report to the Spring European Council on developments towards gender equality and orientations for the gender mainstreaming of policy areas, in line with the request from the Brussels European Council of 20-21 March 2003;
- i) the Council Conclusions on the Review of the implementation by the Member States and the EU institutions of the Beijing Platform for Action regarding Women's Health<sup>6</sup> (2006), which stress that the recognition of the gender dimension in health is an essential part of EU health

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<sup>4</sup> OJ C 218, 31.7.2000 p. 5.

<sup>5</sup> Doc. 6216/4/07 REV 4.

<sup>6</sup> <http://register.consilium.europa.eu/pdf/en/06/st09/st09468.en06.pdf>

policies and recognizes that the EU needs to take into account a specific gender perspective while identifying the various barriers to access to, and use of, healthcare; and the Council Conclusions on the Review of the implementation by the Member States and the EU institutions of the Beijing Platform for Action regarding Indicators in respect of Women and Poverty<sup>7</sup> (2007), which recognize that women are more affected than men by persistent and extreme poverty.

### 3. RECALLS

- a) the commitment of the Member States to create and strengthen governmental bodies and other national structures, with a view to integrating a gender perspective into legislation and public policies and to generating sex-disaggregated data and information for planning and evaluation, as laid down in the Beijing Platform for Action;
- b) that according to Article 13(1) of the EC Treaty, the Council may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation;
- c) the commitment of the Member States to increase the employment rate for women to 60% and that of older persons to 50% by 2010, and to redress the gender imbalance on the labour market in the context of the Lisbon Strategy;
- d) that Article 20 of Directive 2006/54/EC<sup>8</sup> and Article 12 of Directive 2004/113/EC<sup>9</sup> require the Member States to designate and make the necessary arrangements for an independent body or bodies for the promotion, analysis, monitoring and support of equal treatment of all persons without discrimination on grounds of sex;

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<sup>7</sup> <http://register.consilium.europa.eu/pdf/en/07/st13/st13947.en07.pdf>

<sup>8</sup> Council Directive 2006/54/EC of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast), OJ L 204, 26.7.2006, p. 23–36.

<sup>9</sup> Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services, OJ L 373, 21.12.2004, P. 37-43.

- e) the Commission's Roadmap for equality between women and men (2006-2010)<sup>10</sup> which sets out a list of priority areas, including equal economic independence for women and men; the reconciliation of work, family and private life; the equal participation of women and men in decision-making; the eradication of gender-based violence; and the elimination of gender stereotypes in society;
- f) that the promotion of equality between women and men is an overarching common objective of the Open Method of Coordination for social protection and social inclusion and that a gender perspective should be mainstreamed in all the three strands and thus in all actions and policies presented by the Member States in their National Reports on Strategies for social protection and social inclusion;
- g) the Communication from the Commission to the Council and the European Parliament on "The demographic future of Europe – from challenge to opportunity", which calls for a constructive response to the demographic challenge<sup>11</sup>;
- h) the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on "Promoting solidarity between the generations", which stresses the importance of promoting employment and equal opportunities in public policies in support of family life in the context of demographic ageing<sup>12</sup>;
- i) that the Guidelines for employment policies adopted for the period 2008-10<sup>13</sup> call on the Member States to promote a lifecycle approach to work, including through support for working conditions conducive to active ageing and improved occupational health and

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<sup>10</sup> COM(2006) 92 final.

<sup>11</sup> COM(2006) 571 final.

<sup>12</sup> COM(2007) 244 final.

<sup>13</sup> COUNCIL DECISION 2008/618/EC of 15 July 2008 on guidelines for the employment policies of the Member States. OJ L 198, 26.7.2008, p. 47.

adequate incentives to work and discouragement of early retirement<sup>14</sup>. The Guidelines also call for the expansion and improvement of investment in human capital through, *inter alia*, enhancing lifelong participation in continuous and workplace training throughout the life-cycle, especially for the low-skilled and older workers<sup>15</sup>;

4. REAFFIRMS the dual approach of the EU in the area of gender equality, which is based on gender mainstreaming, i.e. the promotion of gender equality in all policy areas and activities, and specific measures;
5. ENCOURAGES the Member States, in cooperation with the social partners, to adopt appropriate policies to reconcile work, family and private life and to accelerate progress towards the achievement of the Lisbon target to increase the employment rate of women to 60% and of older people to 50% by 2010;
6. CALLS ON the Member States, in cooperation with the social partners, to promote active ageing policies for older workers, taking account of the different situations of women and men, in particular by integrating appropriate measures in their National Reform Programmes and in their National Reports on Strategies for Social Inclusion and Social Protection;
7. ENCOURAGES the Member States to reinforce the use of the Commission's "Manual for gender mainstreaming employment, social inclusion and social protection policies"<sup>16</sup> when preparing their National Reform Programmes and National Strategy Reports for Social Inclusion and Social Protection;
8. CALLS on Member States to encourage and support employers in their efforts to recruit and retain older workers in employment and to create the necessary conditions for their success as workers as well as for their self-fulfilment, including by overcoming gender stereotypes;

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<sup>14</sup> Guideline 18.

<sup>15</sup> Guideline 23.

<sup>16</sup> [http://ec.europa.eu/employment\\_social/publications/booklets/equality/pdf/ke8108293\\_en.pdf](http://ec.europa.eu/employment_social/publications/booklets/equality/pdf/ke8108293_en.pdf)

9. WELCOMES the efforts of the Member States aimed at supporting and developing retraining programmes suitable for older unemployed women and men who are capable of work, taking into account their various needs and abilities and ENCOURAGES them to make the broadest possible use of the potential of older men and women;
10. UNDERLINES the efforts of the Member States aimed at supporting lifelong learning and adapting their educational systems to changing economic, social and demographic conditions, as well as to the various needs, abilities and interests of men and women, thus promoting the full integration and participation of older persons in social life; and ENCOURAGES the Member States to promote the use of new information technologies by older people;
11. WELCOMES the efforts of the Member States to support the business activities of women and to promote equality between women and men in this area, including through support for women who start new businesses and during the first years of such activities; and WELCOMES the Commission proposal for a Directive on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity and repealing Directive 86/613/EEC<sup>17</sup>;
12. URGES the Member States to take appropriate action, as necessary, to combat the discrimination that older women and men face in the labour market and to implement existing legislation effectively, in particular Directive 2000/78/EC<sup>18</sup>;
13. STRESSES the urgent need for effective measures to promote the principle of equal pay for equal work or work of equal value for women and men, which will also help to close the pension gap and to reduce the higher risk of poverty faced by women;

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<sup>17</sup> Document COM(2008) 636 final.

<sup>18</sup> Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation, OJ L 303, 2.12.2000, p. 16.



14. CALLS ON the Member States to facilitate the provision of home care for older persons, taking into account the different needs of women and men; to support families providing care to older persons; to improve the recognition of the value of the work undertaken by professional caregivers; and to promote inter-generational and intra-generational solidarity in families;
15. WELCOMES the steps taken by the Member States towards ensuring equal conditions in health care for older women and men and towards suppressing any discriminatory practices applied by health insurance companies; and ENCOURAGES the Member States to further step up their efforts to ensure equality of access to affordable health care and long-term care for both women and men, especially the elderly, and for those who face multiple disadvantages, including women with disabilities or an ethnic minority/immigrant background;
16. CALLS ON the Member States to take women's higher exposure to the risk of poverty, especially in old age, into account when reforming their pension systems and to increase the awareness of women of working age about the impact that career breaks will have on their pension rights;
17. RECOMMENDS that the Member States integrate the issue of ageing into all policies, with a view to meeting the demographic challenge, and thereby create the conditions for the active life and dignified ageing of women and men;
18. UNDERLINES the importance of the efforts made by the Member States to increase legal awareness among older women and men, which is an essential prerequisite for the practical realisation of equal access to the law and to legal protection;
19. RECOMMENDS that the Member States and the European Commission continue to support the active involvement of civil society, including women's and other NGOs, and of the social partners, in the effort to promote and enhance the security, health, and full participation of older women and men in all aspects of community life;

20. CALLS ON the Member States and the Commission to provide national and EU statistical offices with institutional and financial support so as to ensure that all relevant official statistics related to individuals are collected, compiled, analysed and presented in a form disaggregated by sex and age, in order to shed light on problems and issues related to women and men and the promotion of gender equality.
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