



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

from : The Social Questions Working Party
to : Permanent Representatives Committee (Part I) / Council (EPSCO)

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**Subject : Review of the implementation by the Member States and the EU institutions
of the Beijing Platform for Action**
- Indicators in respect of Institutional Mechanisms
= Draft Council Conclusions

In the context of the follow-up of the Beijing Platform for Action, adopted during the United Nations World Conference on Women in 1995, the Finnish Presidency has chosen to work on the issue of "Institutional Mechanisms" and has produced a report and prepared a set of three indicators.

Delegations will find attached in the Annex the draft Council Conclusions on which general agreement was reached at the level of the Social Questions Working Party on 13 October 2006. The accompanying report from the Finnish Presidency will be forwarded separately as an Addendum 1 to this document.

DRAFT COUNCIL CONCLUSIONS
on the review of the implementation by the Member States and
the EU institutions of the Beijing Platform for Action

- INSTITUTIONAL MECHANISMS -

THE COUNCIL OF THE EUROPEAN UNION

1. RECOGNISING that 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;

2. CONSIDERING that:
 - (a) following the UN's Fourth World Conference on Women in Beijing in 1995, the Madrid European Council (15 to 16 December 1995) requested an annual review of the implementation in the Member States of the Beijing Platform for Action;

 - (b) the follow-up process in 1996 and 1997 revealed a need for more consistent and systematic EU monitoring and assessment of the implementation of the Beijing Platform for Action;

 - (c) on 2 December 1998, the Council agreed that the annual assessment of the implementation of the Platform for Action would include a proposal on a set of quantitative and qualitative indicators and benchmarks;

- (d) since 1999, sets of quantitative and qualitative indicators have been developed by subsequent Presidencies in some of the 12 critical areas of concern in the Beijing Platform for Action, namely: 1999 - Women in political decision-making; 2000 - Women in the economy (reconciliation of work and family life); 2001 - Women in the economy (on equal pay); 2002 - Violence against women; 2003 - Women and men in economic decision-making; 2004 - Sexual harassment at the workplace; 2006 – Women and health; each year the Council has adopted conclusions on these indicators;
- (e) in line with the European Council of 20-21 March 2003 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;
- (f) in the context of the 10-year review of the Beijing Platform for Action, the EU ministers responsible for gender equality, meeting in Luxembourg on 4 February 2005, adopted a common declaration which, inter alia, reaffirms their strong support for and commitment to the full and effective implementation of the Beijing Declaration and Platform for Action;
- (g) in June 2005, the Council invited Member States and the Commission to strengthen institutional mechanisms for promoting gender equality and to create a framework to assess the implementation of the PFA in order to create a more consistent and systematic monitoring of progress and invited the Commission to include the assessment of relevant indicators, developed for the follow-up of the implementation of the Beijing Platform for Action, in its annual report to the Spring European Council;

(h) in the framework of the Beijing Platform for Action, a national structure for the advancement of women is the central policy-coordinating unit inside government; its main task is to support government-wide mainstreaming of a gender-equality perspective in all policy areas. The necessary conditions for an effective functioning of such national structures include:

- Location at the highest possible level in the government;
- Institutional mechanisms or processes that facilitate the involvement of non-governmental organisations from the grass roots upwards;
- Sufficient resources in terms of budget and professional capacity;
- The possibility of influencing the development of all government policies.

Finland's EU Presidency has undertaken a study and prepared a report presenting the following three indicators concerning governmental bodies for the promotion of gender equality:

(1) Status of governmental responsibility in promoting gender equality

This concerns the existence and the responsibilities and capacity of the governmental gender equality body. Responsibility and accountability of the government and the body mandated with governmental power and capacities are prerequisites for the effective promotion of gender equality;

(2a) Personnel resources of the governmental gender equality body

Adequate personnel resources are a critical prerequisite for the creation of effective government gender equality policies;

(2b) Personnel resources of the designated body or bodies for the promotion of equal treatment of women and men

Adequate personnel resources are a critical prerequisite for the effective promotion and protection of equal treatment of women and men in accordance with the Directive 2002/73/EC;

(3) Gender mainstreaming

Governmental commitment, structures and methods for implementing gender mainstreaming are crucial for successful progress towards gender equality.

3. RECALLING:

- (a) the commitment of the Member States to creating and strengthening national structures and other governmental bodies, with a view to integrating a gender perspective into legislation and public policies and to generating data disaggregated by sex, and information for planning and evaluation as laid down in the Beijing Platform for Action;
- (b) that in the Beijing Platform for Action, Member States have committed themselves to creating and strengthening independent national institutions for the protection and promotion of women's human rights, and to developing mechanisms for reviewing and monitoring laws against discrimination on the grounds of sex in the labour market;

- (c) that Directive 2002/73/EC¹ requires Member States to designate and make the necessary arrangements for the body or bodies for the promotion, analysis, monitoring and support of equal treatment of all persons without discrimination on grounds of sex;
 - (d) the commitment made by the Member States to ensure that gender equality bodies and structures have the human and financial resources and capacities necessary to function effectively;
 - (e) that the European Council, when adopting the European Pact for Gender Equality on 23/24 March 2006, encouraged actions at Member State and EU level to reinforce governance through gender mainstreaming and better monitoring;
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 on specific measures;
 5. TAKES NOTE of the report on institutional mechanisms for promoting gender equality presented by Finland's EU Presidency and of the three indicators for the future follow-up of the Beijing Platform for Action regarding the critical area of institutional mechanisms for the advancement of women;
 6. WELCOMES the fact that the Member States have made progress in the realisation of the strategic objective of the Platform concerning the creation and strengthening of national structures or governmental bodies for the promotion of gender equality;

¹ Directive 2002/73/EC of the European Parliament and of the Council of the 23 September 2002 amending 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 L269, 5.10.2002).

7. ENCOURAGES the Member States, in cases where the objectives are not fully met, to take measures to strengthen the governmental gender equality bodies and take the appropriate action, particularly by upgrading them to the highest possible level of government, and by providing them with adequate human and financial resources;
8. ENCOURAGES the Member States which have not done so, to adopt, monitor and evaluate national action plans or a set of high level strategic targets for gender equality, and to report, on a regular basis, to legislative bodies on the progress made in the promotion of gender equality in order to increase the accountability and visibility of the policies, and to promote the active involvement of civil society, including the social partners, in the promotion of gender equality;
9. RECOGNISES that the Member States have involved civil society actors, such as women's NGOs, other non-governmental organisations and the social partners, in the work for the promotion of gender equality at federal and/or national level, and RECOMMENDS that the Member States continue active cooperation with, and promote the involvement of, the civil society actors in the pursuit for equality between women and men;
10. WELCOMES the fact that a great majority of the Member States have designated bodies in accordance with Directive 2002/73/EC and CALLS on those Member States that have not yet done so to comply with the requirements of this Directive; CALLS on all Member States to provide these bodies with adequate financial and personnel resources specifically dedicated to gender equality and INVITES the Commission to pay attention to these aspects in its periodical reports on the implementation of the Directive;
11. WELCOMES the fact that most Member States have enacted legal obligations for gender mainstreaming or have made de facto binding decisions on that matter, and ENCOURAGES those Member States, which have not yet done so, to commit themselves strongly to gender mainstreaming; CALLS on all Member States to monitor and evaluate the concrete implementation of this commitment;

12. NOTES that, as asked by the PFA, several Member States have established or strengthened an inter-ministerial coordination structure to carry out gender mainstreaming functions, and CALLS on the Member States to further develop coordinating structures that have a clear mandate to implement the strategy of gender mainstreaming throughout the governmental administration, including regional and local government and public institutions, and to monitor their activities;
13. NOTES that, despite some progress, structures and methods for gender mainstreaming need either still to be put in place or reinforced, NOTES also that formal commitment and formal structures for gender mainstreaming are not enough and that practical action in all relevant areas is needed, and URGES in particular all Member States and the Commission to improve and strengthen the development and regular use of mainstreaming methods, particularly gender budgeting and gender impact assessment when drafting legislation, policies, programmes and projects;
14. ENCOURAGES the Member States and the Commission to provide national and EU statistical offices with institutional and financial support so that all relevant official statistics related to individuals are collected, compiled, analysed and presented by sex and age and reflect problems and issues related to women and men and the promotion of gender equality;
15. IS CONSIDERING reviewing the Member States' implementation of the Beijing Platform for Action on "Education and training of women", "Women and poverty", as well as the other remaining areas of concern;
16. URGES the Member States and European Commission to take into account the issues discussed in the context of the follow-up of the Beijing Platform for Action, for which indicators have already been adopted, in other Community processes, where appropriate.

