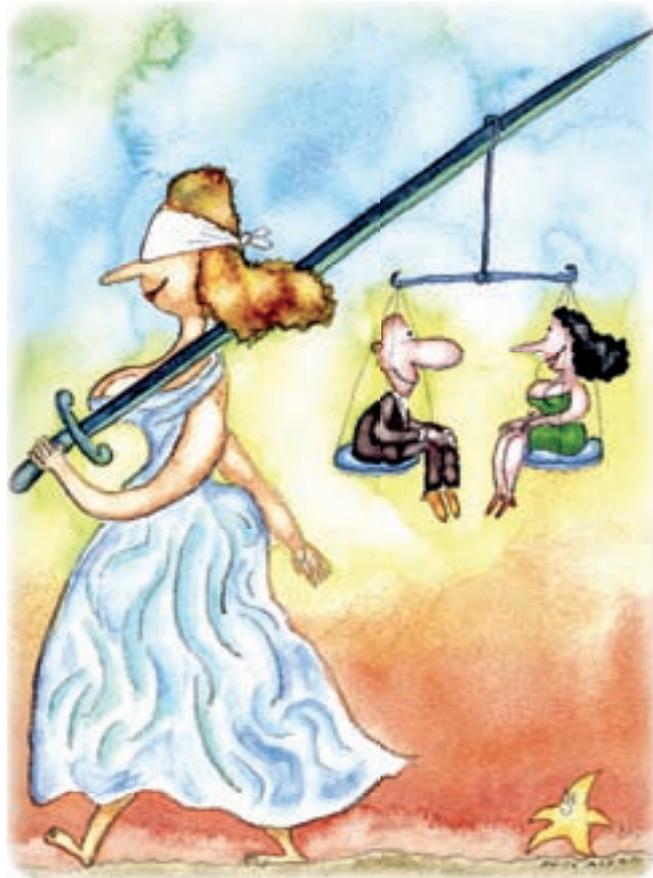


# EQUALISING OPPORTUNITIES



## The women's rights committees

1979-1999



ARCHIVE AND DOCUMENTATION CENTRE (CARDOC)  
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## FOREWORD

*of the President of the Committee on Women's Rights and Gender Equality*

The inclusion of the principle of equal pay between men and women in the Treaty of Rome in 1957 was an important first step in a long evolution towards achieving equal opportunities between men and women in all areas and at all levels of society.

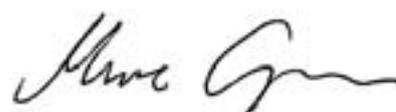
From the beginning of its activities, the European Parliament has worked for the adoption and implementation of the principle of equality in the Community and in the Member States. However, after the first direct elections, Parliament's role has become much more active and concrete. Despite their limited mandate, the first two temporary committees, the ad hoc committee created in 1979 and the Committee of Inquiry created in 1981, have provided a solid basis for the work of the standing committees on women's rights, the first of which was founded in 1984.

The Committee on Women's Rights has significantly contributed to the development, adoption and implementation of Community legislation on gender equality. At the same time, often from its own initiative, the Committee has raised many questions related to the situation of women in the changing Europe. Over the years, the competences of the Committee have been expanded, first to the promotion of equal opportunities in 1999 and then to the promotion of gender equality in 2004.

This book traces the first two decades of the activity of the Committee on Women's Rights and its essential role in the definition, implementation and development of equal opportunities and gender equality in the European Community.

The European Parliament, aiming at promoting real equality of opportunities in the economic, political, social and cultural activity, has never ceased to insist that the EU shows a greater commitment and takes more concrete steps to integrate the principle of gender equality in all EU policies.

Since the Treaty of Rome, the European Union has made remarkable progress in the field of gender equality. Since the Treaty of Amsterdam, equality of opportunities is one of most important tasks of the European Union. However, much still remains to be done in order to make equality between women and men a reality in Europe. The European Parliament and its Committee on Women's Rights and Gender Equality continue their activities so that, sixty years after the Treaty of Rome, equal opportunities could become a reality not only before the law but also in the everyday life of men and women in Europe.





## INTRODUCTION

The purpose of this study is to raise the profile of the archival documents of the first European Parliament Committees on Women's Rights, from the *Ad Hoc* Committee set up in 1979 to the standing committee of the Fourth Parliament in June 1999. This 20-year period bore witness to a great deal of hard work, carried out mainly by the women of the European Parliament. Their goal was for the Community to adopt and implement a European policy for gender equality in the Community and in all its member countries.

The starting point is the Treaty of Rome and its Article 119, which mentioned, for the first time, the principle of equal pay between men and women:

*'Each Member State shall during the first stage ensure and subsequently maintain the application of the principle that men and women should receive equal pay for equal work'<sup>1</sup>.*

However, the primary purpose of Article 119 was not to improve the status of women. This article was intended to remove the differences that existed between the social and economic practices of Member States, which could restrict free competition within the Community. These disparities included the extremely low pay received by a large majority of women.<sup>2</sup>

This study covers the period until 1999, the year in which the Treaty of Amsterdam came into force<sup>3</sup>. While the Treaty of Maastricht, signed on 7 February 1992, was a step in the right direction in the equal treatment of men and women<sup>4</sup>, it was the Treaty of Amsterdam that provided more significant changes for the status of women in the European Union. The issue of equal treatment between the sexes became a mainstream part of all areas of Community policy, in particular in the context of decision making. Other positive aspects of the Treaty of Amsterdam in this regard are the incorporation of the protocol and agreement on social policy in the body of the Treaty and, in general, the widening of the scope of the codecision procedure. This gives the European Parliament more power in many areas, including gender equality.<sup>5</sup>

1 Treaty establishing the European Economic Community, signed in Rome on 25 March 1957.

2 Report on the situation of women in the European Community, Part II – Explanatory statement, CARDOC PE1 AP RP/ FEMM.1979 A1-0829/80 0015.

3 Treaty of Amsterdam amending the Treaty on European Union, the Treaties establishing the European Community and certain related acts, signed in Amsterdam on 2 October 1997, OJ C 340, 10.11.1997. The date of entry into force was 1 May 1999.

4 The Treaty of Maastricht dealt with the principle of equality somewhat sporadically. See Protocol concerning Article 119 and Protocol 14 on Social Policy and its Agreement concluded between the Member States (with the exception of the United Kingdom). Since the Treaty of Maastricht, directives on equal treatment may be adopted by a qualified majority. The third paragraph added to Article 119 (Article 6 of the Agreement) allows positive discrimination without limitation. The aim of Articles 3 and 4 is to involve social partners in drawing up social policy. The Agreement also provides that the European Parliament must approve the appointment of members of the Commission. See *Women's rights and the Maastricht Treaty on European Union*, Working document W-5, Directorate-General for Research, European Parliament, 1994.

5 *Women's rights and the Treaty of Amsterdam on European Union*, Working document FEMM 104 EN, 5/1998, European Parliament, Directorate-General for Research.

The rest of this study focuses on the Committees on Women's Rights. The analysis is divided into three parts: the first part concerns their creation and terms of reference, the second describes the organisation of their work and the third summarises the subjects dealt with, mainly from the point of view of equal opportunities, within the framework of interinstitutional procedures.

To get a better understanding of how the situation was in 1979, we should look at a few key stages in the development of women's rights at international, European and national level. Particular attention is given to Community legislation and the work carried out by the European Parliament in the field, between the Treaty of Rome and the first direct elections to Parliament.

# CHAPTER I

## Milestones in the development of Women's Rights up to 1981

### 1. International and national actions for Women's Rights

Women's rights and gender equality have been heralded many times by international organisations. The basic text is still that of the Universal Declaration of Human Rights<sup>6</sup> which advocates the general principle of non-discrimination. In June 1951, the International Labour Organisation adopted its Convention no 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value. The term 'equal remuneration' refers to rates of remuneration established without gender-based discrimination<sup>7</sup>. The UN Convention on the Political Rights of Women, which came into force on 7 July 1954<sup>8</sup>, stipulates that women shall be entitled to vote in all elections, shall be eligible for election to all publicly elected bodies and shall be entitled to hold public office and to exercise all public functions, established by national law, on equal terms with men, without any discrimination.

In November 1967, the United Nations General Assembly proclaimed a Declaration on the Elimination of Discrimination against Women<sup>9</sup> and, 12 years later, adopted its Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)<sup>10</sup>. The Convention marked the culmination of more than 30 years of work by the Commission on the Status of Women, founded in 1946 by the United Nations to examine the situation of women and to promote their rights. Article 3 of the Convention states that

*'States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men'.*

The Convention was signed in Copenhagen in July 1980 by over 50 UN Member States, including all the countries of the Community of 9, except the United Kingdom<sup>11</sup> and Ireland. It entered into force in September 1981, having been ratified by 20 countries.<sup>12</sup>

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6 <http://www.un.org/en/documents/udhr/>

7 <http://www.ilo.org/>

8 Convention on the Political Rights of Women. United Nations, Treaty Series, vol. 193, p. 135.

9 Resolution 2263, adopted on 7 November 1967, by the UN General Assembly, <http://www.un.org>

10 Resolution 34/180, adopted on 18 December 1979, by the UN General Assembly, <http://www2.ohchr.org/english/law/cedaw.htm>. See also <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm>

11 The United Kingdom signed it in July 1981, see the declarations and reservations on <http://treaties.un.org/Home.aspx?lang=en>

12 See <http://treaties.un.org/>

In 1975, the UN organised the first global conference on the role of women in national and international society held in Mexico. The period of 1975–1985 was declared the 'Decade for Women'. The conference drew up and adopted a 'global plan of action to improve the status of women'. This conference was followed by conferences in Copenhagen in 1980, Nairobi in 1985 and Beijing in 1995.

On 16 April 1980, the Conference of OECD member countries adopted a Declaration on Policies for the Employment of Women<sup>13</sup>.

During the 1970s, some of the Member States of the Community adopted legislation regarding equal treatment for men and women: France in 1972, the United Kingdom in 1975, Denmark in 1976 and 1978, Italy in 1977, and Belgium in 1978. It was not until 1980 that the Federal Republic of Germany, the Netherlands and Ireland followed suit, followed by Luxembourg in 1981.<sup>14</sup>

## **2. Community legislation on Women's Rights prior to 1979.**

### **European Parliament action**

By the early 1960s, the Parliamentary Assembly became concerned with equal treatment between men and women. In doing so, it was fulfilling the task assigned to it flawlessly: democratic control of the executive function of the European Community.

The principle of equal pay for male and female workers, enshrined in Article 119 of the Treaty of Rome of 1957, is deemed an integral part of the establishment and functioning of the common market. It was one of the objectives set for the first phase of the 12-year transition period, during which the common market was to be gradually established. The first four-year stage ended on 1 January 1962, and by that date, most of the objectives had to be achieved and the commitments made.<sup>15</sup>

The first reports on the standardisation of pay between men and women date back to 1961 and 1962. Discussions were held between the Commission and the six governments for the implementation of Article 119 of the Treaty and the Rapporteur of the Assembly had to provide objective information on the outcome of these discussions. During the plenary session of 20 October 1961<sup>16</sup>, the European Parliament adopted a resolution based on two interim and additional reports written by Mr Motte<sup>17</sup> on behalf of the Social Committee, on equal pay for men and women, following a recommendation from the Commission to the six Member States<sup>18</sup>. In the resolution adopted, the Assembly drew the Council of Ministers' attention to the importance of equal pay and highlighted the obligation to meet the 1 January 1962 deadline arising under the provisions of Article 119 of the EEC Treaty. In fact, as pointed out by Mr Trochet, in his

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13 <http://acts.oecd.org/>

14 See <http://www.observatoire-parite.gouv.fr>; Flanz, G.H., *Comparative women's rights and political participation in Europe*, Transnational Publishers Inc., Dobbs Ferry, New York, 1983.

15 Article 8 of the Treaty establishing the European Economic Community.

16 Debate of the European Parliament, part sitting of Friday 20 October 1961, p. 261

17 Reports A0-0068/61 and A0-0081/61 of the Committee on Social Affairs.

18 Commission Recommendation of 20 July 1960.

speech during the debate, Article 119 is not only a mutual commitment between States, it is a commitment to workers.

The debate continued at the sitting of 28 June 1962<sup>19</sup>, when Mr Trochet, President of the Social Committee, presented the second additional report by Mr Motte<sup>20</sup>. Mr Trochet pointed out that on 31 December 1961 a resolution was passed by a 'conference of Member States' on the application of Article 119 to ensure equal pay for men and women. At the same time, the Conference of Member States drew up a schedule to progressively achieve this harmonisation. The 31 December 1964 was the date set as the deadline for completion of the last stage, with two intermediate stages: 30 June 1962 and 30 June 1963. The Social Committee was satisfied with two points: firstly that a schedule had been decided by the Member States, and secondly that the resolution of the Conference of Member States stated that equal pay must be the result of the elimination of all gender-based discrimination.

The European Parliament resolution<sup>21</sup>, adopted on the basis of the interim report by Ms Schouwenaar-Franssen on behalf of the Social Committee, sets out that the principle of equality had not yet been interpreted and applied in the same way by all Member States. The decisions taken unanimously on 30 December 1961 were therefore not yet implemented by all. For example, measures to allow women to legally defend their right to equal pay to men were not yet in place by 30 June 1962, as discrimination in setting salaries had still not been removed.

This problem was monitored by the Social Committee which, in each resolution adopted on this subject, noted that, despite some progress, Article 119 had still not been fully and comprehensively implemented. In the resolution adopted on the basis of the report by Mr Berkhouwer in 1966, the European Parliament issued, as a representative of public opinion, an urgent appeal to the governments of the Member States not to delay any further the measures to be taken to ensure full implementation of this principle. The European Parliament also called on national parliaments to exercise their supervisory powers firmly over their governments and their social partners so that they can draft existing and future agreements in such a way that equal pay for men and women is guaranteed not only formally but also in reality<sup>22</sup>. In 1966, in her report A0-0069/66 on Maternity Protection, Ms Lulling, on behalf of the Social Committee, said that motherhood is a normal condition for women and should in no way impede women's access to employment, or their rights, or to equal treatment in respect of employment conditions, or their career opportunities, or especially their integration into society<sup>23</sup>.

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19 Debate of the European Parliament, part sitting of Thursday 28 June 1962, pp. 263-267.

20 Report A0-0031/62.

21 European Parliament resolution on the state of implementation of Article 119 of the EEC Treaty (equal pay for male and female workers for equal work) in the various Member States at the date of 30 June 1962, OJ of 12.7.1963, p. 1920/63.

22 European Parliament resolution, A0-0085/66, OJ of 19.7.1966, p. 2439/66.

23 Report A0-0069/66 drawn up on behalf of the Social Committee on the European Commission's draft recommendation to the Member States on maternity protection.



Astrid Lulling, a Luxembourgish member of the European Parliament, rapporteur on behalf of the Committee on Social Affairs on the protection of maternity, 1966.

© European Union, 1967

In resolution A0-0026/68, the European Parliament considers it necessary to abolish, in addition to wage discrimination, any form of direct or indirect discrimination in relation to the work of women and their access to employment, and to combat the prejudices that exist in this area<sup>24</sup>. In 1971, the European Parliament called on all the competent authorities to work towards removing the legal, economic, social, fiscal, psychological and sociological barriers affecting the truly equal treatment of women and for their full integration into society. It called on the Commission to resume its

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<sup>24</sup> European Parliament resolution, A0-0026/68, OJ C 55, 5.6.1968, pp. 7-8.

efforts regarding the status of working women, such as protection during pregnancy and the development of social services to enable women to freely choose a profession of their choice<sup>25</sup>.

On 19 November 1973, the Commission presented its proposal for a Council Directive on the approximation of the laws of Member States concerning the application of the principle of equal pay for men and women contained in Article 119 of the EEC Treaty<sup>26</sup>. In its resolution on this proposal<sup>27</sup>, the European Parliament noted 'with growing impatience' that Article 119 had been in force for 16 years in 6 Member States without having achieved any real significance beyond formal application. It called for progressive abolition of wage groups to which women are predominantly or exclusively assigned. In February 1975, the Directive was adopted by the Council; it provided for, for the same work or for work to which equal value is attributed, the elimination of all discrimination on the grounds of sex in all standards and regulations regarding remuneration.

In its resolution of 21 January 1974 concerning a social action programme<sup>28</sup>, the Council expressed its political will to adopt the measures necessary to '*to undertake action for the purpose of achieving equality between men and women as regards access to employment and vocational training and advancement and as regards working conditions, including pay*'. In 1975, the European Parliament adopted a resolution on the Commission's proposal for a directive on equality of treatment between men and women workers (access to employment, to vocational training, to promotion, and as regards working conditions)<sup>29</sup>. The European Parliament highlighted the following points in particular: the fact that maternity is an essential social function and not an automatic bar to women's employment; financial aid and child care facilities; the foundation of an information and documentation centre for women and improving the position of women working in the European institutions. The European Parliament called on the Commission to establish a continuous system of monitoring of progress in the Member States in regard to the implementation of the Directive. The Council adopted Directive 75/117/EEC on equal pay on 10 February 1975<sup>30</sup>.

In 1976, the Council adopted a Directive seeking to ensure equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions. It meant that there should be no discrimination on grounds of sex, in other words all direct and indirect discrimination in public and private deeds was to be abolished in law and in fact.<sup>31</sup>

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25 European Parliament resolution, A0-0021/71, OJ C 45, 10.5.1971, pp. 10-12.

26 OJ C 114, 27.12.1973, p. 46.

27 European Parliament resolution, A0-0021/74, OJ C 55, 13.5.1974, pp. 43-47.

28 OJ C 13, 12.02.1974, pp. 1-4.

29 European Parliament resolution, A0-0024/75, OJ C 111, 20.5.1975, p. 14.

30 Council Directive 75/117/EEC, OJ L 45, 19.2.1975, p 19.

31 Council Directive 76/207/EEC, OJ L 39, 14.2.1976, p 40.

In November 1977, a debate was held on the proposal for a directive on equality of treatment of men and women in the field of social security<sup>32</sup> based on the report drawn up by Ms Cassanmagnago Cerretti on behalf of the Committee on Social Affairs, Employment and Education<sup>33</sup>. Parliament deplored the derogations from the scope of application of the Directive as regards widowhood and the reciprocity of pensions, as well as the determination of pensionable age for old age and retirement pensions and the reckoning of periods spent outside employment for reasons of pregnancy or childbirth.<sup>34</sup> The Third Directive on matters of social security, adopted in January 1979, was intended to implement the principle of equal treatment in matters of social security and covered the statutory social security schemes in the following areas: sickness, invalidity, old age, unemployment, accidents at work and occupational diseases, and prohibited discrimination on the grounds of sex.<sup>35</sup>

Despite Directives 75/117/EEC and 76/207/EEC, the European Parliament repeatedly stressed in its resolutions that Article 119 was still not fully implemented in many Member States. Instead of improving, the situation of women was getting worse because of increasing economic difficulties faced by Member States. The European Parliament then called on the Commission for a more detailed report containing recent statistics so that they could be published.

To ensure that women can take full advantage of their legal rights, the European Parliament called for the following measures to be adopted urgently<sup>36</sup>:

- equal educational facilities and access to all forms of education;
- access to full information on their rights;
- right of appeal to courts of justice in cases of direct and indirect discrimination;
- protection from victimisation arising from actions brought on the grounds of discrimination;
- the maintenance of employment in such circumstances, which, although a legal right, has in practice not been guaranteed.

### **3. Work of the relevant committees dealing with the situation of women between 1979 and 1981**

On 19 June 1980, the European Parliament adopted a resolution on the position of women in the European Community, based on the interim report of the Committee on Social Affairs and Employment<sup>37</sup>. The writing of this report for the preparation of the United Nations World Conference in July 1980 was assigned to the Committee on Social Affairs, prior to the creation of the *Ad Hoc* Committee.

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32 Debate of the European Parliament, part sitting of Monday 14 November 1977, pp. 9-19.

33 European Parliament resolution, A0-0355/77, OJ C 299, 12.12.1977, p. 13.

34 OJ C 299, 12.12.1977, p. 14.

35 Council Directive 79/7/EEC, OJ L 6, 10.1.1979, p 24.

36 European Parliament resolution, A0-0098/79, OJ C 140, 5.6.1979, p. 46.

37 European Parliament resolution, A1-0078/80, OJ C 175, 14.7.1980, p. 43. On 27 September 1979, the European Parliament referred the draft resolution submitted by Ms Maij-Weggen *et al* (B1-0345/79/rev.) to the Committee on Social Affairs and Employment.

Ms Dekker, the rapporteur, noted that the interim report was drawn up to enable Europe to contribute to the UN World Conference on Improving the Status of Women which was held from 14 to 30 June 1980 in Copenhagen. In addition to preparing new actions for the next five years, the Copenhagen conference took stock of the progress achieved during the past five years for equal rights for men and women. Findings showed that progress remained modest and that the situation of women had got worse in the lower strata of society, in industrialised countries and in the developing countries. In general, it was observed that the decline in the global economy had a negative impact on the situation of women.

On 17 September 1981, the European Parliament adopted a Resolution on a Community labour market policy<sup>38</sup>. The report was drawn up by Mr Calvez on behalf of the Committee on Social Affairs and Employment. In its resolution, Parliament considered it necessary to develop specific policies to promote equal opportunities in employment for groups particularly affected by unemployment, which is the case of women.

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<sup>38</sup> European Parliament resolution, A1-0365/81, OJ C 260, 12.10.1981, p. 63.



## CHAPTER II

### *Ad Hoc* Committee on Women's Rights (1979–1981)

#### 1. Constitution, terms of reference and members

With the formation of the new Parliament in July 1979, several MEPs from various political groups spontaneously and simultaneously called for a committee on women's rights to be set up. This request was sent in particular to Ms Veil<sup>39</sup>, the directly elected President of the European Parliament, by several Members, in a letter calling for the creation of an *Ad Hoc* Committee. Several motions for resolutions were filed by various political groups, either for the creation of an *Ad Hoc* Committee or for the preparation of a general debate on the status of women. This initiative reflected the first effects of the dynamic presence of women representing more than 16 % of MEPs, a number that is clearly inadequate but which is far greater than that seen in the national parliaments<sup>40</sup>.

The Bureau, the governing body of the European Parliament, discussed the creation of an *Ad Hoc* Committee in its meetings<sup>41</sup> and, after a broad exchange of views, issued a majority vote in favour. Ultimately, it was on the basis of the motion for a resolution tabled by Mr Glinne and others that Parliament decided, on 26 October 1979<sup>42</sup>, to create an *Ad Hoc* Committee on women's rights. The amendment tabled by the European People's Party was adopted and included, in its modified form, in the resolution.

With this resolution<sup>43</sup>, Parliament assigned the new *Ad Hoc* Committee the task of preparing a parliamentary debate, in cooperation with the Commission, to define the measures to be taken. It also called on the relevant committees to develop proposals to achieve equality for women in all areas.

The *Ad Hoc* Committee was given a limited time to prepare for the debate: 'before the 1980 summer recess'<sup>44</sup>. It was therefore urgent to get to work. However, the political groups were slow to draw up lists of candidates for the Committee. It was only at the meeting of the enlarged Bureau of 10 December 1979<sup>45</sup> that the allocation of the 35 places

39 Letter of 25 September 1979, sent to the President of the European Parliament, CARDOC PE1 P1 272/COMP FEMM.1979-010 0010. This document is published in the Appendix 3 of this study.

40 Preface to Ms Roudy's verbatim report at the public hearing on women in small and medium-sized enterprises and in agriculture and women and social security, Milan, 20 and 21 October 1980. See PE1 AP RP/FEMM.1979 A1-0829/80 1870. In July 1979, 68 seats in the European Parliament were occupied by women MEPs (16.6 %), as opposed to 6 % before direct elections. The situation of the national parliaments of some Member States in autumn 1979: Denmark 23 %, Netherlands 14 %, United Kingdom 3 %, France and Ireland 4 %. In October 1979, the proportion of women members of the Bureau of the European Parliament was 11 %, in February 1982, 16.7 % Source: Administration of the Members of the European Parliament, December 2012; 'Women in the European Parliament', *Parliamentary Affairs*, vol. 34, 1981, no. 2, pp. 210-220.

41 On 11 September 1979 and 9 October 1979.

42 B1-0415/79. During the debates of 24 and 26 October 1979, most parties were, in principle, in favour of opening a general debate on the position of women, but some groups on the right preferred the relevant parliamentary committees preparing for such a debate rather than setting up an *Ad Hoc* committee specifically devoted to the problems of women, which could be used as an excuse for other committees then to ignore the issue.

43 OJ C 289, 19 November 1979, pp. 56-57.

44 Ibid.

45 Minutes of the enlarged Bureau of 10 December 1979.

available was presented. The candidates were elected by the European Parliament at the plenary session of 13 December 1979<sup>46</sup>.

During the constitutive meeting of 13 December 1979, Ms Roudy was elected Chair of the *Ad Hoc* Committee unanimously and by acclamation and Ms Roberts, Ms Squarcialupi and Ms von Alemann were elected Vice-Chairs. However, three British members expressed their regret that there were no men among the members of the Bureau of the Committee.<sup>47</sup> Male members were in fact in the minority: the Committee was made up of 24 women and just 11 men<sup>48</sup>.



Yvette Roudy, a French member of the European Parliament, chair of the *Ad Hoc* Committee on Women's Rights (1979-1981), at the beginning of her parliamentary mandate in July 1979.

© European Union, 1979

The political composition of the members of the *Ad Hoc* Committee<sup>49</sup> was as follows: eight members from the Socialist Group, eight from the Group of the European People's Party, six from the European Democratic Group, five from the Communist and Allies Group, four from the Liberal and Democratic Group, three from the Group of European Progressive Democrats, one member from the Group for the Technical Coordination and Defence of Independent Groups and Members and also one non-attached member.

46 Minutes of the part sitting of 13 December 1979, item 5.

47 Minutes of the constitutive meeting of the *Ad Hoc* Committee on Women's Rights of 13 December 1979.

48 In October 1979, the standing committees with the highest proportion of women members were the committees on the environment, public health and consumer protection (40.7 %), youth, culture, education, information and sports (32 %) and social affairs and employment (29.6 %) Women were more poorly represented in the Committee on Transport (0 %) and the Committee on Economic and Monetary Union (2.7 %). Source: Administration of the Members of the European Parliament, December 2012.

49 Position at 13 December 1979.

Appendix 1 contains a list of the members of the *Ad Hoc* Committee for the duration of its activity. Alternate members are not mentioned.

## 2. Organisation of work

At the constitutive meeting of the *Ad Hoc* Committee, Ms Roudy, the new Chair, stressed the need to get to work quickly because of the backlog.

Therefore, between December 1979 and January 1981, the *Ad Hoc* Committee met 13 times. During its meeting of 20 February 1980, the Committee agreed that, unless decided otherwise, the meetings were to be held in public.

On 20 December 1979, Ms Roudy wrote to Ms Veil, the President of the European Parliament, to alert her to the fact that authorisation to continue work beyond the summer recess of 1980 might be requested<sup>50</sup>. It was only during the meeting of 21 April 1980<sup>51</sup> that a lengthy exchange of views took place on the need to extend the work beyond the July part-session. The Committee voted on two proposals: the first relating to the request for an extension and the second to ensure that the work was completed before the end of the year. That is why the Committee decided to ask in a letter to the President of the European Parliament for the necessary steps to be taken to extend the terms of reference of the *Ad Hoc* Committee. A second request for an extension was required in December 1980, as the debate on the status of women had been tabled for the plenary session of February 1981. This time, the extension was granted until the date that the debate was to be held in plenary.<sup>52</sup>

So that Parliament can take a stand based on a text providing an overall picture, the Committee requested authorisation to prepare a report concerning the measures to be taken on issues relating to women. The enlarged Bureau granted this request at the meeting of 17 January 1980.<sup>53</sup>

On 22 January 1980, Ms Maij-Weggen was appointed as general rapporteur. During the year 1980, 16 documents on various aspects of the situation of women were prepared by female members of the Committee<sup>54</sup> and discussed at committee meetings.

50 Letter sent to Ms Veil, the President of the European Parliament, on 20 December 1979, CARDOC PE1 P1 272/COMP FEMM.1979-010 0060.

51 *Ad Hoc* Committee meeting of 21 April 1980.

52 Letter sent to Ms Veil, the President of the European Parliament, on 2 December 1980, CARDOC PE1 P1 272/COMP FEMM.1979-040 0030.

53 Correspondence between Ms Roudy and Ms Veil, the President of the European Parliament, CARDOC PE1 P1 272/COMP FEMM.1979-020 0010; Minutes of the enlarged Bureau of 17 January 1980.

54 Working documents: no 1 by H. Maij-Weggen on the measures already taken in the European Economic Community to improve the position of women and on the effect of the measures, PE 62.949; no 2 by H. Maij-Weggen on the legal status of women in the European Community, PE 62.950; no 3 by H. Maij-Weggen on the employment of women in the Member States of the European Community (Part A) and the position of immigrant women in the Member States of the European Community (Part B), PE 63.546; no 4 by M.-C. Vayssade on women in French labour law, PE 64.114; no 5 by Mette Groes on the employment of women in Denmark, PE 64.115; no 6 by H. Wiczorek-Zeul on actions to combat female unemployment, PE 64.513; no 7 by H. Maij-Weggen on the education, schooling and vocational training of women in the countries of the European Community, PE 64.660; no 8 by A.-M. Lizin on the situation of women farmers, PE 64.668; no 9 by A. Spaak and A.-M. Lizin on the legal status of women under Belgian law, PE 64.669; no 10 by H. Maij-Weggen on the situation of women in the developing countries, PE 64.967; no 11 by H. Maij-Weggen on the situation of Belgian women in law and social security, PE 64.963; no 12 by V. Squarzialupi on part-time employment, PE 65.046; no 13 by Y. Roudy on female employment in France, PE 65.945; no 14 by S. Martin on the unpaid wives of craftsmen, tradesmen and farmers, PE 65.999; no 15 not available in the archives; no 16 by A.-M. Lizin on the situation of women farmers, PE 66.946.

A questionnaire focusing mainly on the discrimination women face in the world of work was drawn up and approved by the Committee. This document was to form the basis of a Eurobarometer survey by the European Commission<sup>55</sup>.



Johanna (Hanja) Maij-Weggen, a Dutch member of the European Parliament and rapporteur on behalf of the Ad Hoc Committee on Women's Rights on the situation of women in the European Community.

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In order to gather information as directly and as comprehensively as possible on the situation of women, the *Ad Hoc* Committee organised an important public hearing in Milan on 20 and 21 October 1980. The discussion, organised with qualified representatives, focused on the challenges faced by women in the context of small and medium-sized enterprises (agriculture, crafts, trade and industry) and on the social

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55 *European women in paid employment – their perception of discrimination at work* published by the European Commission.

security systems in force in the Member States.<sup>56</sup> A large number of journalists and other observers wanted to attend the hearing.

On 5 September 1980, the European Commission issued its paper 'Community action to assist women: stocktaking and guidelines'<sup>57</sup>. Active dialogue with the Commission focused on the draft resolution, whose first version was prepared by Ms Maij-Weggen, the general rapporteur, and the final version by a drafting committee<sup>58</sup>. Members of the *Ad Hoc* Committee tabled 175 amendments to the draft resolution. Not one single article was not affected by one or more amendments.<sup>59</sup> The amendments to the draft resolution were voted on at the meetings of 24 November and 1 December<sup>60</sup>. At the end of the vote, the *Ad Hoc* Committee adopted the whole of the motion for a resolution by 14 votes for, 1 against and 6 abstentions. Ms Veil was present during the voting process and stressed how important the Committee's work was.

The major debate took place during the plenary session on 10 and 11 February 1981 in Luxembourg. The European Parliament's Directorate of Information sent out invitations to 60 women journalists and the leaders of women's groups. A total of almost 500 women followed the debate attentively on a giant screen in the new chamber of the Schuman Building, as there was not enough space in the public gallery.<sup>61</sup>

On 11 February 1981, the European Parliament adopted the resolution that would in particular provide the basis for the development of a new action programme. The Socialist Group requested a roll-call vote on the whole of the motion for a resolution. One hundred and seventy-four MEPs voted for the resolution, 101 voted against and 24 abstained.<sup>62</sup>

The members of the *Ad Hoc* Committee were divided, until the last debate, on the issue of monitoring the Committee's work.<sup>63</sup> During the debate on 11 February 1981, speeches were made for and against a standing committee. The European Parliament ultimately decided, in paragraph 58 of the resolution, to discharge the *ad hoc* Committee of its duties, but to reconstitute it two years later with the task of initiating a new

56 Verbatim report, CARDOC PE1 AP RP/FEMM.1979 A1-0829/80 1870.

57 SEC(80) 1227.

58 The drafting committee responsible for drawing up a new draft resolution on Ms Maij-Weggen's report consisted of Ms Roudy, the Chair, Ms Roberts, the Vice-Chair, Ms Hoff, Ms Lenz, Ms Cinciari-Rodano, Ms Spaak, Ms Martin, Ms Dekker, Ms Maij-Weggen and Mr Vie. The committee met on 16 and 17 December 1980.

59 Memorandum from Ms Roudy on 15 January 1981 for the attention of Ms Veil, the President of the European Parliament, CARDOC PE1 P1 272/COMP FEMM.1979-020 0065.

60 Minutes of the meeting of 19 and 20 January 1981.

61 See Enrico Vinci's memorandum of 29 January 1981 for the attention of Mr Opitz, Secretary- General, CARDOC PE1 P1 272/COMP FEMM.1979-020 0080. A special issue of 'Women of Europe' is dedicated entirely to the European Parliament debate of 10 and 11 February 1981. By publishing the full text of the speeches, Women of Europe '*hopes not only to act as a channel of communication but also to place in its readers' hands an instrument for participation in the democratic life of the Community*'. See *Women of Europe*, No 19/81, Special European Parliament Issue, Brussels, Commission of the European Communities.

62 See OJ C 50, 9.3.1981, pp. 34, 64.

63 Minutes of the *Ad Hoc* Committee meeting of 15 January 1981 Ms Martin (Group of the European Liberal Democrat and Reform party) proposed continuing work by setting up a standing committee, Ms Maij-Weggen (EPP) a working group, Ms Hooper (European Democratic Group) a sub-committee appointed by a Parliamentary committee, either the Social Committee or the Political Committee. Ms Squarcialupi (Communist group) suggested that the decision be assigned to the Bureau of the European Parliament. Finally, Ms Hoff (Socialist Group) suggested that the proposals be put to a vote at the meetings of 19 and 20 January. See also Vallance, E., Davies, E., *Women of Europe: Women MEPs and equality policy*, Cambridge: Cambridge University Press, 1986, pp. 79-80.

Parliamentary debate 'on the basis of a progress report showing the extent to which the proposals contained in this resolution have been put into effect'<sup>64</sup>.

However, they did not have to wait two years as a new committee had already been put in place in the European Parliament assigned the task of looking at the status of women.

### 3. Subjects dealt with

#### *Position of women in the European Community (A1-0829/80)*

The A1-0829/80 report on the position of women in the European Community prepared by the *Ad Hoc* Committee deals with all the issues that it had been asked to consider.<sup>65</sup> The report represents a substantial work with the explanatory statement alone consisting of 180 pages. It examines the various aspects of the position of women in the European Community and goes through the measures already taken by the Community in order to improve their position. Most of the report is dedicated to proposals made by the *Ad Hoc* Committee to broaden European policy to benefit women in various areas: socio-economic status, education and vocational training, health care, legal status, vulnerable groups of women, applicant countries and developing countries. Finally, the rapporteur analyses the various instruments required to achieve these proposals.

The resolution adopted by Parliament contains a chapter containing proposals to improve existing Community measures. These include better implementation of the three directives adopted by the Council by the creation of new legal instruments, but also by financial measures and information campaigns to promote Community measures that benefit women.

A second chapter proposes a range of additional measures to combat unemployment among women, reduce working hours, improve social services for family, counter the negative impact of new technologies for women, and finally to ensure a fair representation women '*between the various categories of active employment and the various levels of employment*'.

An entire chapter is given over to education and vocational training. Parliament considered that an appropriate policy to this effect was needed at all levels and in all fields of education and set out the priorities for both students and teaching staff. Scientific research and 'further training' are also considered.

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64 European Parliament resolution of 11 February 1981 on the situation of women in the European Community, OJ C 50, 9.3.1981, p. 50.

65 '*The report has the merit of explaining these problems comprehensively and placing them in the present economic and social context, offering a full range of possible solutions within that context. It indicates the roles and responsibilities of the authorities at both Community and national level and also of the social partners and those directly involved, in other words primarily women themselves, but in general all members of society. Apart from the gaps which may still occur in present Community legislation, the report refers to the work that remains to be done to ensure the more effective implementation of the principle of equality.*' Council speech during the debate of 10 February 1981.

In the chapter on health care, Parliament calls on the Commission to ensure equal protection for male and female workers. Motherhood by choice, 'one of the most important features of the new role of women' is central to this chapter. Parliament deplored the situation where, due to a lack of legislation in some countries of the Community on voluntary termination of pregnancy, clandestine abortion remained the rule and help in other countries was often sought. Parliament pressed the Council for decisions on this matter to be taken at national level. Although Parliament stressed that 'abortion must be regarded only as a last resort', this specific point in the resolution led to a very lively debate and prevented many MEPs from voting for the text.

The report also dedicates a chapter to measures with regard to special groups and regions, namely migrant women, women employed in family businesses and women living in sparsely populated country areas. The European Parliament also deemed it necessary for European policy with regard to development aid and external economic relations to take greater account of the position of women in the developing countries.



## CHAPTER III

### The Committee of Inquiry into the Situation of Women in Europe (1981–1984)

#### 1. Constitution, terms of reference and members

At the meeting of 8 July 1981, the President of the European Parliament announced that he had received a motion from Ms Lizin and 109 other signatories pursuant to Rule 95, requesting the setting up of a Committee of Inquiry into the Situation of Women in Europe.<sup>66</sup> As the motion complied with the provisions of the Rule, it was forwarded to the Bureau, which was then to decide on the number and composition of the Committee of Inquiry. It was the very first Committee of Inquiry in the history of the European Parliament.

During the same session<sup>67</sup>, the President also stated that the following terms of reference had been proposed for the committee:

- to review how promptly the European authorities were acting on the recommendations contained in the resolution adopted by Parliament in February 1981;
- to review developments in the position of women in the countries of the European Community, and in particular the implementation of Community Directives.

The decision on the number of members needed to make up the Committee of Inquiry was postponed until the September session. At the meeting of the Bureau on 22 September 1981<sup>68</sup>, it was decided, in agreement with the presidents of the political groups, and to take into account the need for a balanced representation of all groups, to propose that Parliament set the number of members of the Committee of Inquiry<sup>69</sup> at 18 rather than the 16 originally planned. At the session on 12 October 1981, the President of the European Parliament announced that the Presidency had received 17 applications and that the deadline for new applications was noon the following day. As no further application was filed within the time specified, the 17 applications were ratified at the session of 14 October 1981<sup>70</sup>.

<sup>66</sup> Minutes of the part sitting of 8 July 1981, OJ C 234, 14.9.1981, p. 38. Rule 95(1), of the parliamentary Rules of Procedure (December 1981) states that in order to investigate specific matters, 'Parliament shall, on a motion by one quarter of its members and without previously referring the motion to another committee, set up a committee of inquiry to investigate specific matters. The motion shall indicate the matter to be investigated, which must fall within the sphere of activities of the Communities.'

<sup>67</sup> Minutes of the part sitting of 8 July 1981, p. 15, OJ C 234, 14.9.1981, p. 42.

<sup>68</sup> See minutes of the Bureau meeting, item 3.

<sup>69</sup> Four from the Socialist Group, four from the Group of the European People's Party, two from the European Democratic Group, two from the Communist and Allies Group, two from the Liberal and Democratic Group, one from the Group of European Progressive Democrats, one from the Group for the Technical Coordination and Defence of Independent Groups and Members, two non-attached members.

<sup>70</sup> Ms von Alemann, Ms Cinciari Rodano, Ms de Valera; Mr Eisma and Mr Estgen; Ms Gaiotti de Biase, Ms van den Heuvel, Ms Hooper, Ms Lenz, Ms Le Roux, Ms Lizin, Ms Maij-Weggen, Ms Martin, Ms Roberts, Ms Spaak, Ms Vayssade and Ms Wiczorek-Zeul.

Appendix 1 contains a list of the members of the Committee of Inquiry for the duration of its activity. Alternate members are not mentioned.

## 2. Organisation of work

The Committee of Inquiry held 30 meetings between 15 October 1981 and 26 April 1984.

The committee's constitutive meeting was held on 15 October 1981 in Strasbourg. Marie-Claude Vayssade was elected Chair unanimously. Marlene Lenz, Shelagh Roberts, Maria Lisa Cinciari Rodano and Mechthild von Alemann were elected vice-Chairs.<sup>71</sup> In January 1982, when the political groups proposed changes to the boards of all standing committees, the Committee of Inquiry also held a new constitutive meeting and appointed a new board.<sup>72</sup> Ms Vayssade relinquished the position of Chair to Ms Cinciari Rodano to become vice-Chair. Ms von Alemann was elected fifth member of the board of the committee.<sup>73</sup>



Marie-Claude Vayssade, a French member of the European Parliament, first chair of the Committee of inquiry into the situation of women in Europe (1981-1982) and rapporteur on the Community action programme on the promotion of equal opportunities for men and women.

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<sup>71</sup> Minutes of the Committee of Inquiry meeting of 15 October 1981.

<sup>72</sup> See the memorandum CARDOC PE1 P2 272/COMP ENQ1.1981-020 0020.

<sup>73</sup> Minutes of the Committee of Inquiry meeting of 28 and 29 January 1982. Memorandum of 25 June 1982 to Mr Opitz, Secretary-General, CARDOC PE1 P2 272/COMP ENQ.1981-020 0020.



Maria Lisa Cinciari Rodano, an Italian member of the European Parliament, second chair of the Committee of inquiry into the situation of women in Europe (1982-1984) and rapporteur on women's situation in Europe.

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The Chair informed the members that the task of the Committee of Inquiry was to ensure the implementation of the Resolution of 11 February 1981 and to monitor the situation of women in the countries of the European Community. She suggested that the Committee fulfilled its duties by keeping the Commission and the Council, Member States and other bodies informed and by holding hearings and possibly visits. On that basis, the committee set to work quickly.

At its meeting on 23 November 1981, the Committee of Inquiry decided to draft a report covering 17 different subjects on the situation of women in Europe to be considered by the committee as and when the rapporteurs progressed with their work. In April 1981, an 18th subject was added to the previously established series. After the work on preparing the reports of inquiry, the committee intended to draw up a motion for a resolution reflecting, in essence, the most striking elements of the findings of

the reports of inquiry.<sup>74</sup> The subjects chosen were divided among the members of the committee as follows: 1) *Application of the first two directives (Directive on 'equal pay' and Directive on 'equal treatment' and the proposals to complete them* to Ms Gaiotti de Biase, 2) *The status of implementation of the third directive ('Social Security')* to Ms van den Heuvel, 3) *The status of women in Greece* to Ms Pantazi, 4) *The reduction and reorganisation of working time* to Ms Wieczorek-Zeul, 5) *Vocational training for women in Europe* to Ms von Alemann, 6) *The introduction of new technologies and the impact on the employment of women* to Ms Spaak, 7) *The situation of women within the framework of the revised European Social Fund* to Maij-Weggen, 8) *Women and Health* to Mr Eisma, 9) *Migrant women and the wives of immigrants* to Mrs Squarzialupi, 10) *The problems encountered by self-employed women, particularly in agriculture, trade, and crafts* to Ms Martin, 11) *The situation of women in the institutions of the European Community* to Ms Lenz, 12) *Women of the Third World and European aid* to Ms Lizin, 13) *The policy on information and women* to Ms Hooper, 14) *Maternity, parental leave and pre-school facilities* to Ms Le Roux, 15) *Tax regimes: the particular problems faced by women* to Dame Shelagh Roberts, 16) *The problems faced by women in less-favoured regions* to Ms de Valera, 17) *Education and training for girls in the European Community* to Mr Estgen, 18) *The role of women in the decision-making centres* to Ms Macciocchi. The working papers and reports of inquiry were voted on by the Committee of Inquiry between May and November 1983.

On 21 September 1983, the Chair suggested that a drafting committee be assigned the task of drawing up a motion for a final resolution on the situation of women in Europe.

On 29 and 30 November 1983, the Chair of the Committee of Inquiry presented the preliminary draft motion for a final resolution and set the deadline for tabling amendments to 7 December so that the final resolution could be adopted during the meeting of 19 and 20 December 1983. The members decided unanimously to adopt the draft as the basic document to which amendments would be made. At the meeting on 19 and 20 December, the committee voted on the amendments and unanimously adopted the motion for a final resolution as a whole.

While actively fulfilling its terms of reference on the situation of women in Europe, the Committee of Inquiry was also involved in legislative work, assigned in part by the European Parliament. In December 1981, when the Council consulted the European Parliament on the Commission's proposal for a new Community action programme on the promotion of equal opportunities for women, the President of Parliament decided to refer the proposal to the Committee of Inquiry so that it could consider its merits. The Committee of Inquiry appointed Ms Vayssade as rapporteur and decided to ask the opinion of the Committee on Social Affairs and Employment and the Committee on Agriculture.<sup>75</sup>

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74 Communication to Members 11/81 of the Committee of Inquiry on the committee's method of work, CARDOC 272/COMP ENQ1.1981 P2 PE1-010 0010.

75 The Committee on Budgets' opinion was given verbally in plenary. The Committee on Agriculture informed the Committee of Inquiry that it was not able to give an opinion within the time required, and the Committee on Social Affairs and Employment did not respond at all to the request for an opinion. CARDOC PE1 AP RP/ENQ1.1981 A1-0101/82 0010.

On other occasions, it was actually the Committee of Inquiry which decided to propose an report of inquiry or an opinion on issues related to changes in the situation of women. On 11 November 1981, the Council consulted Parliament on the proposal for a Regulation on the European Regional Development Fund and the matter was referred to the Committee on Regional Policy. On this occasion, the Committee of Inquiry presented its interim report containing a series of amendments to the Regulation. It was included in the agenda of the session of 21 April 1982, as was the report of Mr de Pasquale on behalf of the Committee on Regional Policy<sup>76</sup>. Its aim was to add to Mr de Pasquale's report insofar as the Commission's proposal affected women. After a debate in plenary on procedure, the interim report was deemed an opinion on the report by Mr de Pasquale.

In April 1982, the Committee of Inquiry requested authorisation, pursuant to Rule 102, to present an interim report on voluntary part-time employment. This matter was the subject of a proposal for a directive which was referred to the Committee on Social Affairs and Employment. The Bureau did not respond favourably to the request for a report but decided to refer the matter to the Committee of Inquiry for opinion.<sup>77</sup> Then, on a number of occasions, when the Commission's proposal related to a matter affecting the life of women, the Committee of Inquiry requested authorisation, in accordance with Rule 94, to prepare an opinion on the proposal. That was the case with the proposals on the following issues: temporary employment, employment, voluntary part-time employment<sup>78</sup>, the reduction and reorganisation of working time, the promotion of youth employment, unemployment<sup>79</sup>, parental leave<sup>80</sup>, equal treatment for men and women in self-employed occupations, including agriculture, and on protection during pregnancy and maternity<sup>81</sup>, etc.

Given that there was clearly a contradiction between the terms of reference defined for the Committee of Inquiry during the meeting of 6 July 1981 and its involvement in legislative work, there was a lively exchange of opinions<sup>82</sup> during 1982 concerning the statutory nature of the Committee of Inquiry. In October 1982, exactly one year after its implementation, a debate on procedure regarding the status of the Committee of Inquiry was held during the plenary session<sup>83</sup>. The President informed Parliament that the Committee on the Rules of Procedure and Petitions had decided to interpret application of Rule 95 in relation to the very first Committee of Inquiry as follows: '*The Committee of Inquiry into the Situation of Women in Europe, until the fulfilment of its mandate is considered a special temporary committee within the meaning of Rule 91*'. Following protests by Mr Forth, on behalf of his group, and the explanation given by Mr Prout

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76 Report A1-0061/82.

77 Correspondence, see CARDOC PE1 P2 272/COMP ENQ1.1981-060 0060.

78 PE 77.860 by Ms Wiczorek-Zeul. For the report of the Committee on Social Affairs and Employment, see A1-0540/82, OJ C 267, 11.10.1982, p. 77.

79 OJ C 172, 2.7.1984, p. 55, see the report A1-0170/84 and the opinion of the Committee of Inquiry.

80 OJ C 117, 30.4.1984, p. 180, see the report A1-1528/83 and the opinion of the Committee of Inquiry.

81 OJ C 172, 2.7.1984, p. 80, see the report A1-0214/84 and the opinion of the Committee of Inquiry.

82 CARDOC PE1 P2 272/COMP ENQ1.1981-020.

83 Minutes of the part sitting of Monday 11 October 1982, OJ C 292, 8.11.1982, p. 1.

of the Committee on the Rules of Procedure and Petitions<sup>84</sup>, the European Parliament approved this interpretation.

During its work, the Committee of Inquiry organised three public hearings<sup>85</sup>, in Athens, Rome and Luxembourg. A hearing was held in Athens on 22 to 24 September 1982, attended by the officers of the Committee and its rapporteurs,<sup>86</sup> on the situation of women in Europe and Greece. Another hearing was held in the *Camera dei Deputati* in Rome, prior to the meeting of the Joint ACP-EEC Committee, on the situation of women in the Third World, on 5 November 1982<sup>87</sup>. A third hearing was held in Luxembourg on 25 and 26 April 1993 on vocational training and education<sup>88</sup>.

The main debate on Ms Cinciari-Rodano's report, on behalf of the Committee of Inquiry, on the situation of women in Europe<sup>89</sup> was held in plenary on 17 January 1984. The Socialist Group requested a roll-call vote on the whole of the motion for a resolution. The resolution was adopted with the following results: 125 in favour, 17 against, 55 abstentions.<sup>90</sup>

The resolution instructs the Committee of Inquiry to continue to carry out the tasks referred to under point (a) of its terms of reference until the end of the present legislative period<sup>91</sup>. Parliament noted the 18 reports of inquiry submitted by the Committee of Inquiry into the Situation of Women in Europe and decided to publish them in a brochure in the official languages of the Community and to distribute it in the Member States. In its resolution, Parliament hopes that the Parliament which will be elected in June 1984 will set up a standing committee on women's rights so as to ensure that the Community acquis is safeguarded and equal opportunities developed further<sup>92</sup>.

### 3. Subjects dealt with

#### *Action programme 1982–1985 (A1-0101/82)*

The European Parliament resolution of 11 February 1981 highlighted the magnitude of the problems faced by women in the Community. Parliament proposed introducing

84 Debates of the European Parliament 1-289 of 12 October 1982, pp. 91-93. Mr Forth protested the fact the Committee of Inquiry could be transformed into a full committee with all the powers of Rule 91 without requiring the support of a majority of members, and called for the matter to be referred back to the Committee on the Rules of Procedure and Petitions. In response, Mr Prout explained why his committee had reached this interpretation. According to him, the definition of the Committee of Inquiry's terms of reference adopted by the enlarged Bureau, was, right from the beginning, far wider than the terms of Rule 95 permit. Parliament has treated this committee, not as a committee of inquiry under Rule 95 but as a temporary special committee in the sense of Rule 91. In fact, the committee of inquiry had been asked to consider merits as part of a consultation and, on other occasions, authorised to issue opinions. It therefore took part in the legislative process of Parliament, which is not required of a committee of inquiry. Normally, a majority of the House is required to establish a temporary special committee under Rule 91. However, the Committee on the Rules of Procedure and Petitions considered that the House, by repeatedly acquiescing in the wide terms of reference of the Committee of Inquiry into the Situation of Women, had validated its existence under this Rule. Mr Prout concluded by saying that this committee would continue until its mandate had been fulfilled.

85 PE1 AP RP/ENQ1.1981 A1-1229/83 0450-0650.

86 Minutes of the hearing, PE1 AP RP/ENQ1.1981 A1-1229/83 0620.

87 Minutes of the Committee of Inquiry meeting of 5 November 1982.

88 Summary of the hearing, PE1 AP RP/ENQ1.1981 A1-1229/83 0610.

89 Report A1-1229/83 on the situation of women in Europe.

90 Minutes of the meeting of 17 January 1984, OJ C 46, 20.2.1984, pp. 41, 66-67.

91 European Parliament resolution of 17 January 1984 on the situation of women in Europe, item 111, OJ C 46, 20.2.1984, p. 61.

92 Ibid, item 114.

a far-reaching, long-term policy for women. The proposals of this resolution formed the political basis used by the Commission to develop the action programme to promote equal opportunities for women (1982–1985).

The Commission presented its first action programme on 9 December 1981. The text includes two sets of actions. The first set aims at strengthening the rights of the individual and the second set concerns the achievement of equal opportunities in practice, particularly by means of positive action programmes to overcome or counteract the non-legal obstacles to equal opportunities, in particular the constraints and conditioning of attitudes. The Commission also made plans to set up an Advisory Committee on Equal Opportunities for Women and Men. Parliament had already supported this idea in its resolution of 11 February 1981 and called on the Commission to submit concrete proposals as soon as possible.

On 23 December 1981, the Council consulted Parliament on the Commission's proposal to the Council on a draft Council resolution on this new programme. The first action programme, proposed by the Commission on 9 December 1981<sup>93</sup>, was referred to the Committee of Inquiry so that it could consider its merits. Ms Vayssade was appointed rapporteur.

The European Parliament expressed its opinion on the resolution on 12 May 1982<sup>94</sup>. Parliament welcomed the Commission's initiative, supported by a draft Council resolution<sup>95</sup>, which was a significant first step in the right direction, despite the difficult economic situation. However, it deplored the fact that the Commission left a lot of the initiative up to the Member States, that it was too vague in defining the various actions to be undertaken by the Commission itself and the lack of proposals for concrete measures. While satisfied that the programme includes in many ways its proposals submitted on 11 February 1981, the European Parliament regretted that a number of measures recommended in its resolution were taken into account, even in areas as important as healthcare and education or even the European Social Fund interventions benefiting women. The rapporteur, Ms Vayssade, stressed that the action programme was inadequate and, until 1985, represented the minimum acceptable to the Community.<sup>96</sup>

The Committee of Inquiry proposed a number of amendments to the draft Council resolution so it could commit firmly to achieving the programme. It therefore proposed that the Commission set to work on a number of concrete applications of the programme. That meant that not only had the Council to take note and approve the guidelines, it also had to engage on behalf of Member States. It also meant that the Council was

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93 Commission Communication to the Council, COM(81) 0758 final.

94 OJ C 149, 14.6.1982, p. 56; resolution published in Appendix 3 of this study.

95 OJ C 22, 29.1.1982, p. 7.

96 See Ms Vayssade on the subject of the action programme: The battle for the first action programme was fierce. It was necessary to convince people of its political value and of the need for a sustained budget. We only did it at the eleventh hour: the Committee of Inquiry on Women was convened with the President of the European Commission and the President-in-Office of the Council year to remind us of what we wanted. Without the existence of this parliamentary committee, it is far from certain that the programme would have matched our wishes. The existence of a committee dedicated to women's rights is therefore important. Source: *Les femmes dans la prise de décision en France et en Europe : Demain la parité*, Paris: Éditions L'Harmattan, 1997. For the debate in plenary, see Debates of the European Parliament 1-285 of 12 May 1982, pp. 97-133.

responsible for financial and staff resources. The Commission requested in particular six additional positions for the women's information centre and the women's employment centre. The Committee of Inquiry fully backed this request.

The Committee on Budgets' opinion was presented orally at the meeting by Mr Baillot. From his point of view, the action programme was not integrated enough in all the Community policies<sup>97</sup>. The Commission should be more clear, in its preliminary draft budget for 1983 and its proposed revision of the Social Fund, of its willingness to better integrate women in a genuine social policy, both in terms of employment and healthcare or vocational training. For better integration of women's concerns in Community policies, they must be assigned greater importance in all Community actions with the objective of them having a 50 % interest in those actions, with the Commission required to introduce measuring instruments enabling the European Parliament to monitor their implementation.

*Situation of women in Europe (A1-1229/83)*

Similar in structure to the final resolution of 11 February 1981, the resolution of 17 January 1984 is divided into eight chapters.

The chapter devoted to the defence and development of equal opportunities presents a follow-up of the application of existing directives, the number of which remained unchanged, and calls for the rapid adoption of new directives, especially with regard to occupational social security schemes, parental leave and leave for family reasons, voluntary part-time employment and temporary employment. Parliament called for the rapid application of the positive measures for women set out in the new action programme and called for a Directive requiring an increase in all the Member States of the experience gained in the field. Regarding education and vocational training, Parliament deplored the fact that neither the Council nor the Commission had taken the action called for by Parliament and stressed the urgent need for coordinated action, pointing out that *'the increase in unemployment among girls and young women is above all due to inadequate schooling'*.

The second chapter deals with the defence and development of the employment of women. Parliament highlights the following areas to develop the employment of women:

- specific measures for the employment of women
- measures in the field of the new technologies
- proper utilisation of Social Fund resources
- reduction and reorganisation of working time

The third chapter explores the possibilities of improving equal responsibilities between men and women in political, cultural, social and family life, stressing that an essential prerequisite *'is a radical change in the traditional image of the respective roles of men and women'*. The aspects covered are the role of women in the decision-making centres,

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<sup>97</sup> Debates of the European Parliament 1-285 of 12 May 1982, p. 99.

free and responsible motherhood, work in the home, the right of women to health and the dignity and the rights of women.

Increasing public awareness, an important issue for Parliament on the eve of new direct elections, was given a whole chapter. Parliament called on the media to try to give a true picture of the situation of women in Europe and to raise public awareness of the positive values associated with the advancement of women.

The rights of migrant women and of women in developing countries were awarded special attention by Parliament, as were women in the Community institutions.



# CHAPTER IV

## The 1984–1989 committee

### 1. Constitution, powers and members

Parliament's wish, expressed in its resolution of 17 January 1984, came true just a few months later. The first standing committee on women's rights was set up following the second direct elections to the European Parliament in July 1984.

The Committee on Women's Rights was responsible for<sup>98</sup>:

- the definition and evolution of women's rights in the Community, based on Parliament's resolutions of 11 February 1981 and 17 January 1984,
- the implementation and improvement of directives relating to equal rights for women and the formulation of new directives,
- employment policy in respect of women and young girls, and measures to combat female unemployment,
- common policies insofar as they concern women, including information policy,
- problems relating to the professional activities of women and their family role,
- women in the Community institutions,
- the situation of migrant women and the wives of migrant workers,
- the World Conference on Women.

At the constitutive meeting of 27 July 1984, only one candidate was nominated for the office of Chair of the new committee: Ms Marlene Lenz was elected Chair unanimously. Ms Christine Crawley, Maria Lisa Cinciari Rodano and Marietta Giannakou were elected vice-Chairs.

The committee was made up of 25 members. That number doubled during the second legislative period: firstly to 29, following Spain and Portugal's accession in January 1986, then to 30 in January 1987<sup>99</sup>. Appendix 1 contains a list of the members of the committee for the entire legislative period. Alternate members are not mentioned.

There was a new Chair in January 1987: Ms Hedy d'Ancona was elected Chair and Ms Cinciari Rodano, Ms Crawley and Ms Giannakou became vice-Chairs.

<sup>98</sup> Decision on the number and composition of parliamentary committees, adopted on 25 July 1984, OJ C 239, 10.9.1984, p. 21.

<sup>99</sup> Decisions of the European Parliament of 14 January 1986 (OJ C 36, 17.2.1986, p. 49) and of 21 January 1987 (OJ C 46, 23.2.1987, p. 37).



Marlene Lenz, a German member of the European Parliament, chair of the Committee on Women's Rights (1984-1987).

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Hedy d'Ancona, a Dutch member of the European Parliament, vice-chair of the Committee on Women's Rights (1987-1989), with Vasso Papandreou, one of the first two women members of the European commission, in charge of issues concerning employment and social affairs (1989-1992).

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## 2. Organisation of work

The constitutive meeting of the Committee on Women's Rights was held on 27 July 1984 at the Palais de l'Europe in Strasbourg.

The Committee on Women's Rights held 53 meetings between the constitutive meeting of 27 July 1984 and the last meeting of the legislative period which took place in Toledo on 24 and 25 April 1989. From the outset, the Committee decided to hold its ordinary meetings in public. Members of the Committee invited groups of visitors from their countries to attend the meetings.

An extraordinary meeting was held each year in a Member State for the purposes of exchanging information and opinions on the situation of women in that country with the ministers, members of the national parliaments and other competent authorities in the social and equal opportunities field. Thus, on 18 and 19 March 1985, the Committee met in Rome, on 18 and 19 December 1986 in London, from 18 to 20 May 1987 in Berlin, from 16 to 18 March 1988 in Madrid and on 24 and 25 April 1989 in Toledo.

A public hearing was held in February 1986 on the image and role of women in the media<sup>100</sup>. In February 1989, the Committee also organised a symposium on the subject 'the market in 1992: a challenge for women', which was attended by almost all members of the national parliaments of the Member States<sup>101</sup>.

From the very outset, the Committee was in direct contact with members of the European Commission working in this area but also with the various representatives of the Presidency-in-Office of the Council. The committee also worked in conjunction with the advisory committees of the European Parliament and the Committee on Equal Opportunities<sup>102</sup>.

During the second legislative period, the Committee on Women's Rights drafted 32 reports, including one in 1984, five in 1985, five in 1986, six in 1987, ten in 1988 and five in 1989.

The work was divided among the 30 members of the Committee: with 24 members each being at least once the general rapporteur. Ms Llorca Vilaplana (Christian Democrats) was appointed rapporteur the most (3 reports). Ms d'Ancona (Socialist Group), Ms Cinciari Rodano (Communist and Allies Group), Ms Larive (Liberal and Democratic Group), Ms Peus, an alternate member (Christian Democrats), Ms Salisch (Socialist Group), Ms van den Heuvel (Socialist Group) and Ms Vayssade (Socialist Group) each drafted two reports.

Five of these reports were adopted as part of the consultation procedure.

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100 Minutes of the hearing, PE2 AP RP/FEMM.1984 A2-0095/87 0090.

101 Minutes of the hearing, PE3 AP RP/FEMM.1989 A3-0358/90 0140.

102 The Advisory Committee on Equal Opportunities for Women and Men was set up in 1981 to advise the Commission on Community policies on equal opportunities for women and men. The committee is made up of national representatives of committees, bodies and ministerial departments responsible for equal opportunities, social partners and observers of the Council of Europe and the ILO. The *Ad Hoc* Committee was also created within Parliament to study and propose measures to improve the situation of European Parliament civil servants.

### 3. Subjects dealt with

#### 3.1 Reports adopted as part of the consultation procedure

##### *Positive action (A2-0788/84)*<sup>103</sup>

In May 1984, the European Parliament had already been consulted by the Council on a draft Council Recommendation on the promotion of positive action for women<sup>104</sup>. In September, when the new Committee on Women's Rights had been set up, this draft recommendation was referred to it so that it could consider its merits. In its motion for a resolution<sup>105</sup>, the rapporteur, Ms van den Heuvel asks that absolute priority is given under the Social Fund to undertakings whose applications include a programme for positive action in favour of women to give them a more equal status within the undertaking. The European Parliament adopted a positive opinion on the Commission's proposal.

##### *Income taxation (A2-0055/85)*<sup>106</sup>

Ever since its resolution of 11 February 1981, Parliament had demanded that Directive 75/117/EEC was supplemented by a Directive on equal treatment for male and female workers in the Member States' fiscal legislation. It repeated its demand in its resolution of 17 January 1984.

On 9 January 1985, the Commission consulted Parliament on its memorandum on income taxation and equal treatment between men and women<sup>107</sup>. In its resolution of 12 July 1985, adopted on the basis of Dame Shelagh Roberts' report, Parliament regrets that the Commission had seen fit to content itself with a memorandum, rather than proposing action by the Community. The rapporteur also notes that national income taxation systems have an adverse effect on women's employment. It refers to studies<sup>108</sup> conducted in the field, which makes it clear that the principle of equal treatment of men and women involves the introduction of a neutral tax system '*between the married couple where only one partner is in paid employment and the married couple where both partners are in paid employment with a mandatory system of independent taxation for husband and wife as the long-term objective of fiscal reform*'.

The European Parliament issued its opinion on 12 July 1985.

##### *Second action programme 1986–1990 (A2-0029/86)*<sup>109</sup>

On 29 January 1986, the Council consulted the European Parliament on the Commission's motion for a draft Council resolution on the adoption of a medium-

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103 The resolution is published in Appendix 3 of this study.

104 COM(84) 0234.

105 European Parliament resolution, A2-0788/84, OJ C 315, 26.11.1984, p. 81.

106 European Parliament resolution, A2-0055/85, OJ C 229, 9.9.1985, p. 128.

107 COM(84) 0695.

108 The inquiry led by the Committee of Inquiry into the Situation of Women in Europe (working document 15, A1-1229/83/C). See also the study conducted by the Commission on income tax systems in force in the Member States (V/2798/1/82).

109 European Parliament resolution, A2-0029/86, OJ C 148, 16.6.1986, p. 39.

term Community programme on Equal Opportunities for Women (1986–1990)<sup>110</sup>. The motion was referred to the Committee on Women's Rights to consider its merits.

A review of the 1982–1985 action programme submitted during the debate of 13 May 1986<sup>111</sup> by the rapporteur, Ms Vayssade, indicates that, despite some progress made and the dialogue initiated with all Member States on the matter, the programme failed to provide the impetus required by Parliament for a global policy on women, and more often than not amounted only to one-off actions. According to the rapporteur, the new programme is more consistent and more accurate than the first: instead of listing separate actions, it is divided into eight chapters<sup>112</sup> starting with the main problems facing women, which should enable a more global policy. The rapporteur believes that all of these eight subjects are important, but in particular stresses the importance of employment, training, new technologies and the sharing of responsibilities. She suggests the introduction of systems requiring companies to make equality plans for women.

The rapporteur pointed out that several proposals for directives were ready to be adopted by the Council<sup>113</sup> while others were in the planning stage, including the directive on the reversal of the burden of proof. However, it seemed necessary to develop Community legal instruments concerning other matters: positive actions, a mechanism of sanctions, harmonisation of the systems of protection for pregnant women and mothers, child care provisions and legal safeguards.<sup>114</sup> The rapporteur stresses that women, who make up more than half of the citizens of Member States, should not be forgotten on completion of the internal market in 1992 and of the citizens' Europe.

Parliament approved the proposal while submitting amendments, including the introduction of quotas in vocational training.

*Social security (A2-0159/88)*<sup>115</sup>

On 19 December 1978, the Council adopted the Directive on statutory social security schemes and on 24 July 1986 the Directive on occupational social security schemes.

On 18 November 1987, the Council consulted the European Parliament on a third proposal for a directive<sup>116</sup> to complete the implementation of the principle of equal treatment for men and women in both occupational and statutory social security

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110 COM(85) 0801 final, OJ C 356, 31.12.1985, p. 28.

111 Debates of the European Parliament 2-339 of 13.5.1986, p. 34.

112 The eight chapters deal with improving implementation of existing provisions, education and training, employment, new technologies, social protection and social security, the sharing of family and professional responsibilities, raising awareness and changing attitudes and improving community cooperation.

113 Directive on part-time employment, Directive on temporary employment, Directive on parental leave and leave for family reasons, Directive on equal treatment in occupational social security schemes and the Directive on equal treatment for men and women in self-employed occupations, including agriculture.

114 Debates of the European Parliament 2-339 of 13.5.1986.

115 European Parliament resolution, A2-0159/88, OJ C 262, 10.10.1988, p. 174.

116 Commission proposal for a Council directive on the implementation of the principle of equal treatment for men and women in both occupational and statutory social security schemes, COM(87) 494 final.

schemes. Parliament approved the Commission's text as a whole but proposed a series of amendments to the proposal due mainly to radical changes in society.

The rapporteur, Ms Cinciari Rodano, stressed that the best way of achieving true equality of treatment is to promote the individualisation of entitlements. The other amendments proposed relate to entitlement to benefits which must be independent of marital status, sex or professional activity<sup>117</sup>, a flexible retirement age, and expanding the scope of voluntary part-time workers, temporary workers and persons working at home, and all orphans regardless of their legal status. The principle of equality should apply not only to married couples but also to divorced couples and couples who are not legally married. Family benefits should be paid to the parent who effectively takes care of the child on a permanent basis.<sup>118</sup> However, it turns out that the Council did not adopt this proposal over the years and finally, in 2001, the Commission withdrew its proposal '*because the Commission has now adopted another approach*'<sup>119</sup>.

#### *Burden of proof (A2-0298/88)*<sup>120</sup>

The general principle applied in the context of legal proceedings in the Member States is that the proof must be provided by the complainant taking legal action. In most cases concerning discrimination against women, the evidence is nevertheless held by the respondent and the complainant has difficulty accessing it.

In its resolution of 11 February 1981, the European Parliament calls for a provision requiring Member States to reverse the burden of proof in favour of women in the event that an appeal is made on the grounds of Community directives on women's rights. Parliament repeated the same demand in several resolutions, in particular those of 17 January 1984, 10 March 1988 and 16 September 1988<sup>121</sup>.

It was in 1988 that the Commission first tabled a proposal for a Directive<sup>122</sup> on the burden of proof in the area of equal pay and equal treatment for women and men. Parliament was consulted in June 1988 and, in December, approved the proposal with some amendments. The Council considered the proposal for a directive on several occasions, the first time being the day after the European Parliament adopted the resolution in December 1988. In 1993, eleven Member States reached a broad consensus, but because unanimity was required, the proposal was blocked.

The Commission finally decided to withdraw its proposal on which the Council had taken no decision and which was no longer topical<sup>123</sup>.

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117 See also European Parliament resolution of 30 March 1984 on the equal treatment of widows and widowers (A1-1506/83 of the Committee on Social Affairs) and the European Parliament resolution of 8 July 1986 on one-parent families (A2-0230/85, resolution published in Appendix 3 of this study).

118 A2-0159/88, see explanatory statement.

119 Commission's Communication of 21.12.2001, COM(2001) 0763 final/2.

120 European Parliament resolution, A2-0298/88, OJ C 12, 16.1.1989. The debate on this report is published in Appendix 3 of this study.

121 See reports A1-1229/83, A2-0294/87 and A2-0166/88.

122 COM(88) 0269.

123 See OJ C 40, 7.2.1998, p. 7.

### 3.2 *Own-Initiative reports*

During the second legislative period, the Committee on Women's Rights asked for permission to draft a number of own-initiative reports, in accordance with Articles 63 and 121 of the Parliamentary Rules of Procedure.

#### *Application of directives on equal treatment (A2-0294/87<sup>124</sup>, A2-0166/88<sup>125</sup>)*

Regarding the application of directives on equal treatment between men and women, note should be taken of two reports from the Committee on Women's Rights: report A2-0294/87 on the failure to comply with the directives (the problem of indirect discrimination) and report A2-0166/88 on the application of Council directives, resolutions and recommendations concerning women.

In its report A2-0294/87, the Committee on Women's Rights found that existing directives on equal pay and treatment make clear reference to indirect discrimination, without actually defining it. It also notes that some of the main causes of indirect discrimination include the system of job classifications and some legal safeguards (e.g. the ban on night work), age limits during recruitment and during career development, and tax systems. It calls on the Commission to draw up a precise Community definition of the notion of indirect discrimination<sup>126</sup> and initiatives to draw up non-discriminatory classification systems. In addition, it calls for the individualisation of taxes, including for married people, and hopes that, in the case of indirect discrimination, the burden of proof is on the employer rather than on women.

The report A2-0166/88 was drafted by Ms Vayssade in collaboration with several members of the Committee on Women's Rights<sup>127</sup>. During the plenary session of 15 September 1988<sup>128</sup>, the rapporteur reviewed what the Council, the Commission and Parliament had actually done in term of equal opportunities. Some progress has been made, yet there were still many challenges in practice. The Council had adopted new legislation but much remained to be done to ensure that the texts adopted were actually implemented. Despite the Directive on equal pay and despite the implementing legislation that had been enacted by Member States, there was still a wage gap between men and women.

The Committee on Women's Rights called on the Commission to draw up a third action programme to cover the period of completion of the internal market and to supplement the second programme. The rapporteur called in particular for the scope to be extended to elderly women and for all measures relating to information and changing attitudes to be stepped up. A wide range of Community instruments for equal opportunities between women and men also seemed essential, in particular for

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124 European Parliament resolution, A2-0294/87, OJ C 94, 11.4.1988, p. 149.

125 European Parliament resolution, A2-0166/88, OJ C 262, 10.10.1988, p. 180.

126 Only Directive 2002/73/EC amending Directive 76/207/EEC provides a Community definition of direct and indirect discrimination.

127 Ms García Arias (education), Ms van den Heuvel (information-education-changing attitudes), Ms Pintasilgo (Social Security), Ms Pantazi (employment), Ms Salisch (new technologies), Ms Schmidbauer (reconciling working life with family life), Ms Tongue (improving existing provisions), Ms Van Hemeldonck (women in the developing countries).

128 Debates of the European Parliament 2-368 of 15.9.1988, pp. 322-323.

protection during pregnancy and maternity, equality in terms of taxation, the issues of temporary employment, part-time employment and home working. In the event of non-compliance with the principle of equal treatment, sanctions need to be provided.<sup>129</sup>

#### *Other subjects*

The Committee on Women's Rights issued several reports on the defence and development of the employment of women<sup>130</sup>. Some of the issues addressed include, for example, the impact of new technologies, research, restructuring of the labour market, the Community institutions, reintegration of women into working life, women's work in the candidate countries, cooperatives and local employment initiatives or spouses working in the farming sector and in family businesses.

Various aspects of political, social and family life<sup>131</sup> are included in the own-initiative reports: the right to health, the situation of women with disabilities and elderly women, childbirth and child care, one-parent families, women in prison, human trafficking, migrant women, violence against women, decision-making, sport and the media.

The results of the UN conference in Nairobi closing the Decade for Women (1975–85) were also examined in a report<sup>132</sup>.

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129 See also report A3-0285/91 on the application of the third Council Directive on the progressive implementation of the principle of equal treatment for men and women in matters of social security, report A4-0283/96 on the implementation of equal opportunities for men and women in the civil service and report A2-0068/88 on equal opportunities for boys and girls in the field of education and vocational training. This last document is published in Appendix 3 of this study.

130 Impact of microtechnology on job opportunities for women (A2-0096/85); problems encountered by women in connection with the restructuring of the labour market (A2-0146/86); reintegration of women into working life (A2-0127/87); women and employment (A2-0267/87); position of women in Spain and Portugal as regards their conditions of work and employment (A2-0067/88); role of women in cooperatives and local employment initiatives (A2-0149/89); status of helping spouses in the professions (A2-0144/89); spouses in agriculture and family businesses (A2-0416/88); situation of women in the institutions of the European Community (A2-0257/86), women and research (A2-0158/88).

131 The Charter on the rights of women in childbirth (A2-0038/88); Women and health (A2-0165/88); Women and children in prison (A2-0051/89); Exploitation of prostitution and the traffic in human beings (A2-0052/89); Discrimination against immigrant women and female migrant workers in legislation and regulations in the Community (A2-0133/87, resolution published in Appendix 3 of this study); social situation of handicapped women and women who look after the handicapped (A2-0150/89); Services for the elderly (A2-0219/85); Child care infrastructures (A2-0220/85); One-parent families (A2-0230/85); Violence against women (A2-0044/86); Women in decision-making centres (A2-0169/88); Women in sport (A2-0032/87); The depiction and position of women in the media (A2-0095/87).

132 A2-0047/86.

# CHAPTER V

## The 1989–1994 committee

### 1. Constitution, powers and members

The powers of the Committee on Women's Rights increased during the third legislative period. The Committee was now responsible for related matters (*amendments in bold*)<sup>133</sup>:

- the definition and evolution of women's rights in the Community, based on the European Parliament's resolutions **on this subject**;
- the implementation and improvement of directives relating to equal rights for **women** and the formulation of new Directives;
- **social**, employment policy **and training policy** in respect of women, including young women, and measures to combat female unemployment;
- information policy **and studies on women**;
- the assessment of common policies from the point of view of women and **the consequences for women of the completion of the internal market**;
- problems relating to the professional activities of women and their family role,
- women in the Community institutions;
- **women in the international sphere (United Nations, International Labour Office, etc.)**;
- the situation of migrant women and the partners of migrant workers **and the status of women who are both European citizens and nationals of non-European countries within the framework of European Community legislation relating to the internal market**.

At the constitutive meeting of Thursday 27 July 1989, Ms Christine Crawley, the only candidate, was elected Chair of the Committee by acclamation. There were four women candidates for the positions of vice-Chair: Ms Llorca Vilaplana, Ms Domingo Segarra, Ms Roth-Behrendt and Ms Grund. Ms Llorca Vilaplana, Ms Domingo Segarra and Ms Roth-Behrendt were elected vice-Chairs.<sup>134</sup>

On 16 January 1992<sup>135</sup>, Ms Crawley was again elected for the position of Chair. Ms Llorca Vilaplana and Ms Domingo Segarra continued as vice-Chairs, together with a third vice-Chair, Ms Gröner.

<sup>133</sup> Decision of 26 July 1989 on the number and composition of parliamentary committees, OJ C 233, 11.9.1989, p. 25.

<sup>134</sup> Minutes of the constitutive meeting of 27 July 1989.

<sup>135</sup> Minutes of the meeting of 16 January 1992.

The number of members of the Committee was set at 33 in July 1989 and was reduced to 30 by a decision taken in January 1992<sup>136</sup>.

Appendix 1 contains a list of the members of the committee for the entire third legislative period. Alternate members are not mentioned.

## 2. Organisation of work

The Committee, chaired by Ms Crawley, set to work quickly and was determined to play a more important role in establishing the policy of Parliament<sup>137</sup>. The Committee wanted to include the following in its strategy: the impact of 1992 on the employment of women, the role of women in the European Social Charter, the development of provisions for child care in the European Community, women and provisions relating to health, migrant women in Europe, the third action programme (1991–1995) and the development of studies on women.



Members of the European Parliament in a meeting in February 1992: (from right to left) first row: Marlene Lenz and Nicole Fontaine; second row: Carmen Llorca Vilaplana, Marie-Claude Vayssade and Ien van de Heuvel; third row: Maria Belo.  
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In its work programme, the Chair set out how to achieve its objectives:

- determine, as formally as possible, the impact on women of the activities and decisions of other parliamentary committees;
- organise the work with the Commission and the Council as actively as possible;
- be more systematic in its monitoring of the Commission's follow-up on the reports of the Committee on Women's Rights;

<sup>136</sup> Decisions of the European Parliament of 26 July 1989 (OJ C 233, 11.9.1989, p. 25) and of 15 January 1992 (OJ C 39, 17.2.1992, p. 32).

<sup>137</sup> Communication to members on 27 September 1989, Work Programme of the Committee on Women's Rights of the European Parliament, CARDOC PE3 AP PV/FEMM.1989 FEMM-19890921 0020.

- review the legal basis for the Commission's work and identify development opportunities to meet the challenges that women will face in the 1990s.



On the initiative of the Committee on Women's Rights, the Parliament opened a family room in Strasbourg and Brussels, intended to host children of the members of the European Parliament, their assistants and officials on a mission. Christine Crawley, a UK member of the European Parliament and chair of the Committee on Women's Rights (1989-1994) [center] with Imelda Mary (Mel) Read, quaestor [left], and Egon Klepsch, president of the European Parliament.

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The Committee held 58 meetings between 27 July 1989 and 3 May 1994. The meeting of 29 November 1990 was held in Birmingham, of 29 and 30 May 1991 in Lisbon, of 28 to 30 September 1992 in Galway and of 4 to 6 October 1993 in Thessaloniki.

During 1990<sup>138</sup>, the Committee organised, *inter alia*, two seminars: the second forum on 'Women and employment to the year 2000' in Brussels in March<sup>139</sup> (the first forum having already been held in Brussels in February 1989) and the seminar 'The Role of Women in Western Europe and Eastern Europe' in November in Birmingham. In his opening speech at the forum, on 19 March, Mr Barón Crespo, the President of Parliament, said: '*The social dimension of the internal market must include equal opportunities for men and women, the right to work for women, and economic independence. If there is no real social reform, the 1992 target will not be a source for new potential, new economic and social progress, but will be used to create greater discrimination, marginalization and poverty. Its first victims would then include women, especially young women*'.<sup>140</sup>

<sup>138</sup> See CARDOC PE3 AP PV/FEMM.1989 FEMM-19900319 0040-0070.

<sup>139</sup> Opening speech at the forum 'Women and employment to the year 2000', given on 19 March 1990 by Mr Barón Crespo, the President of the European Parliament. CARDOC PE3 AP PV/FEMM.1989 FEMM-19900319 0010.

<sup>140</sup> See also the conclusions of the Committee on Women's Rights forum 'Women and Employment in the 1990s', PE 140.187, and the conclusions of the hearing of the Committee on Women's Rights on 'Equal opportunities and child care' on 25 and 26 June 1990, PE 143.424.

The Committee on Women's Rights also took the initiative to organise, on 18 February 1993, a hearing on the rape of women in the former Yugoslavia. In the midst of the political and military crisis in the Balkan countries, the European Parliament wanted to raise public awareness of this issue. The harrowing testimonies of women victims had a major impact leading the European Parliament to vote on a Resolution on 11 March 1993, calling for rape to be recognised as a war crime.

Another public hearing on the Community Initiative 'NOW' was held on 22 September 1993. The aim of the NOW initiative for the promotion of equal opportunities for women in the field of employment and vocational training was to create new opportunities for women. It supported the creation of small businesses and cooperatives and measures for training and access to employment. It also supported child care services and support structures for the identification and development of trans-national networks or partnerships<sup>141</sup>.

Between 1989 and 1994, 22 members of the Committee fulfilled the role of general rapporteur. The person appointed rapporteur most often was Ms Domingo-Segarra with three reports. Ms Pollack, Ms Rønn, Ms Lenz and Ms Van Hemeldonck were each responsible for two reports. Some alternate members, in particular Ms Oomen-Ruijten, Ms Keppelhoff Wiechert and Mr Nordmann, were each responsible for one report<sup>142</sup>.

### 3. Subjects dealt with

#### *3.1 Reports adopted as part of the consultation procedure*

During the third Legislative period, Parliament was consulted on four occasions by the Council in the field of equal opportunities: for the Directive on the protection of pregnant women, for the NOW initiative (promotion of equal opportunities for women in the field of employment and vocational training), on the issue of sexual harassment and on the issue of child care

#### *Protection at work of pregnant women or women who have recently given birth (A3-0337/90)<sup>143</sup>*

The Community Charter of the Fundamental Social Rights of Workers, adopted in 1989, establishes the major principles on which the European labour law model is based. This included equal treatment for men and women. In June 1989, the Council adopted the Framework Directive 89/391/EEC, which establishes the basic rules for the health and safety of workers. Against this backdrop, on 26 October 1990, the Council consulted Parliament on the Commission's proposal to the Council for a directive on the protection at work of pregnant women or women who have recently given birth.

The Directive on the protection of pregnant women is an excellent example of the political struggle by the Committee on Women's Rights. The proposal for a Directive<sup>144</sup>

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141 CARDOC PE3 AP PV/FEMM.1989 FEMM-19930922 0010.

142 Respectively reports A3-0285/91, A3-0197/93 and A3-0122/93.

143 European Parliament resolution, A3-0337/90, OJ C 19, 28.1.1991, p. 165.

144 COM(90) 0406.

requires Member States to adopt measures to improve the health and safety of pregnant women or women who have recently given birth.

At its session of 12 December 1990<sup>145</sup>, Parliament delivered its opinion on this proposal at the first reading. For the Committee on Women's Rights, it was important to find a balance between equal rights and protection, so as not to prevent women's access to the job market. The Committee proposed a total period of maternity leave of at least 16 weeks and for women to be able to choose freely to leave their job two weeks before the due date or later. It also stressed the right of appeal, with the burden of proof reversed, and called on the Commission to prepare a proposal on parental leave. In the longer term, the Committee wanted the scope of the Directive to be extended to unemployed and self-employed women.

At the first reading, the Commission accepted several of Parliament's amendments but refused to increase maternity leave to 16 weeks. The Council fell far short of the EP amendments accepted by the Commission. At the second reading<sup>146</sup>, second reading, Parliament's main concern was for the length of maternity leave (16 weeks instead of 14) and the amount of the maternity benefit. Parliament was against the Council's proposal to link maternity benefit to sickness benefit. This was because pregnancy is not an illness but a condition inherent in the nature of women. In addition, the level of benefits awarded during maternity leave should not fall below the existing level in Member States.

Determined, the European Parliament reintroduced all the amendments, and at its final decision of 19 October 1992, the Council was forced to accept several of Parliament's basic demands following an interinstitutional compromise achieved after lengthy negotiations between the Committee on Women's Rights, the Council and the Commission. Thanks to the demands of the European Parliament, the minimum maternity leave was set at 14 weeks and the purpose and duration of the leave were clearly differentiated from sick leave. Parliament also introduced the 'non-regression' clause, according to which any reduction in the level of protection already afforded in a Member State cannot be justified on the basis of the Directive.<sup>147</sup> The Council adopted the Directive on 19 October 1992.

#### *NOW Initiative (A3-0280/90)*<sup>148</sup>

In November 1990, the Commission consulted the European Parliament on the draft communication to the Member States laying down the guidelines for operational programmes and global grants under the 'NOW' initiative<sup>149</sup>. The European Parliament

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145 Debates of the European Parliament 3-397 of 12 December 1990, p. 159.

146 Decision of the European Parliament, A3-0169/92, OJ C 150, 15.6.1992, p. 99. See debates of the European Parliament 3-418 of 11 May 1992, p. 48.

147 The report on the protection at work of pregnant women or women who have recently given birth (A3-0337/90) and Recommendation on the joint position on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (A3-0169/92). See also the document 'Reports and activities of the Committee on Women's Rights', July 1984 to February 1991, CARDOC PE3 19910227-AP PV/FEMM.1989 FEMM 0030.

148 European Parliament resolution, A3-0280/90, OJ C 324, 21.11.1990, p. 133.

149 SEC(90)1570. The NOW initiative is a Community initiative for the promotion of equal opportunities for women in the field of employment and vocational training.

proposed a series of amendments<sup>150</sup> on the objectives of the programme, which were adopted by the Commission: support the creation of businesses and cooperatives, take into account the need to upgrade and promote women's qualifications, and thirdly, the development of child care facilities. Parliament also called for the initiative to be extended until the end of the third action programme on equal opportunities and for the allocation of ECU 200 million instead of 120 million. Neither demand was met, but the allocation was, however, increased by almost ECU 50 million at the end of 1992.

*Dignity and Women's Rights (A3-0264/91)*<sup>151</sup>

On 8 July 1991, the Commission asked for Parliament's opinion on the draft recommendation on the protection of the dignity of women and men at work. The President of Parliament referred the motion to the Committee on Women's Rights to consider its merits. Ms Crawley was appointed rapporteur.

Parliament had already called for a Community action against sexual violence in its previous term<sup>152</sup>. In accordance with the Council resolution of 29 May 1990, which was in line with the demands of the European Parliament, the Commission, under the third action programme on equal opportunities, proposed the introduction of a code of conduct on the protection of the dignity of women and men at work. The rapporteur, Ms Crawley, tabled several amendments to the draft recommendation, relating to major issues, including the title ('the combating of sexual harassment'), important definitions (physical, verbal and non-verbal conduct of a sexual nature; sexually motivated conduct), the rules of protection on the part of employers and trade unions, and the sanctions and award of damage. The Commission agreed that attitudes of sexual harassment in the workplace undermine the scope of the Directive on equal treatment. It also acknowledged that the idea of a code of conduct is a crucial first step.

*Child care (A3-0329/91)*

Ms Pollack's report on child care and equal opportunities<sup>153</sup>, adopted by the European Parliament on 19 April 1991, expresses Parliament's concern that the level of provision of child care services varies widely both between and within Member States. Parliament calls on the Commission to develop a proposal for a Directive in this area, because it believes a recommendation to be an inadequate instrument for an issue of such fundamental importance to the objectives of the single market, i.e. economic and social cohesion, economic development, freedom of movement, improvement in living and working conditions and to equality of opportunity for women in the labour market.

The Commission finally submitted a proposal for a Council Recommendation<sup>154</sup> as part of the Social Action Programme. At Parliament's request, the Commission agreed

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150 See Resolution A3-0280/90 and the document 'Reports and activities of the Committee on Women's Rights'.

151 European Parliament resolution on the protection of the dignity of women and men at work, A3-0264/91, OJ C 305, 25.11.1991, p. 30. The debate on this resolution is published in Appendix 3 of this study.

152 European Parliament Resolution of 11 June 1986 on violence against women, adopted on the basis of the report A2-0044/86.

153 European Parliament resolution, A3-0072/91, OJ C 129, 20.5.1991, p. 224.

154 COM(91) 0233.

to include the following amendments in the text: opportunities for public financing by Member States and encouraging the setting up of child care facilities (more flexible hours, a more equal sharing of parental responsibilities).<sup>155</sup> Having been consulted on this document in September 1991, on 22 November 1991, Parliament adopted the Ms Pollack's new report on the matter<sup>156</sup> which showed that the lack of good quality child care facilities available was a major obstacle to women's participation on an equal footing in employment, education and training.

### *3.2 Own-Initiative reports*

#### *Third action programme 1991–1995 (A3-0167/91)*<sup>157</sup>

On 3 January 1991, the Committee on Women's Rights requested permission to present a report on the third medium-term Community action programme on equal opportunities for women and men<sup>158</sup>. Ms Catasta was appointed rapporteur and Ms Domingo Segarra co-rapporteur.

The third action programme was late despite Parliament having asked several times for it to be drawn up<sup>159</sup> in view of the internal market in 1992. The Council consulted Parliament on its motions for resolutions on the two previous action programmes, but this time the final submission of the action programme did not come with a Council resolution. Uncertain that the Council had any intention of adopting a resolution<sup>160</sup>, Parliament was concerned about the legal force of this action programme<sup>161</sup>.

This action programme was designed to build on the results of the two previous action programmes and provides the opportunity to implement a coordinated and comprehensive community action on the problems posed by the unification of the European market. The rapporteur notes, however, that the text of the third action programme repeatedly calls for a global approach yet does not provide adequate policy at national, regional or local level for the action to be carried out. Given that the financial resources provided are insufficient and that the programme lacks precision in its objectives, the rapporteur believes that it may not be fully achieved.

#### *Other subjects*

During the third legislative period, the Committee on Women's Rights drew up several own-initiative reports on women's rights in several fields: employment<sup>162</sup>,

155 See 'Reports and activities of the Committee on Women's Rights', PE3 AP PV/FEMM.1989 FEMM-19910227 0030.

156 European Parliament resolution, A3-0329/91, OJ C 326, 16.12.1991, p. 274.

157 European Parliament resolution, A3-0167/91, OJ C 240, 16.9.1991, p. 247.

158 Commission proposal on the third medium-term Community action programme, COM(90) 449 final

159 In particular in Ms Vayssade's report on the application of Council directives, resolutions and recommendations concerning women.

160 The Council adopted the Resolution on 21 May 1991.

161 The Commission's programmes are a mere declaration of intent without any commitment on its part. In Parliament's opinion, it was essential that the text of the third action programme was accompanied by a Council resolution even if the resolution was not sufficient to guarantee the legal reinforcement of the Community action. See explanatory statement, A3-0167/91.

162 The 1992 Single Market and its implications for women in the EC (A3-0358/90, resolution published in Appendix 3 of this study); Medium-term Community action programme on equal opportunities for women and men (A3-0167/91); The creation of jobs for women (A3-0112/93); Assessment of women's unwaged work (A3-0197/93); Sex discrimination in Community

vocational training<sup>163</sup>, health and social protection<sup>164</sup>, decision-making<sup>165</sup>, the role of women in society and the situation of women in Europe and the world<sup>166</sup>.

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recruitment procedures (A3-0267/93); Situation of women in agriculture in the Member States of the Community (A3-0409/93); New post of 'confidential counsellor' at the workplace (A3-0043/94); Upgrading the status of nursing staff (A3-0123/94); Scientific staff in European R&D (A3-0278/94); Situation of women in small and medium-sized businesses (A3-0281/94).

163 The IRIS network and vocational training for women (A3-0199/93).

164 Women and health care (A3-0093/90); Progressive implementation of the principle of equal treatment for men and women in matters of social security (A3-0285/91); Entitlement of divorced or separated women to share their ex-husband's pension rights in the Community Member States (A3-0418/93); Women and parental co-responsibility (A3-0122/93, the debate on this resolution is published in Appendix 3 of this study); The operation of the European Social Fund (A3-0001/91).

165 Women in decision-making bodies (A3-0035/94).

166 A European prize for women (A3-0073/91); Situation of Women in Central and Eastern Europe (A3-0198/93, resolution published in Appendix 3 of this study); Poverty among women in Europe (A3-0065/94, resolution published in Appendix 3 of this study); Violations of the freedoms and fundamental rights of women (A3-0349/94).

# CHAPTER VI

## The 1994–1999 committee

### 1. Constitution, powers and members

The third Standing Committee on Women's Rights was set up by decision of 21 July 1994<sup>167</sup>.

The powers of the new Committee were the same as those of the previous Committee and therefore dealt with matters relating to:

- the definition and evolution of women's rights in the Union, based on the Parliament's resolutions on this subject;
- the implementation and improvement of directives relating to equal rights for women and the formulation of new Directives;
- social, employment and training policy in respect of women, including young women, and measures to combat female unemployment;
- information policy and studies on women;
- the assessment of common policies from the point of view of women and the consequences for women of the completion of the internal market;
- problems relating to the professional activities of women and their family role,
- women in the Community institutions;
- women in the international sphere (United Nations, International Labour Office, etc.);
- the situation of migrant women and the partners of migrant workers and the status of women who are both European citizens and nationals of non-European countries within the framework of Community legislation relating to the internal market.

The Committee's constitutive meeting was held on 21 July 1994<sup>168</sup>. The new Chair was Ms Nel Van Dijk and the vice-Chairs Ms Anne Van Lancker, Ms Francisca Bennasar Tous and Ms Antoinette Fouque.

At the meeting of 7 September 1998<sup>169</sup>, Ms Heidi Hautala was elected Chair of the Committee, replacing Ms van Dijk, who resigned as an MEP with effect from 1 September 1998.

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<sup>167</sup> Decision on the number, membership and responsibilities of parliamentary committees, OJ 261, 19.9.1994, p 44.

<sup>168</sup> Minutes of the meeting of 21 July 1994.

<sup>169</sup> Minutes of the meeting of 7 September 1994.



Nel van Dijk, a Dutch member of the European Parliament, chair of the Committee on Women's Rights (1994-1998).

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Heidi Hautala, a Finnish member of the European Parliament, chair of the Committee on Women's Rights (1998-1999).

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With 36 committee members in July 1994, this number changed twice during the legislative period: to 41 following the accession of three new countries in January 1995 and to 40 two years later, in January 1997<sup>170</sup>. Appendix 1 contains a list of the members of the committee for the entire fourth legislative period. Alternate members are not mentioned.

In a letter dated 22 January 1999, sent to President Gil-Robles<sup>171</sup>, Ms Heidi Hautala, Chair of the Committee, proposed a review of the powers of the Committee on Women's Rights after the Treaty of Amsterdam, which, following its ratification, was to significantly strengthen and expand the legal basis for equality between men and women. The first proposal was on changing the Committee's name commission by adding a second component to it 'Committee on Equal Opportunities and Women's Rights'<sup>172</sup>. The second proposal was for a clearer distinction in the division of responsibilities between the Committee on Women's Rights and the Committee on Employment and Social Affairs, in particular with regard to item 14, 'equal pay and equal job and vocational training opportunities for men and women'. Because tasks were not divided clearly enough, there were regular conflicts of powers. Ms Hautala proposed that item 14 of the powers of the Committee on Employment and Social Affairs was transferred to the Committee on Women's Rights, which would consequently be responsible for any policy on equal opportunities.

## 2. Organisation of work

*The Committee held 66 meetings between 21 July 1994 and 20 April 1999.*

On 26 and 27 June 1995, the Committee organised a public hearing in Brussels on gender-specific human rights violations. In autumn 1996 two public hearings were held: in October, on Equal Opportunities and the Structural Funds, and in November, on Prostitution and AIDS Prevention.

A Conference on Women and Science was held in Brussels on 28 and 29 April 1998.

In spring 1999, the Committee on Women's Rights organised a conference in Luxembourg for International Women's Day on the theme 'What the European Parliament does for equal opportunities in Europe'.

A roundtable discussion on women in decision-making roles was held in Brussels on 29 March 1999, and a public hearing on equal opportunities for men and women, in Strasbourg on 20 April 1999.

170 Decisions of the European Parliament of 21 July 1994 (OJ C 261, 19.9.1994, p. 44), of 18 January 1995 (OJ C 43, 20.2.1995, p. 34) and of 15 January 1997 (OJ C 33, 3.2.1997, p. 32).

171 Letter of 22 January 1999 sent to Mr José-Maria Gil-Robles, President of the European Parliament, CARDOC PE4 P2 B30/COMP FEMM.1994-010 0040. See also the meeting of 19 January 1999 of the Committee on Women's Rights, p. 4.

172 From the fifth legislative period, which started in July 1999, the name of the committee actually changed to the 'Committee on Women's Rights and Equal Opportunities'. The sixth legislative period saw the name change again to the 'Committee on Women's Rights and Gender Equality'.

During the fourth legislative period, six members of the Committee fulfilled the role of general rapporteur each on two occasions: Ms Lulling, Ms Eriksson, Ms Ghilardotti, Ms Gröner, Ms Bennasar Tous and Ms Colombo Svevo.

### 3. Subjects dealt with

#### *3.1 Reports adopted as part of the consultation procedure*

##### *Social security (A4-0256/96)<sup>173</sup>*

On 6 October 1995, the Council consulted the European Parliament on the proposal for a Council directive amending Directive 86/378/EEC on the implementation of the principle of equal treatment for men and women in both occupational and statutory social security schemes. Rulings handed down by the Court of Justice during this period<sup>174</sup> and the Protocol on Article 119 made certain provisions of Directive 86/378 obsolete. The Committee on Women's Rights regretted that the Commission included the Court's case law in this legislation, without any adaptation. The proposed amendments following the Court's case law may have negative consequences for women, in particular with regard to retirement age and part-time employment. The Committee tabled amendments to introduce a flexible pension system to prevent the use of different actuarial factors for men and women and to provide social protection for part-time workers.

The European Parliament approved the Commission's proposal with amendments during its session of 18 September 1996.

##### *Fourth action programme (A4-0280/95)<sup>175</sup>*

In the early 1990s, after the Maastricht Treaty, the institutions became more committed to equal opportunities for men and women. In its White Papers on European social policy<sup>176</sup> and on growth, competitiveness and employment<sup>177</sup>, the Commission undertook to prepare a fourth action programme and promote the active citizenship of women at all levels. The European Council in Essen on 9 and 10 December 1994<sup>178</sup> recognised equal opportunities for men and women as a 'paramount task of the European Union and its Member States'.

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173 European Parliament resolution on equal treatment for men and women in occupational social security schemes, A4-0256/96, OJ C 320, 28.10.1996, p. 82.

174 See Cases C-109/93, C-110/91, C-152/91, C-408/92, C-28/93, C-128/93, C-57/93 and C-7/93 of the Court of Justice of the European Communities: [http://curia.europa.eu/jcms/jcms/j\\_6/](http://curia.europa.eu/jcms/jcms/j_6/)

175 Legislative resolution embodying Parliament's opinion on the proposal for a Council decision on the fourth medium-term Community action programme on equal opportunities for men and women (1996–2000) A4-0280/95, OJ C 323, 4.12.1995, p. 167.

176 White Paper on European Social Policy – A Way Forward for the Union, COM(94) 0333, July 1994.

177 White Paper on 'Growth, Competitiveness, Employment – the challenges and ways forward into the twenty-first century', COM(93) 700, December 1993.

178 [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/fr/ec/00300.F4.htm](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/fr/ec/00300.F4.htm)

The third action programme on equal opportunities for men and women came to an end in December 1995. By June 1995, Parliament adopted a resolution<sup>179</sup> to assess the third action programme and to make proposals for the fourth. On 6 October 1995, the Council consulted the European Parliament on the proposal for a Council decision on the fourth medium-term Community action programme on equal opportunities for men and women (1996–2000).

The rapporteur, Ms Bennasar Tous, recalled the insufficient control over the implementation of existing directives, recommendations and resolutions and the blocking of new Council directive due to the requirement of unanimous adoption.

In the text adopted on 17 November 1995, Parliament repeatedly calls for the implementation of effective control systems to conduct ongoing assessment of the progress achieved. It calls on the Commission to submit an annual report, from 1996 onwards, on the implementation of the action programme. Parliament called on the 1996 Intergovernmental Conference to find a stronger legal basis for this multiannual action programme, which could help build a citizens' Europe.

On 17 December 1998, the Commission forwarded to Parliament its interim report on the implementation of the Fourth Community Action Programme (1996–2000).

In its resolution adopted on 4 May 1999<sup>180</sup>, shortly before the end of the fifth Parliament, Parliament urges the Commission to inform it about all the measures it intends to take pursuant to Articles 2, 3, 13, 137 and 141 of the Treaty of Amsterdam and calls for the targeted promotion of women in the field of employment to be implemented principally under the ESF and ERDF Structural Funds. As stated in the preamble of its report, the Committee on Women's Rights did not believe that the new Community Initiative EQUAL, which replaced the NOW initiative, was suited to the situation of women as they do not belong to 'sundry' minorities and fringe groups: *'170 million women represent 52 % of the EU population and should hence take centre stage and not be banished to the sidelines of European policies'*.

*Decision-making (A4-0149/96)*<sup>181</sup>

Since its resolutions of 1988<sup>182</sup> and 1994<sup>183</sup>, Parliament expressed its concern about the low proportion of women in positions of responsibility, in all fields, and encouraged specific actions to improve the situation.

179 European Parliament resolution of 14 June 1995 on the evaluation of the third Community action programme on equal opportunities and proposals for the fourth Community action programme, A4-0104/95, OJ C 166, 3.7.1995, p. 62.

180 European Parliament resolution on the implementation of the medium-term Community action programme on equal opportunities for men and women (1996-2000), A4-0194/99, OJ C 279, 1.10.1999, p. 88.

181 European Parliament resolution on the balanced participation of women and men in decision-making, A4-0149/96, OJ C 166, 10.6.1996, p. 269.

182 A2-0169/88.

183 A3-0035/94.

In its resolution<sup>184</sup> of March 1995, the Council stated that it is '*necessary to make every effort to bring about the changes in structures and attitudes which are essential for genuine equality of access to decision-making posts for men and women in the political, economic, social and cultural fields*'.

On 30 January 1996, the Council consulted the European Parliament on the proposal for a Council recommendation on the balanced participation of women and men in decision-making. The proposal was referred to the Committee on Women's Rights to consider its merits and Ms Crepaz, an alternate member, was appointed rapporteur. Parliament delivered its opinion in the legislative resolution of 24 May 1996<sup>185</sup>.

The European Parliament considered the strategic objective on women and decision-making defined by the Fourth World Conference on Women<sup>186</sup> in September 1995. The Committee on Women's Rights welcomes the Commission's proposal acknowledging the need for an 'integrated' approach, but calls on the institutions to make a real commitment so that the recommendation is followed up by results. In particular, the Committee on Women's Rights highlighted the need to promote equal opportunity programmes, as already done in Austria, Sweden and the Netherlands. Specific statistics also needed to be provided to enable extended monitoring and assessment, and to set targets and timetables for achieving them. Lastly, advertising campaigns were needed, organised in particular during elections but also aimed at changing the attitudes and behaviour of men and women, in general, in terms of gender-based discrimination.

*Equal treatment (A4-0038/99)*<sup>187</sup>

On 5 June 1996, the Council consulted Parliament on the proposal for a Council Directive amending 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. The Commission issued its proposal following the ruling handed down by the European Court of Justice in October 1995 in the Kalanke case<sup>188</sup>, according to which Article 2, Paragraphs 1 and 4, of Directive 76/207/EEC '*precludes national rules which, where candidates of different sexes ... are equally qualified, automatically give priority to women in sectors where they are under-represented*'. A year later, the ruling of the Court of Justice in the Marschall case<sup>189</sup>, a similar case, was totally the opposite, based on the premise that '*the candidatures will be the subject of an objective assessment which will take account of all criteria specific to the candidates and will override the priority accorded to female candidates where one or more of those criteria tilts the balance in favour of the male candidate*'.

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184 Council resolution of 27 March 1995 on the balanced participation of women and men in decision-making, OJ C 168, 4.7.1995, p. 3.

185 European Parliament resolution of 24 May 1996 on the proposal for a Council recommendation on the balanced participation of women and men in decision-making, OJ C 166, 10.6.1996, p. 269. The debate on this opinion is published in Appendix 3 of this study.

186 Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995, A/CONF.177/20/Rev.1, paragraphs 181-189, p. 84.

187 European Parliament resolution, A4-0038/99, OJ C 175, 21.6.1999, p. 67.

188 See Kalanke case C-450/93.

189 See Marschall case C-409/95.

Parliament did not consider it necessary to amend Directive 76/207/EEC as it had led to a ruling being reached, as in the Marschall case. In addition, the Treaty of Amsterdam had significantly reinforced the provisions on equal opportunities.

In this context, at its session of 9 March 1999, Parliament rejected the Commission's proposal and asked it to submit a proposal for a Directive on the basis of the Treaty of Amsterdam.

*Burden of proof* (A4-0115/97<sup>190</sup>, A4-0326/97<sup>191</sup>)<sup>192</sup>

On 21 October 1996, the Council consulted Parliament on the proposal for a Council Directive on the burden of proof in cases of discrimination based on sex. This time the proposal was submitted under the Protocol on Social Policy of the Treaty of Maastricht, which requires the Council to have a qualified majority. The Commission's new proposal was based on a number of rulings handed down by the Court of Justice, which, in the meantime, had increased its case law on the matter.

Ms Ghilardotti, the rapporteur, pointed out in her speech at the session that, despite a strong legal basis for equal pay and equal treatment for women and men and the many rulings handed down by the Court of Justice, women continued to be victims of discrimination. One of the main problems is proving that the discrimination is actually based on sex. At work, for example, women very rarely have access to the information on the basis of which their employer made the decision that they intend to challenge.

During its session of 10 April 1997, Parliament delivered its opinion on the proposal at first reading. It approved the Commission's proposal, subject to the amendments made.

At the session of 18 September 1997, the President of Parliament announced that the joint position had been received and had been referred to the Committee on Women's Rights for it to consider its merits. Ms Ghilardotti was appointed rapporteur by the Committee on Women's Rights.

The Council's joint position adopted in full only two of Parliament's amendments and Council made a number of significant changes in the text. At Parliament's second reading, the Committee on Women's Rights proposed a new series of amendments but only on the fundamental issues in the Directive: the definition of the scope of the Directive (application of the Directive to directives already in force), the definition of indirect discrimination (incorporating the essential elements explicitly expressed by the Court of Justice), the definition of the terms of the burden of proof and, lastly, the definition of procedures for proper implementation of the Directive (transparency and provision of all the necessary information to the plaintiff)<sup>193</sup>. The Council adopted the Directive on 15 December 1997.

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190 European Parliament resolution, A4-0115/97, OJ C 132, 28.4.1997, p. 215.

191 Decision of the European Parliament, A4-0326/97, OJ C 358, 24.11.1997, p. 25.

192 Debates of the European Parliament 4-498 of 9 April 1997, p. 197.

193 Debates of the European Parliament 4-508 of 5 November 1997, p. 38.

*Daphne Programme (A4-0188/99)*<sup>194</sup>

Since its resolution of 17 January 1984<sup>195</sup>, the European Parliament and the Committee on Women's Rights called, on several occasions, for initiatives against violence and human rights violations against women, young persons and children. We should note, *inter alia*, the report A2-0044/86 on violence against women, the report A2-0052/89 on the exploitation of prostitution and the traffic in human beings, the report A4-0250/97 on the need to establish a European Union-wide campaign for zero tolerance of violence against women and, lastly, the report A4-0372/97 on trafficking in women for the purpose of sexual exploitation. Following a written declaration submitted in 1998 and signed by 360 MEPs<sup>196</sup>, the year 1999 was designated '*the European Year of action to combat violence against women*'.

The European Parliament played a key role in the launch of the Daphne Initiative, providing a specific budget line to finance measures to combat violence against women, young persons and children<sup>197</sup>. Launched in 1997 for a two-year period, the initiative led to remarkable results, in particular the establishment of networks between non-governmental organisations and the creation of an observatory on violence against women.

In May 1998, the Commission issued a proposal for a Council Decision adopting a medium-term programme of Community action (the Daphne Programme) (2000–2004) on measures aimed to prevent violence against children, young persons and women. This proposal was based on Article 235 of the EC Treaty, requiring the Council decision to be adopted unanimously. Following opposition from a number of Member States regarding the choice of Article 235 as the legal basis, in February 1999, the Commission submitted an amended proposal with Article 129 forming the legal basis (public health). The amended proposal was submitted on the same day that the Committee on Women's Rights was about to vote on the Commission's original text. As the draft report had already been drawn up, a new draft then had to be written, requiring a broad consensus and collaboration among members of the Committee. The Committee expressed its dissatisfaction with the choice of legal basis as they considered it too restrictive considering the many dimensions of the issue that go well beyond the scope of public health problems.<sup>198</sup>

Following this change in the legal basis, during the debate of 15 April 1999, Ms Colombo Svevo, deputising for the rapporteur, explained <sup>199</sup> how the Committee interpreted the concepts of public health and violence. According to the World Health Organisation, health, in its broadest sense, is a state of complete physical, mental and social well-being. The concept of violence also covers these three elements: violence is not only violence against the mental and physical integrity of those on whom it is

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194 European Parliament resolution, A4-0188/99, OJ C 219, 30.7.1999, p. 497.

195 See Chapter III. E 'The dignity and the rights of women', OJ C 46, 20.2.1984, p. 55

196 OJ C 138, 4.5.1998, p. 184.

197 With an annual budget of ECU 3 million.

198 During the debate on 8 March 1999, Ms Hautala, on behalf of the Committee on Women's Rights, raised an oral question to the Commission on this matter (O-0028/99).

199 Debates of the European Parliament 4-538 of 15 April 1999, p. 317.

inflicted, it is also a serious social ill that is damaging to all – the victim, the aggressor and the public.

### 3.2 *Own-Initiative reports*

The Committee took the initiative to draft several important reports on women's rights in the field of employment and vocational training<sup>200</sup>, health and other social issues<sup>201</sup> and international conferences<sup>202</sup>.

#### *Action programme 1996–2000 (A4-0104/95)*<sup>203</sup>

In January 1995, the Committee on Women's Rights requested permission to present a report on the evaluation of the third Community action programme on equal opportunities and proposals for the fourth Community action programme. Ms Hedy d'Ancona was appointed rapporteur.

The basis of the fourth action programme consists of three main objectives for future action in the field of equal opportunities, as defined in the Commission's White Paper on European social policy: the need to combine paid and unpaid work, to end segregation on the labour market and bring more women into the decision-making process. The concept of citizenship was added to these objectives.

During the fifth legislative period, the Commission sent the European Parliament a number of papers on different aspects of equal opportunities, including women's rights to healthcare, equal pay<sup>204</sup>, equal opportunities<sup>205</sup> and trafficking in women for the purpose of sexual exploitation<sup>206</sup>.

#### *Women's rights to healthcare (A4-0029/99)*<sup>207</sup>

On 23 May 1997, the Commission issued Parliament with its report on the state of women's health in the European Community. On 14 July 1997, the President of Parliament announced that it had sent the report to the Committee on Women's Rights to consider its merits. Ms van Dijk was appointed rapporteur.

During the debate of 14 July 1998<sup>208</sup>, the Liberal Group called for Ms van Dijk's report to be referred back to the Committee so that the Commission could be presented with a short, concise report as quickly as possible. According to Ms Larive, speaking on behalf

200 Equal treatment for men and women as regards access to employment, vocational training and promotion (A4-0038/99); Scientific staff in European R&D (A3-0278/94); Evaluation of the third Community action programme on equal opportunities and proposals for the fourth Community action programme (A4-0104/95); Implementation of equal opportunities for men and women in the civil service (A4-0283/96); Situation of assisting spouses of the self-employed (A4-0005/97); Role of cooperatives in the growth of women's employment (A4-0270/98); Particular impact of unemployment on women (A4-0272/98).

201 The need to establish a European Union-wide campaign for zero tolerance of violence against women (A4-0250/97); Situation of single mothers and single-parent families (A4-0273/98); Discrimination against women in advertising (A4-0258/97).

202 Fourth World Conference on Women: Equality, Development and Peace (Beijing, September 1995) (A4-0142/95); Follow-up to the Cairo International Conference on Population and Development (A4-0152/96).

203 European Parliament resolution, A4-0104/95, OJ C 166, 3.7.95, p. 62.

204 Memorandum on equal pay for work of equal value (A4-0338/95).

205 Equal opportunities for women and men in the European Union 1996 (A4-0257/97).

206 Trafficking in women for the purpose of sexual exploitation (A4-0372/97).

207 European Parliament resolution, A4-0029/99, second report, OJ C 175, 21.6.1999, p. 68.

208 Debates of the European Parliament 4-523 of 14 July 1998, p. 106.

of Group of the European Liberal Democrat and Reform party, the report contained a large number of proposals which did not lie within the powers of the European Union, in particular abortion.

Parliament decided to refer the report back to the Committee on Women's Rights. On 8 September 1998, following Ms van Dijk's resignation, Ms Hautala was appointed as the new rapporteur. The draft resolution was adopted unanimously in committee on 18 January 1999 and by the European Parliament at its plenary session on 8 March 1999.

Ms Hautala pointed out that the publication of the Commission's report was very interesting timing as the European Union was committed under the Treaty of Amsterdam to include public health and equality between men and women as part of all its activities. As pointed out by the rapporteur in her speech in the plenary, this created a double challenge. Three points were raised in particular relating to women: the poor representation of women in leadership and decision-making in the field of public health, illnesses that only affect women and complaints that affect women in a different way from men (cardiovascular disease, alcoholism, depression), and, lastly, the health needs of women who are likely to make up the majority of elderly people.

Regarding abortion, Parliament calls on Member States to '*legalise induced abortion under certain conditions, at least in cases of forced pregnancy and rape, and where the health or life of the woman is endangered, on the principle that it must be the woman herself who takes the final decision, and to ensure that voluntary abortions are carried out in a medically safe way and that psychological and social support is provided*'. As it did almost 20 years earlier, this issue was still dividing the opinion of MEPs. Therefore, precisely because of this point, a minority voted against the report, while a group of mainly Nordic MEPs were of the opinion that the right to abortion should not be subject to any condition.<sup>209</sup>

#### *Mainstreaming (A4-0251/97)*<sup>210</sup>

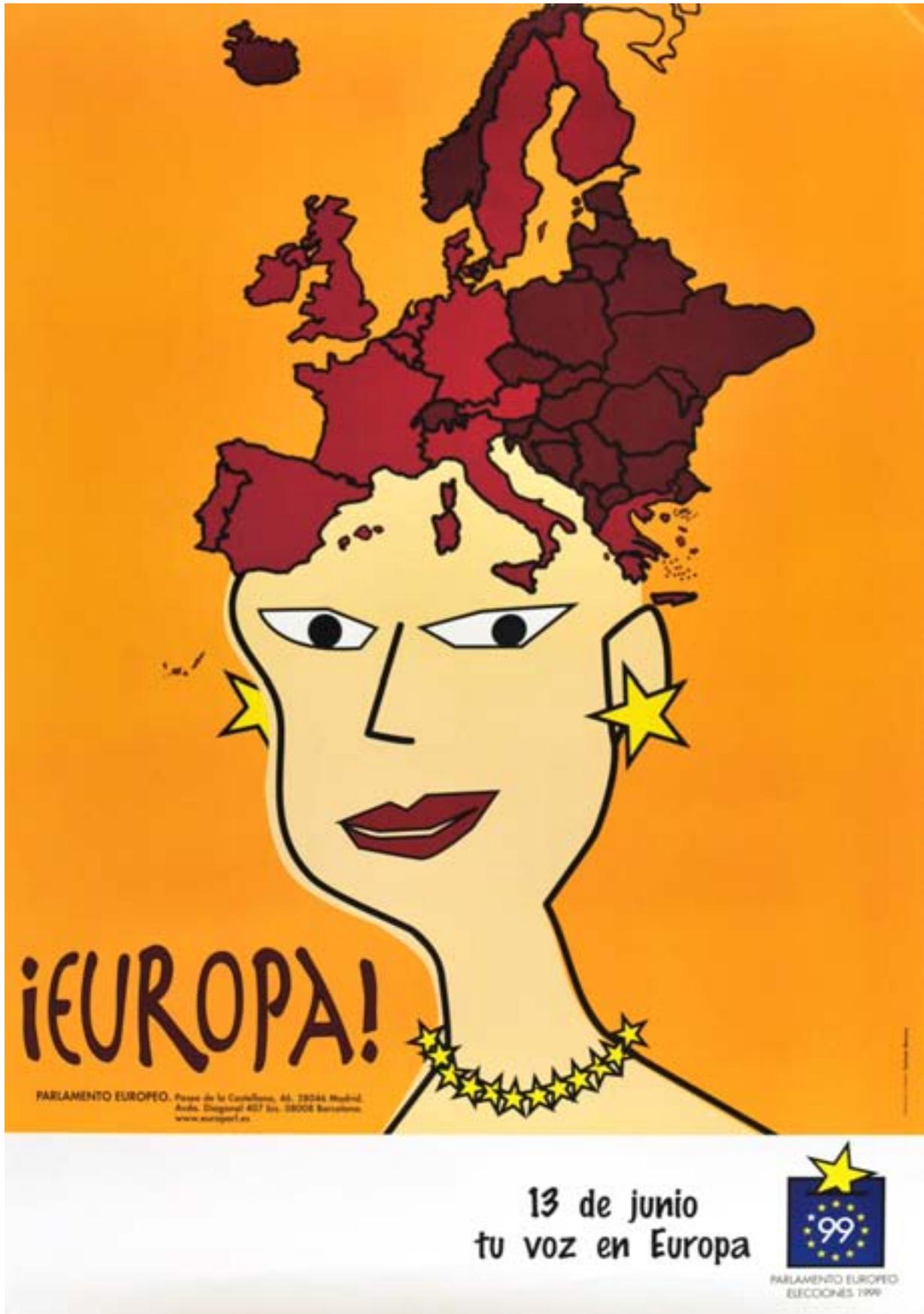
On 27 February 1997, the Commission forwarded to Parliament its Communication entitled 'Incorporating equal opportunities for women and men into all Community policies and activities – "mainstreaming"'. The President of Parliament referred the communication to the Committee on Women's Rights to consider its merits. The Committee on Women's Rights appointed Ms Angela Kokkola as rapporteur.

In its resolution adopted on 16 September 1997, the Committee on Women's Rights expected the Commission to introduce the 'mainstreaming' criterion in all forthcoming legislative proposals so that any repercussions on the respective situation of women and men are taken into account. Parliament reminded the Commission that 'mainstreaming' must be an important aspect in development cooperation agreements and in the accession negotiations with Central and Eastern European countries.

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209 Paragraph 11 of the European Parliament resolution of 9 March 1999, OJ C 175, 21.6.1999, p. 70. Debates of the European Parliament of 9 March 1999, 4-536, pp. 33-35

210 European Parliament resolution, A4-0251/97, OJ C 304, 6.10.1997, p. 50. Resolution published in Appendix 3 of this study.



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## CONCLUSIONS

When the *Ad Hoc* Committee on Women's Rights was set up in 1979, the Council had already adopted three directives on equal pay and equal treatment for men and women. Twenty years later, in 1999, the number of directives had tripled.

Based on the work of the committees on women's rights over these four legislative period following direct elections, the European Parliament has adopted a large number of resolutions on the various aspects of equal opportunities for men and women.

On 1 May 1999, the Treaty of Amsterdam came into force, significantly reinforcing the provisions on equal opportunities. Article 2 of the Treaty enshrines the promotion of equality between men and women as one of the tasks of the Community. Article 3 requires the Community, in all its activities, to eliminate inequalities and to promote equality between men and women. Lastly, Article 141 authorises Member States to maintain or adopt measures providing for specific advantages in order to make it easier for the under-represented sex to pursue a vocational activity. In addition, the Treaty of Amsterdam introduced the codecision procedure for the adoption of measures for the implementation of equality between men and women with regard to employment, which has strengthened the role of the European Parliament. The Treaties of Nice and Lisbon have further extended the application of the codecision procedure.

In addition, Article 23 of the EU Charter of Fundamental Rights (2000) provides that equality between men and women must be ensured in all areas, including employment, work and pay.<sup>211</sup>

Nevertheless, discrimination and stereotypes in relation to gender equality still prevail in society. Eliminating them is a long, drawn-out process, as shown in a recent report of the Committee on Women's Rights and Gender Equality<sup>212</sup>. There is still a long way to go in achieving real equality between women and men in working life and private life.

That is why the European Union decided to set up the European Institute for Gender Equality. The aim of this institute, which was established in December 2006 by Regulation (EC) No 1922/2006, is to help the EU institutions and Member States to incorporate the principle of equality in their policies and the fight against discrimination based on sex.

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211 Charter of Fundamental Right of the European Union, OJ C 364, 18.12.2000, p. 13.

212 Draft report on eliminating gender stereotypes in the EU (2012/2116(INI)), PE 491.091.

Between the Commission's strategy for equality between women and men<sup>213</sup> and the Council's new European Pact for equality between women and men 2011–2020<sup>214</sup>, it looks hopeful that 2010–2020 will be a decade of progress in the field of equality between men and women. The European Parliament has an important and active role to play in this work, as was always the case in the past.

To commemorate the 30th anniversary of the UN Convention on the Elimination of All Forms of Discrimination against Women, on 5 March 2010, the European Commission published the Women's Charter<sup>215</sup> based on the principles of equality between women and men:

- Equal economic independence
- Equal pay for equal work and work of equal value
- Equality in decision-making
- Dignity, integrity and an end to gender-based violence
- Gender equality beyond the Union

As a pioneer of women's rights since the 1970s, the European Parliament and its committees on women's rights have always defended these principles. For several decades, through its resolutions and actions, Parliament has fought for the Community to implement

*'a wide-ranging policy to put an end to legal inequalities between men and women, to eliminate the obstacles for the full development of their personalities by guaranteeing to each individual the freedom to attain his or her own aspirations and to combine family tasks and a role in society' and 'should act not only to combat juridical and legislative inequalities in respect of women but should also remove the structural obstacles which are preventing effective implementing of the principles laid down in the EC Treaty, in particular Article 119, and in the three directives'*<sup>216</sup>.

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213 COM(2010) 0491 final.

214 See Council Conclusions, doc. 7166/11.

215 COM(2010) 0078 final.

216 Paragraph 13 of the European Parliament resolution of 11 February 1981, OJ C 50, 9.3.1981, p. 39.

# APPENDIX 1

MEMBERS OF THE COMMITTEES  
ON WOMEN'S RIGHTS 1979–1999



**AD HOC COMMITTEE ON WOMEN'S RIGHTS 1979-81****S - Socialist Group**

Roudy, Yvette	France	Chair	10/12/79 - 11/02/81 <sup>1</sup>
Enright, Derek A.	United Kingdom	Member	10/12/79 - 11/02/81
Ferri, Mauro	Italy	Member	10/12/79 - 11/02/81
Fuillet, Yvette M.	France	Member	10/12/79 - 11/02/81
Groes, Mette	Denmark	Member	10/12/79 - 22/09/80 <sup>2</sup>
van den Heuvel, Ien	Netherlands	Member	10/12/79 - 11/02/81
Hoff, Magdalene	Germany	Member	10/12/79 - 11/02/81
Lizin, Anne-Marie A.	Belgium	Member	10/12/79 - 11/02/81
Wieczorek-Zeul, Heidemarie	Germany	Member	10/12/79 - 11/02/81
Ripa di Meana, Carlo	Italy	Member	22/09/80 <sup>3</sup> - 11/02/81

**EPP - Group of the European People's Party (Christian-Democratic Group)**

Cassanmagnago Cerretti, Maria Luisa	Italy	Member	10/12/79 - 22/04/80 <sup>4</sup>
Gaiotti de Biase, Paola	Italy	Member	10/12/79 - 11/02/81
Lenz, Marlene	Germany	Member	10/12/79 - 11/02/81
Maij-Weggen, Johanna R.H. (Hanja)	Netherlands	Member	10/12/79 - 11/02/81
Michel, Victor J.J.	Belgium	Member	10/12/79 - 11/02/81
Narducci, Angelo	Italy	Member	10/12/79 - 11/02/81
Schleicher, Ursula	Germany	Member	10/12/79 - 11/02/81
Simonnet, Maurice-René	France	Member	10/12/79 - 11/02/81
Del Duca, Antonio	Italy	Member	23/06/80 <sup>5</sup> - 11/02/81

1 The start date is that of the constitutive meeting of the *Ad Hoc* Committee and the end date that of the debate in plenary.

2 Record of attendance of the *Ad Hoc* Committee meeting.

3 Record of attendance of the *Ad Hoc* Committee meeting.

4 Record of attendance of the *Ad Hoc* Committee meeting.

5 Record of attendance of the *Ad Hoc* Committee meeting.

<b>ED - European Democratic Group</b>			
Roberts, Dame Shelagh	United Kingdom	Vice-Chair	10/12/79 - 11/02/81
Brookes, Beate Ann	United Kingdom	Member	10/12/79 - 11/02/81
Forster, Norvela	United Kingdom	Member	10/12/79 - 11/02/81
Hooper, Gloria	United Kingdom	Member	10/12/79 - 11/02/81
Howell, Paul F.	United Kingdom	Member	10/12/79 - 11/02/81
Johnson, Stanley P.	United Kingdom	Member	10/12/79 - 11/02/81
<b>L - Liberal and Democratic Group</b>			
von Alemann, Mechthild	Germany	Vice-Chair	10/12/79 - 11/02/81
Calvez, Corentin	France	Member	10/12/79 - 11/02/81
Combe, Francis	France	Member	10/12/79 - 11/02/81
Martin, Simone M.M.	France	Member	10/12/79 - 11/02/81
<b>COM - Communist and Allies Group</b>			
Squarcialupi, Vera	Italy	Vice-Chair	10/12/79 - 11/02/81
De March, Danielle	France	Member	10/12/79 - 11/02/81
Ferrero, Bruno	Italy	Member	10/12/79 - 11/02/81
Hoffmann, Jacqueline	France	Member	10/12/79 - 11/02/81
<b>DEP - Group of European Progressive Democrats</b>			
Chouraqui, Nicole	France	Member	10/12/79 - 11/02/81
Dienesch, Marie-Madeleine	France	Member	10/12/79 - 02/10/80 <sup>6</sup>
Vié, Daniel J.E. (replaces Mme Dienesch)	France	Member	24/11/80 <sup>7</sup> - 11/02/81
<b>CDI - Group for the Technical Coordination and Defence of Independent Groups and Members</b>			
Macciocchi, Maria Antonietta	Italy	Member	10/12/79 - 11/02/81
<b>NI - Non-attached</b>			
Dekker, Suzanne	Netherlands	Member	10/12/79 - 11/02/81

<sup>6</sup> Record of attendance of the *Ad Hoc* Committee meeting.

<sup>7</sup> Record of attendance of the *Ad Hoc* Committee meeting.

**COMMITTEE OF INQUIRY INTO THE SITUATION OF WOMEN IN EUROPE 1981-84**

<b>S - Socialist Group</b>			
Vayssade, Marie-Claude	France	Chair	15/10/81 - 28/01/82
Vayssade, Marie-Claude	France	Vice-Chair	28/01/81 - 26/04/84
van den Heuvel, Ien	Netherlands	Member	15/10/81 - 26/04/84 <sup>8</sup>
Lizin, Anne-Marie A.	Belgium	Member	15/10/81 - 26/04/84
Wieczorek-Zeul, Heidemarie	Germany	Member	15/10/81 - 26/04/84
<b>EPP - Group of the European People's Party (Christian-Democratic Group)</b>			
Lenz, Marlene	Germany	Vice-Chair	15/10/81 - 26/04/84
Estgen, Nicolas	Luxembourg	Member	15/10/81 - 26/04/84
Gaiotti de Biase, Paola	Italy	Member	15/10/81 - 26/04/84
Maij-Weggen, Johanna R.H. (Hanja)	Netherlands	Member	15/10/81 - 26/04/84
<b>COM - Communist and Allies Group</b>			
Cinciari Rodano, Maria Lisa	Italy	Member	15/10/81 - 28/01/82
Cinciari Rodano, Maria Lisa	Italy	Chair	28/01/82 - 26/04/84
Le Roux, Sylvie	France	Member	15/10/81 - 26/04/84
<b>ED - European Democratic Group</b>			
Roberts, Dame Shelagh	United Kingdom	Vice-Chair	15/10/81 - 26/04/84
Hooper, Gloria D.	United Kingdom	Member	15/10/81 - 26/04/84
<b>L - Liberal and Democratic Group</b>			
von Alemann, Mechthild	Germany	Vice-Chair	15/10/81 - 26/04/84
Martin, Simone M.M.	France	Member	15/10/81 - 26/04/84
<b>DEP - Group of European Progressive Democrats</b>			
de Valera, Sile	Ireland	Member	15/10/81 - 26/04/84

8 The start/end dates are the those of the first and the last *Ad Hoc* Committee meetings.

<b>NI - Non-Attached</b>			
Eisma, Doeke	Netherlands	Member	15/10/81 - 26/04/84
Spaak, Antoinette	Belgium	Member	15/10/81 - 26/04/84
<b>CDI - Group for the Technical Coordination and Defence of Independent Groups and Members</b>			
Castellina, Luciana	Italy	Member	15/10/81 - 26/04/84
Macciocchi, Maria Antonietta	Italy	Member	15/10/81 - 26/04/84

<b>Committee on Women's Rights 1984-89</b>			
<b>EPP - Group of the European People's Party (Christian-Democratic Group)</b>			
Lenz, Marlene	Germany	Chair	26/07/84 - 20/01/87
Giannakou-Koutsikou, Marietta	Greece	Vice-Chair	26/07/84 - 24/07/89
Braun-Moser, Ursula	Germany	Member	26/07/84 - 24/07/89
Cassanmagnago Cerretti, Maria Luisa	Italy	Member	26/07/84 - 24/07/89
De Backer-Van Ocken, Rika M.R.	Belgium	Member	26/07/84 - 24/07/89
Fontaine, Nicole	France	Member	26/07/84 - 24/07/89
Maij-Weggen, Johanna R.H. (Hanja)	Netherlands	Member	26/07/84 - 24/07/89
Llorca Vilaplana, Carmen	Spain	Member	16/01/86 - 24/07/89
Lenz, Marlene	Germany	Member	21/01/87 - 24/07/89
<b>S - Socialist Group</b>			
Crawley, Christine M.	United Kingdom	Vice-Chair	26/07/84 - 24/07/89
Pantazi, Konstantina	Greece	Member	26/07/84 - 24/07/89
Salisch, Heinke	Germany	Member	26/07/84 - 24/07/89
Gadioux, Colette	France	Member	26/07/84 - 20/01/87
van den Heuvel, Ien	Netherlands	Member	26/07/84 - 20/01/87
Lizin, Anne-Marie A.	Belgium	Member	26/07/84 - 20/01/87
Newman, Edward	United Kingdom	Member	26/07/84 - 20/01/87
Wieczorek-Zeul, Heidemarie	Germany	Member	26/07/84 - 20/01/87
Quin, Joyce G.	United Kingdom	Member	26/07/84 - 11/09/85
Tongue, Carole	United Kingdom	Member	12/09/85 - 24/07/89
García Arias, Ludivina	Spain	Member	16/01/86 - 20/01/87
Renau i Manen, María Dolores	Spain	Member	16/01/86 - 20/01/87
d'Ancona, Hedy	Netherlands	Member	21/01/87 - 24/07/89
Vayssade, Marie-Claude	France	Member	21/01/87 - 24/07/89
Van Hemeldonck, Marijke J.H.	Belgium	Member	21/01/87 - 24/07/89
Schmit, Lydie	Luxembourg	Member	21/01/87 - 07/04/88
Coimbra Martins, António Antero	Portugal	Member	21/01/87 - 13/09/87
Miranda de Lage, Ana	Spain	Member	21/01/87 - 11/03/87

García Arias, Ludivina	Spain	Member	13/03/87 - 24/07/89
Schmidbauer, Barbara	Germany	Member	13/09/87 - 24/07/89
Pintasilgo, Maria de Lourdes	Portugal	Member	14/10/87 - 24/07/89
Wohlfart, Joseph	Luxembourg	Member	13/06/88 - 24/07/89
<b>ED - European Democratic Group</b>			
Faith, Sheila	United Kingdom	Member	26/07/84 - 08/10/84
Jackson, Caroline	United Kingdom	Member	26/07/84 - 08/10/84
Jepsen, Marie	Denmark	Member	26/07/84 - 15/11/84
Pearce, Andrew	United Kingdom	Member	09/10/84 - 24/07/89
Daly, Margaret E.	United Kingdom	Member	09/10/84 - 24/07/89
Battersby, Robert C.	United Kingdom	Member	16/11/84 - 16/01/86
<b>L - Liberal and Democratic Group - of 10/12/85 G.LDR - Liberal and Democratic Reformist Group</b>			
Larive, Jessica E.S.	Netherlands	Member	26/07/84 - 24/07/89
Lacerda de Queiróz, Antonio Augusto	Portugal	Member	16/01/86 - 13/09/87
<b>COM - Communist and Allies Group</b>			
Cinciari Rodano, Maria Lisa	Italy	Vice-Chair	26/07/84 - 24/07/89
Trupia, Osvalda (Lalla)	Italy	Member	26/07/84 - 24/07/89
De March, Danielle	France	Member	21/01/87 - 24/07/89
<b>RDE - Group of the European Democratic Alliance</b>			
Lemass, Eileen	Ireland	Member	26/07/84 - 22/01/87
Anglade, Magdeleine	France	Member	22/01/87 - 24/07/89
Guermeur, Guy Jean	France	Member	22/01/87 - 24/07/89
<b>ARC - Rainbow Group in the European</b>			
Heinrich, Brigitte	Germany	Member	26/07/84 - 20/01/87
van Dijk, Nel B.M.	Netherlands	Member	21/01/87 - 24/07/89
<b>DR - Technical Group of the European Right</b>			
Lehideux, Martine	France	Member	26/07/84 - 24/07/89

<b>Committee on Women's Rights 1989-94</b>			
<b>EPP - Group of the European People's Party (Christian-Democratic Group)</b>			
Llorca Vilaplana, Carmen	Spain	Vice-Chair	26/07/89 - 18/07/94
Hermans, Anna (An) M.A.	Belgium	Member	26/07/89 - 18/07/94
Lenz, Marlene	Germany	Member	26/07/89 - 18/07/94
Lulling, Astrid	Luxembourg	Member	26/07/89 - 18/07/94
Pack, Doris	Germany	Member	26/07/89 - 18/07/94
Bindi Rosaria	Italy	Member	26/07/89 - 14/01/92
Giannakou Koutsikou, Marietta	Greece	Member	26/07/89 - 11/04/90
Maij-Weggen, Johanna R.H. (Hanja)	Netherlands	Member	26/07/89 - 07/11/89
Peijs, Karla M.H.	Netherlands	Member	24/11/89 - 18/07/94
Hadjigeorgiou, Menelaos	Greece	Member	18/05/90 - 14/01/92
Ferrer, Concepció	Spain	Member	15/01/92 - 18/07/94
<b>S - Socialist Group- of 21/04/93</b>			
<b>G.PSE - Group of the Party of European Socialists</b>			
Crawley, Christine M.	United Kingdom	Chair	26/07/89 - 18/07/94
Belo, Maria	Portugal	Member	26/07/89 - 18/07/94
Dührkop Dührkop, Bárbara	Spain	Member	26/07/89 - 18/07/94
Dury, Raymonde M.E.A	Belgium	Member	26/07/89 - 18/07/94
Pollack, Anita Jean	United Kingdom	Member	26/07/89 - 18/07/94
Vayssade, Marie-Claude	France	Member	26/07/89 - 18/07/94
Gröner, Lissy	Germany	Member	26/07/89 - 14/01/92
Kostopoulos, Sotiris	Greece	Member	26/07/89 - 11/02/92
Roth-Behrendt, Dagmar	Germany	Vice-Chair	26/07/89 - 14/01/92
Maibaum, Gepa	Germany	Member	26/07/89 - 14/01/92
d'Ancona, Hedy	Netherlands	Member	26/07/89 - 07/11/89
Read, Imelda Mary	United Kingdom	Member	26/07/89 - 14/09/89
Rønn, Joanna	Denmark	Member	15/09/89 - 18/07/94
van den Brink, Mathilde M.	Netherlands	Member	24/11/89 - 18/07/94
Gröner, Lissy	Germany	Vice-Chair	15/01/92 - 18/07/94
Roth-Behrendt, Dagmar	Germany	Member	15/01/92 - 18/07/94
Randzio-Plath, Christa	Germany	Member	15/01/92 - 18/07/94
Tongue, Carole	United Kingdom	Member	11/02/92 - 18/07/94

<b>ED - European Democratic Group - of 01/05/92 absorbed by EPP - Group of the European People's Party (Christian-Democratic Group)</b>			
Rawlings, Patricia E.	United Kingdom	Member	26/07/89 - 20/01/92
Daly, Margaret E.	United Kingdom	Member	26/07/89 - 14/01/92
O'Hagan, Lord	United Kingdom	Member	21/01/91 - 30/01/94

<b>LDR - Liberal and Democratic Reformist Group</b>			
Larive, Jessica E.S.	Netherlands	Member	26/07/89 - 18/07/94
Salema O. Martins, Margarida	Portugal	Member	26/07/89 - 18/07/94
Ruiz-Giménez Aguilar, Guadalupe	Spain	Member	26/07/89 - 14/01/92
Martin, Simone M.M.	France	Member	15/01/92 - 18/07/94

<b>GUE - Group for the European United Left</b>			
Domingo Segarra, Teresa ( <i>Non-Attached of 12/01/93</i> )	Spain	Vice-Chair	26/07/89 - 18/07/94
Catasta, Anna ( <i>S/PSE of 12/01/93</i> )	Italy	Member	15/01/92 - 18/07/94
Napoletano, Pasqualina ( <i>S/PSE of 12/01/93</i> )	Italy	Member	26/07/89 - 14/01/92

<b>V - The Green Group in the European Parliament</b>			
Ernst de la Graete, Brigitte U.J.M.J.G.	Belgium	Member	26/07/89 - 14/01/92
van Dijk, Nel B.M.	Netherlands	Member	26/07/89 - 14/01/92
Tazdaït, Djida	France	Member	15/01/92 - 18/07/94

<b>RDE - Group of the European Democratic Alliance</b>			
Killilea, Mark	Ireland	Member	26/07/89 - 18/07/94

<b>ARC - Rainbow Group in the European</b>			
Bjørnvig, Birgit	Denmark	Member	26/07/89 - 18/07/94

<b>DR - Technical Group of the European Right</b>			
Grund, Johanna-Christina ( <i>Non-attached 14/01/91 - 18/07/94</i> )	Germany	Member	26/07/89 - 18/07/94

<b>CG - Left Unity Group</b>			
Elmalan, Mireille C.	France	Member	26/07/89 - 18/07/94

<b>Committee on Women's Rights 1994-99</b>			
<b>EPP - Group of the European People's Party (Christian-Democratic Group)</b>			
Banotti, Mary Elizabeth	Ireland	Member	21/07/94 - 19/07/99
Colombo Svevo, Maria Paola	Italy	Member	21/07/94 - 19/07/99
Jackson, Caroline F.	United Kingdom	Member	21/07/94 - 19/07/99
Lulling, Astrid	Luxembourg	Member	21/07/94 - 19/07/99
Maij-Weggen, Johanna R.H. (Hanja)	Netherlands	Member	21/07/94 - 19/07/99
Menrad, Winfried	Germany	Member	21/07/94 - 19/07/99
Peijs, Karla M.H.	Netherlands	Member	21/07/94 - 19/07/99
Bennasar Tous, Francisca	Spain	Vice-Chair	22/07/94 - 19/07/99
Glase, Anne-Karin	Germany	Member	21/07/94 - 15/01/97
Mouskouri, Nana	Greece	Member	21/07/94 - 15/01/97
Jouppila, Riitta	Finland	Member	19/01/95 - 10/11/96
Matikainen-Kallström, Marjo	Finland	Member	14/11/96 - 15/01/97
Mann, Thomas	Germany	Member	16/01/97 - 19/07/99
Grossetête, Françoise	France	Member	16/01/97 - 19/07/99
<b>PSE - Group of the Party of European Socialists</b>			
Crawley, Christine M.	United Kingdom	Member	21/07/94 - 19/07/99
Ghilardotti, Fiorella	Italy	Member	21/07/94 - 19/07/99
Gröner, Lissy	Germany	Member	21/07/94 - 19/07/99
Kokkola, Angela	Greece	Member	21/07/94 - 19/07/99
Randzio-Plath, Christa	Germany	Member	21/07/94 - 19/07/99
Read, Imelda Mary	United Kingdom	Member	21/07/94 - 19/07/99
Waddington, Susan A.	United Kingdom	Member	21/07/94 - 19/07/99
Van Lancker, Anne E.M.	Belgium	Vice-Chair	22/07/94 - 15/01/97
d'Ancona, Hedy	Netherlands	Member	21/07/94 - 15/01/97
García Arias, Ludivina	Spain	Member	21/07/94 - 15/01/97
Pollack, Anita Jean	United Kingdom	Member	21/07/94 - 15/01/97
Roth-Behrendt, Dagmar	Germany	Member	21/07/94 - 15/01/97
Torres Marques, Helena	Portugal	Member	21/07/94 - 15/01/97
Fouque, Antoinette (ARE until 17/07/96)	France	Vice-Chair	22/07/94 - 19/07/99

Oddy, Christine Margaret	United Kingdom	Member	29/07/94 - 15/01/97
Ahlqvist, Birgitta	Sweden	Member	19/01/95 - 04/10/98
Van Lancker, Anne	Belgium	Member	16/01/97 - 19/07/99
Torres Marques, Helena	Portugal	Vice-Chair	16/01/97 - 19/07/99
Frutos Gama, Manuela	Spain	Member	16/01/97 - 19/07/99
McNally, Eryl Margaret	United Kingdom	Member	16/01/97 - 19/07/99
Hawlicek, Hilde	Austria	Member	16/01/97 - 19/07/99
Marinucci, Elena	Italy	Member	16/01/97 - 19/07/99
Palm, Veronica	Sweden	Member	19/10/98 - 19/07/99
<b>ELDR - Group of the European Liberal, Democrat and Reform Party</b>			
Kestelijn-Sierens, Marie-Paule (Mimi)	Belgium	Member	21/07/94 - 19/07/99
Larive, Jessica E.S.	Netherlands	Member	21/07/94 - 19/07/99
André-Léonard, Anne	Belgium	Member	21/07/94 - 15/01/97
Starrin, Karin	Sweden	Member	19/01/95 - 08/10/95
Cars, Hadar	Sweden	Member	27/10/95 - 15/01/97
<b>GUE - Confederal Group of the European United Left - of 05/01/95 G.GUE/NGL - Confederal Group of the European United Left/Nordic Green Left</b>			
Sornosa Martínez, María	Spain	Member	21/07/94 - 19/07/99
Gyldenkilde, Lilli	Denmark	Member	21/07/94 - 14/01/96
Moreau, Gisèle M.H.	France	Member	21/07/94 - 11/10/95
Eriksson, Marianne	Sweden	Member	19/01/95 - 19/07/99
González Álvarez, Laura	Spain	Member	19/01/95 - 13/02/95
Aramburu del Río, María Jesús	Spain	Member	13/02/95 - 26/03/96
Elmalan, Mireille C.	France	Member	12/10/95 - 15/01/97
Mohamed Ali, Abdelkader	Spain	Member	15/04/96 - 15/01/97
Ribeiro Sérgio	Portugal	Member	16/01/97 - 19/07/99
Sierra González, Angela del Carmen	Spain	Member	16/01/97 - 19/07/99
<b>V - The Green Group in the European Parliament</b>			
van Dijk, Nel B.M.	Netherlands	Chair	22/07/94 - 31/08/98
McKenna, Patricia	Ireland	Member	19/01/95 - 15/01/97
Hautala, Heidi	Finland	Member	16/01/97 - 06/09/98
Hautala, Heidi	Finland	Chair	07/09/98 - 19/07/99
Kerr, Hugh	United Kingdom	Member	14/09/98 - 19/07/99

<b>NI - Non-attached</b>			
Stirbois, Marie-France	France	Member	21/07/94 - 15/01/97
Féret, Daniel	Belgium	Member	16/01/97 - 19/07/99
Costa Neves, Carlos	Portugal	Member	16/01/97 - 19/07/99
<b>UPE - Group Union for Europe</b>			
Killilea, Mark (RDE until 04/07/95)	Ireland	Member	21/07/94 - 15/01/97
Colli Comelli, Ombretta (Forza Europa until 05/07/95)	Italy	Member	26/09/94 - 15/01/97
Baldi, Monica Stefania (EPP 06/07/98 - 19/07/99)	Italy	Member	16/01/97 - 19/07/99
Daskalaki, Katerina (RDE until 04/07/95)	Greece	Member	16/01/97 - 19/07/99
<b>ARE - Group of the European Radical Alliance</b>			
Leperre-Verrier, Odile	France	Member	16/01/97 - 19/07/99
<b>EDN - Europe of Nations Group (Coordination Group)</b>			
Seillier, Françoise (Non-Attached 11/11/96 - 12/01/97)	France	Member	21/07/94 - 19/07/99



# APPENDIX 2

REPORTS OF THE COMMITTEES ON WOMEN'S RIGHTS,  
FOR EACH PARLIAMENTARY TERM



**AD HOC COMMITTEE ON WOMEN'S RIGHTS 1979-81**

No.	Report No.	Title of the report and name of the rapporteur
1	A1-0829/80	Position of women in the European Community. General rapporteur: Johanna R.H. Maij-Weggen

**COMMITTEE OF INQUIRY INTO THE SITUATION OF WOMEN IN EUROPE 1981-84**

No.	Report No.	Title of the report and name of the rapporteur
1	A1-0101/82	Proposal from the Commission of the European Communities to the Council (doc. 1-927/81 - COM (81) 0758 final) for a draft resolution concerning a new Community action programme on the promotion of equal opportunities for women. Rapporteur: Marie-Claude Vayssade
2	A1-0102/82	Position of women in the less-favoured regions of the European Community in the context of revision of the European Regional Development Fund Regulation. Rapporteur: Sile de Valera
3	A1-1229/83	Situation of women in Europe. General rapporteur: Maria Lisa Cinciari Rodano

**COMMITTEE ON WOMEN'S RIGHTS 1984-89**

No.	Report No.	Title of the report and name of the rapporteur
1	A2-0788/84	Proposal from the Commission of the European Communities to the Council (doc. 1-269/84 - COM(84) 0234 final) for a draft recommendation on the promotion of positive action for women. Rapporteur: Ien van den Heuvel
2	A2-0055/85	Memorandum presented by the Commission to the Council (COM(84) 0695 final - Doc. 2-1759/84) on income taxation and equal treatment for men and women. Rapporteur: Shelagh Roberts
3	A2-0096/85	Impact of micro technology on job opportunities for women. Rapporteur: Heinke Salisch
4	A2-0219/85	Services for the elderly. Rapporteur: Gabriele Peus
5	A2-0220/85	Child-care infrastructures. Rapporteur: Gabriele Peus
6	A2-0230/85	One-parent families. Rapporteur: Maria Lisa Cinciari Rodano
7	A2-0029/86	Proposal from the Commission of the European Communities to the Council (COM(85) 0801 final - Doc. C2-0177/85) for a draft Council resolution of a new Community medium-term programme to promote equal opportunities for women (1986 - 1990). Rapporteur: Marie-Claude Vayssade

8	A2-0044/86	Violence against women. Rapporteur: Hedy d'Ancona
9	A2-0047/86	The results of the UN Conference concluding the Decade for Women (1975-1985) held in Nairobi (15-26 July 1985). Rapporteur: Colette Gadioux
10	A2-0146/86	Problems encountered by women in connection with the restructuring of the labour market. Rapporteurs: Ursula Braun-Moser, Heinke Salisch, Lalla Trupia
11	A2-0257/86	Situation of women in the European institutions. Rapporteur: Ien van den Heuvel
12	A2-0032/87	Women in sport. Rapporteur: Beate Brookes / Hedy d'Ancona
13	A2-0095/87	Depiction and position of women in the media. Rapporteur: Marlene Lenz
14	A2-0127/87	Reintegration of women into working life. Rapporteur: Jessica Larive
15	A2-0133/87	Discrimination against immigrant women in Community legislation and regulations. Rapporteur: Brigitte Heinrich
16	A2-0267/87	Women and employment. Rapporteur: Margaret Daly
17	A2-0294/87	Failure to comply with the directives on equal treatment for men and women (the problem of indirect discrimination). Rapporteur: Rika De Backer-Van Ocken
18	A2-0038/88	A Charter on the rights of women in childbirth. Rapporteur: Carmen Llorca Vilaplana
19	A2-0067/88	Position of women in Spain and Portugal as regards their conditions of work and employment. Rapporteur: Ludivina García Arias
20	A2-0068/88	Equal opportunities for boys and girls in the field of education and vocational training. Rapporteur: Nicolas Estgen
21	A2-0158/88	Women and research. Rapporteur: Carmen Llorca Vilaplana
22	A2-0159/88	Proposal from the Commission of the European Communities to the Council (COM(87) 0494 final - C2-0226/87) for a directive completing the implementation of the principal of equal treatment for men and women in statutory and occupational social security schemes. Rapporteur: Maria Lisa Cinciari Rodano
23	A2-0165/88	Women and health. Rapporteur: Nel van Dijk
24	A2-0166/88	Application of Council directives, resolutions and recommendations concerning women. Coordinating Rapporteur : Marie-Claude Vayssade.
25	A2-0169/88	Women in decision-making centres. Rapporteur: Marietta Giannakou-Koutsikou

26	A2-0298/88	Proposal from the Commission to the Council (COM(88) 0269 - C2-0083/88) for a directive on the burden of proof in the area of equal pay and equal treatment for women and men. Rapporteur: Jessica E. S. Larive
27	A2-0416/88	Spouses in agriculture and family businesses. Rapporteur: Andrew Pearce
28	A2-0051/89	Women and children in prison. Rapporteur: Christine Crawley
29	A2-0052/89	The exploitation of prostitution and the traffic in human beings. Rapporteur: Carmen Llorca Vilaplana
30	A2-0144/89	The status of helping spouses in the professions. Rapporteur: Martine Lehideux
31	A2-0149/89	The role of women in cooperatives and local employment initiatives. Rapporteur: Magdalene Hoff
32	A2-0150/89	The social situation of handicapped women and women who look after the handicapped. Rapporteur: Barbara Schmidbauer

#### COMMITTEE ON WOMEN'S RIGHTS 1989-94

No.	Report No.	Title of the report and name of the rapporteur
1	A3-0093/90	Women and Health Care. Rapporteur: Nel van Dijk
2	A3-0280/90	Draft notice from the Commission to the Member States laying down guidelines for operational programmes/global grants, which Member States are invited to establish, within the framework of a Community initiative to promote equal opportunities for women in the field of employment and vocational training - «NOW» initiative (SEC(90) 1570 final - C3-0315/90). Rapporteur: Karla Peijs
3	A3-0337/90	Proposal from the Commission to the Council for a directive concerning the protection at work of pregnant women who have recently given birth (COM(90) 0406 final - C3-0340/90 - SYN 303). Rapporteur: Joanna Rønn
4	A3-0358/90	The 1992 Single market and its implications for women in the EC. Rapporteur: Marijke Van Hemeldonck
5	A3-0001/91	Operation of the Social Fund. Rapporteur: Christa Randzio-Plath
6	A3-0072/91	Childcare and Equality of Opportunity. Rapporteur: Anita Pollack
7	A3-0073/91	European prize for women. Rapporteur: Carmen Llorca Vilaplana
8	A3-0167/91	Third medium-term Community action programme on equal opportunities for women and men (COM(90) 0449 final). Rapporteur: Anna Catasta and Teresa Domingo Segarra

9	A3-0264/91	Commission Recommendation on the protection of the Dignity of women and men at work (COM(91) 1397 final - C3-0279/91). Rapporteur: Christine M. Crawley
10	A3-0285/91	Application of the third Council Directive on the progressive implementation of the principle of equal treatment for men and women in matters of social security (79/7/CEE du 19 December 1978). Rapporteur: Ria Oomen-Ruijten
11	A3-0329/91	Commission proposal for a Council recommendation on child care (COM(91)0233 final - C3-0329/91). Rapporteur: Anita Pollack
12	A3-0169/92	Directive on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth) ninth individual Directive within the meaning of article 16(1) of directive 89/391/CEE (C3-0044/92 - SYN 303). Rapporteur: Joanna Rønn (second reading)
13	A3-0112/93	Creation of jobs for women. Rapporteur: Sérgio Ribeiro
14	A3-0122/93	Women and parental co-responsibility. Rapporteur: Jean-Thomas Nordmann
15	A3-0197/93	Assessment of women's unwaged work. Rapporteur: Hedwig Keppelhoff-Wiechert
16	A3-0198/93	Situation of women in Central and Eastern Europe. Rapporteur: Marlene Lenz
17	A3-0199/93	IRIS network and vocational training for women. Rapporteur: Raymonde Dury
18	A3-0267/93	Sex discrimination in community recruitment procedures. Rapporteur: Astrid Lulling
19	A3-0409/93	Situation of women in apiculture in the Member States of the Community. Rapporteur: Teresa Domingo Segarra
20	A3-0418/93	Entitlement of divorced or separated women to share their ex-husbands pension rights in the Community Member States. Rapporteur: Anna Catasta
21	A3-0035/94	Women in the decision-making process. Rapporteur: Jessica Larive
22	A3-0043/94	A new post of 'confidential counsellor' at the workplace. Rapporteur: Teresa Domingo Segarra
23	A3-0065/94	Poverty among women in Europe. Rapporteur: Lissy Gröner
24	A3-0123/94	Upgrading the status of nursing auxiliaries. Co-rapporteurs: Anna Hermans et Marlene Lenz
25	A3-0278/94	Scientific staff in European R&D. Rapporteur: Marijke Van Hemeldonck

26	A3-0281/94	Situation of women in small and medium-sized businesses. Rapporteur: Margaret Daly
27	A3-0349/94	Violation of the freedoms and fundamental rights of women. Rapporteur: Maria Belo

**COMMITTEE ON WOMEN'S RIGHTS 1994-99**

No.	Report No.	Title of the report and name of the rapporteur
1	A4-0104/95	Implementation of the third Community action programme on the promotion of equal opportunities for women and men and proposals for the fourth Community programme. Rapporteur: Hedy d'Ancona
2	A4-0142/95	Commission staff working document: Participation by the European Union in the United Nations Fourth World Conference on women: Action for equality, Development and Peace, to be held in Beijing, September 1995 (SEC(95) 0381 final - C4-0082/95). Rapporteur: Lissy Gröner
3	A4-0280/95	Commission proposal for a Council Decision on the fourth medium-term Community action programme on equal opportunities for women and men (1996-2000) (COM(95)0381final - C4-0418/95 - 95/0206(CNS)). Rapporteur: Francisca Bennasar Tous
4	A4-0338/95	Equal pay for work of equal value. Memorandum (COM(94) 0006 - C4-0084/94). Rapporteur: Maria Paola Colombo Svevo
5	A4-0149/96	Proposal for a Council Recommendation on the balanced participation of women and men in decision-making (COM(95) 0593 - C4-0081/96 - 95/0308(CNS)). Rapporteur: Irene Crepez
6	A4-0152/96	Follow-up to the Cairo International Conference on Population and Development. Rapporteur: Antoinette Fouque
7	A4-0256/96	Commission proposal for a Council Directive amending Directive 86/378/EEC on the implementation of the principle of equal treatment for men and women in occupational social security schemes (COM(95) 0186 - C4-0422/95 -95/0117(CNS)). Rapporteur: Helena Torres Marques
8	A4-0283/96	Implementation of equal opportunities for men and women in the civil service. Rapporteur: Jessica Larive
9	A4-0005/97	Situation of assisting spouses of the self-employed. Rapporteur: Astrid Lulling
10	A4-0115/97	Proposal for a Council Directive on the burden of proof in cases of discrimination based on sex (COM(96) 0340 - C4-0539/96 - 96/0196(SYN)). Rapporteur: Fiorella Ghilardotti
11	A4-0250/97	Need to establish a European Union-wide campaign for zero tolerance of violence against women - Committee on Women's Rights. Rapporteur: Marianne Eriksson

12	A4-0251/97	Communication from the Commission - Incorporating equal opportunities for women and men into all Community policies and activities - «mainstreaming» (COM(96) 0067 - C4-0148/96). Rapporteur: Angela Kokkola
13	A4-0257/97	Annual report from the Commission: Equal opportunities for women and men in the European Union 1996 (COM(96) 0650 - C4-0084/97). Rapporteur: Marie-Paule Kestelijn-Sierens
14	A4-0258/97	Discrimination against women in advertising. Rapporteur: Marlene Lenz
15	A4-0326/97	Council Directive on the burden of proof in cases of discrimination based on sex (C4-0441/97 - 96/0196(SYN)). Rapporteur: Fiorella Ghilardotti
16	A4-0372/97	Communication from the Commission to the Council and the European Parliament on trafficking in women for the purpose of sexual exploitation (COM(96) 0567 - C4-0638/96). Rapporteur: Susan Waddington
17	A4-0260/98	Report from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions on the state of women's health in the European Community (COM(97) 0224 - C4-0333/97). Rapporteur: Nel van Dijk
18	A4-0270/98	Role of cooperatives in the growth of women's employment. Rapporteur: Maria Paola Colombo Svevo
19	A4-0272/98	Particular impact of unemployment on women. Rapporteur: Elena Marinucci
20	A4-0273/98	Situation of single mothers and single-parent families. Rapporteur: Ludivina García Arias
21	A4-0029/99	Report from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions on the state of women's health in the European Community (COM(97) 0224 - C4-0333/97). Rapporteur: Heidi Hautala
22	A4-0038/99	Proposal for a Council Directive amending 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 (COM(96) 0093 - C4-0317/96 - 96/0095(CNS)). Rapporteur: Astrid Lulling
23	A4-0072/99	Progress report from the Commission on the follow-up of the communication: 'Incorporating equal opportunities for women and men into all Community policies and activities' (COM(98) 0122 - C4-0234/98). Rapporteur: Marianne Eriksson

24	A4-0188/99	Amended proposal for a European Parliament and Council Decision adopting a programme of Community action (the Daphne Programme) (2000-2004) on measures aimed to prevent violence against children, young persons and women. Rapporteur: Francisca Bennasar Tous
25	A4-0194/99	Interim report of the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions on the implementation of the medium-term Community action Programme on equal opportunities for men and women (1996 to 2000) (COM(99) 0082 - C4-0099/99 - 98/0192 (COD)). Rapporteur: Lissy Gröner



# APPENDIX 3

SELECTION OF DOCUMENTS  
ON WOMEN'S RIGHTS FROM THE  
EUROPEAN PARLIAMENT ARCHIVES





Strasbourg, le 25 septembre 1979

De Europeiske Fólkeskaber  
EUROPA-PARLAMENTET  
Europäische Gemeinschaften  
EUROPAISCHES PARLAMENT  
European Communities  
EUROPEAN PARLIAMENT  
Communautés Européennes  
PARLEMENT EUROPEEN  
Comunità Europee  
PARLAMENTO EUROPEO  
Europese Gemeenschappen  
EUROPEES PARLEMENT

Madame Veil  
Présidente du Parlement Européen

Madame la Présidente,

Un certain nombre de Parlementaires ont déjà attiré votre attention sur le besoin impératif de constituer une commission ad hoc sur les droits des femmes. Cette création répondrait aux nombreuses questions qui nous ont été posées durant la campagne.

X/1 Dans ce but nous souhaiterions vous rencontrer au plus tôt ( avant la fin de cette session ) afin d'en fixer les modalités. //x

Nous vous prions de croire, Madame la Présidente, à notre plus profond respect.

Yvette Roudy (I.S.F.) Y Roudy  
Jean La Houelle (P.v.d.A.) J. La Houelle (P.S.F.)

Suzanne Decker (D'66) (DEKKER)  
CL. ESTIER Ann Lange

M. Fabrice Rodière / Rodière  
Groupe Communiste  
Groupe Communiste

Centre européen, Plateau de Kirchberg, Luxembourg L-1150 - 43001 - 494 EUPAR LU / 2894 EUPAR LU

Mercato Conc. ar. Rodière Groupe Communiste →

\* The English version of this document is not available.

Wednesday, 12 May 1982

— *Motion for a resolution*

Preamble and paragraph 1: adopted.

Paragraph 2:

- amendment No 14 by Mrs Le Roux: rejected,
- amendment No 8 by Dame Shelagh Roberts on behalf of the ED Group: rejected.

Paragraph 2 was adopted.

After paragraph 2:

- amendment No 15 by Mrs Le Roux: rejected.

Paragraph 3:

- amendment No 12 by Mr Eisma: adopted by electronic vote,
- amendment No 13 by Mr Eisma: adopted.

Paragraph 3 as amended was adopted.

Paragraphs 4 and 5: adopted.

Paragraph 6:

- amendment No 23 by Mrs Füllet: adopted.

Paragraph 6 as amended was adopted.

Paragraph 7:

- amendment No 24 by Mrs Füllet:

The rapporteur asked that the last part of the amendment be deleted.

Parliament agreed to this request.

Amendment No 24 as amended was adopted.

Paragraph 8:

- amendment No 9 by Dame Shelagh Roberts on behalf of the ED Group: rejected.

Paragraph 8 was adopted.

Paragraph 9: adopted

After paragraph 9:

- amendment No 10 by Lady Elles, Dame Shelagh Roberts, Miss Hooper, Mr Purvis and Mrs Kellett-Bowman: rejected.

Paragraphs 10 to 12: adopted.

*Explanations of vote*

The following spoke: Dame Shelagh Roberts, Mrs Dury, Mrs Wiczorek-Zeul and Mrs Cinciari Rodano, *Chairman of the Committee of Inquiry into the Situation of Women in Europe*.

Parliament adopted the following resolution:

#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a draft resolution concerning a new Community action programme on the promotion of equal opportunities for women

*The European Parliament,*

- having regard to the proposal from the Commission to the Council (COM(81) 758 final) <sup>(1)</sup>,
- having been consulted by the Council (Doc. 1-927/81),
- having regard to the Treaties establishing the European Communities and the directives concerning women <sup>(2)</sup> adopted pursuant to those Treaties,
- having regard to its resolution of 11 February 1981 <sup>(3)</sup>,
- having regard to the new Community action programme on the promotion of equal opportunities for women drawn up by the Commission <sup>(4)</sup>,
- having regard to the report of the Committee of Inquiry into the Situation of Women in Europe (Doc. 1-101/82),

1. Welcomes the initiative taken by the Commission in drawing up a new Community action programme on the promotion of equal opportunities for women 1982 to 1985, together with a draft Council resolution, at a time when Community achievements in favour of women are at risk because of the current economic climate in the various Member States and in the Community as a whole;

<sup>(1)</sup> OJ No C 22, 29. 1. 1982, p. 7.

<sup>(2)</sup> OJ No L 45, 19. 2. 1975 — OJ No L 39, 14. 2. 1976 — OJ No L 6, 10. 1. 1979.

<sup>(3)</sup> OJ No C 50, 9. 3. 1981, p. 35.

<sup>(4)</sup> COM(81) 758 final — Doc. 1-927/81.

Wednesday, 12 May 1982

2. Regrets that, in general, this action programme, which sets out lines of action for both the Member States and the Commission
  - leaves a great deal of the initiative to the Member States,
  - is extremely vague in its definitions of various actions to be undertaken by the Commission itself and
  - contains no proposal for a Directive or other specific measure to implement directly the actions proposed, unlike the Communication from the Commission to the Council of 12 February 1975 on the equality of treatment between men and women workers <sup>(1)</sup>, which included the important proposal for a Directive on the implementation of the principle of equal treatment for men and women workers;
3. Notes with satisfaction that, on a large number of points, the Commission's new action programme incorporates proposals contained in the European Parliament's resolution of 11 February 1981, but regrets that the Commission was unable to endorse a series of measures recommended therein and in particular
  - that this action programme does not tackle the problem of equality of opportunity in education which was previously raised in the Council resolutions of 9 February 1972 and 13 December 1976 and in the resolution of the European Parliament of 11 February 1981, and considers it urgent that the Commission present precise proposals, rapidly implementing the vocational training measures provided for in Article 10 of the programme and enabling solutions to be found for the extremely serious problems of female unemployment;
  - that, as far as health is concerned, the programme only takes account of problems relating to maternity and considers it urgent that the Commission present proposals for a health programme geared to action both in the field of general preventive medicine and as regards the specific medical problems of women;
  - that it pays too little heed to the proposed revision of the Social Fund regulation and hopes that the broad lines of policy on matters of concern to women will be submitted in good time to allow Parliament to judge whether these are in the interests of women, and notes that in the financial statement in Annex IV no provision is made for Social Fund action to benefit women, and wishes to see proposals made for making the Social Fund better known to women and their organizations;
  - that the implementation of the 'equal pay' and 'equal treatment', Directives and the 'social security' Directive as from 1984 does not constitute a *sine qua non* prerequisite for the granting of appropriations from the Community's Regional and Social Funds;
4. Considers the appropriations proposed by the Commission and the additional staff for the two Commission services dealing with women's questions as shown in the financial statement in Annex IV as the absolute minimum necessary;
5. Welcomes in particular the Commission's idea of proposing that the Member States should support positive action as provided for by Article 2 (4) of Directive 76/207/EEC and regards this as an essential adjunct to legislative measures;
6. Welcomes the Commission's proposed action on its own staff policy; calls on the other institutions to adopt a similar position so that assessment can be made of what has been achieved after two years and preparations can be made for the necessary amendments to the Staff Regulations of Community officials; would, however, like to see definite action taken on the recommendations made in paragraphs 26 and 52 of the European Parliament's resolution of 11 February 1981;
7. Approves the Commission's Decision (82/43/EEC) setting up its own Advisory Committee on Equal Opportunities for men and women <sup>(2)</sup>;

<sup>(1)</sup> (COM(75) 36, 12. 2. 1975.

<sup>(2)</sup> OJ No L 20, 28. 1. 1982.

Wednesday, 12 May 1982

8. Recalls that the terms of reference of the Committee of Inquiry are as follows:
- (a) to review to what extent and at what pace the European authorities have acted on the recommendations contained in the resolution adopted by Parliament in February and
  - (b) to monitor developments in the position of Women in the countries of the European Community, and in particular the implementation of Community Directives and, hence, to consider, within these terms of reference, the action programme which has now been submitted by the Commission, the timetable for its implementation and the financial statement attached thereto;
9. Recalls paragraph 58, subparagraph 1, of its resolution of 11 February 1981 which provides for a new parliamentary debate to be held on the basis of a progress report showing the extent to which that resolution has been put into effect and asks that this report be submitted by February 1984 at the latest and that it should also examine the extent to which the Commission's action programme has been implemented in the light of the reports submitted by the Member States and the Commission;
10. Approves the Commission's proposal as amended by this opinion;
11. Instructs its President to forward this resolution and the report of its committee to the Council, the Commission and the Member States.

The rapporteur, Mrs Vayssade, spoke.

## 12. Agenda for next sitting

The President announced the following agenda for the sitting on Thursday, 13 May 1982:

*10 a.m. to 1 p.m., 3 p.m. to 8 p.m. and 9 p.m. to midnight:*

— topical and urgent debate;

*3 p.m.:*

- vote on the motion for a resolution contained in the Saby report on the draft estimates of Parliament;
- vote on motions for resolutions on which the debate has closed
- Viehoff report on illiteracy;
- oral question with debate to the Commission on GATT;
- joint debate on the Helms, Clinton, Quin and Pery reports on fisheries;
- Nord report on the tax on mineral oils;

- Vanneck report on titanium dioxide;
- Weber report on radiation protection;
- Ghergo report on materials and articles made of regenerated cellulose film;
- Svrivener report on the combating of drugs <sup>(1)</sup>;
- Salisch report on the freedom of movement of workers within the Community;
- Vié report on the business of direct insurance;
- joint debate on four oral questions with debate to the Commission on price control, personal checks, the reconquest of the internal market and exports of Italian wine to France;
- joint debate on the Moreland report and the Rogalla report on energy;
- Fuillet report on an integrated operation in Beliaët.

*7 p.m.:*

- vote on motions for resolutions on which the debate has closed

<sup>(1)</sup> Oral question Doc. 1-75/82 would be included in the debate.

*(The sitting was closed at 7.50 p.m.)*

H.-J. OPITZ  
*Secretary-General*

Pieter DANKERT  
*President*

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Paragraph 2:

— amendment 17/rev. by the same: the rapporteur requested a split vote:

First and second subparagraphs: rejected.

Third subparagraph: adopted.

Paragraph 3: adopted.

Paragraph 4:

— amendment 19/rev. by the same: rejected.

Paragraph 4: adopted.

Paragraph 5:

— amendment 44 by Mr Vandemeulebroucke and Mr Kuijpers: rejected.

Paragraph 5: adopted.

Paragraph 6:

— amendment 18/rev.: withdrawn.

Paragraph 6: adopted.

Paragraph 7:

— amendment 9/rev. withdrawn.

Paragraph 7: adopted.

Paragraph 8:

— amendment 10/rev.: withdrawn.

Paragraph 8: adopted.

After paragraph 8:

— amendment 29 by Mrs Cinciari Rodano and others: rejected by electronic vote.

Paragraphs 9 to 12: adopted.

After paragraph 12:

— amendment 20 by Mrs Larive-Groenendaal, on behalf of the Social Affairs Committee: adopted.

Paragraphs 13 and 14: adopted.

*Explanations of vote:*

Mr Jepsen spoke.

Mr Gaibisso objected to the continued presence of Oreste Scalzone on Parliament's premises and left the Chamber in protest.

Mr Seligman gave an explanation of vote.

Mrs Crawley spoke on the previous speaker's statement.

A roll-call vote was requested by the Socialist Group on the motion for a resolution as a whole:

Members voting: 149 <sup>(1)</sup>.

For: 134.

Against: 10.

Abstentions: 5.

Parliament thus adopted the following resolution:

<sup>(1)</sup> See Annex I.

## RESOLUTION

closing the procedure for consultation of the European Parliament on the draft Council recommendation on the promotion of positive action for women

*The European Parliament,*

- having regard to the proposal from the Commission to the Council <sup>(1)</sup>,
- having been consulted by the Council (Doc. 1-269/84),
- having regard to its resolutions on the position of women of 11 February 1981 <sup>(2)</sup> and 17 January 1984 <sup>(3)</sup>,
- having regard to the Council resolution of 12 July 1982 on the new Community action programme on the promotion of equal opportunities for women,

<sup>(1)</sup> OJ No C 143, 30. 5. 1984, p. 3.

<sup>(2)</sup> OJ No C 50, 9. 3. 1981, p. 35.

<sup>(3)</sup> OJ No C 46, 20. 2. 1984, p. 42.

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- having regard to the Council resolution of 2 July 1983 concerning vocational training measures relating to new information technologies,
- having regard to the Council resolution of 11 July 1983 concerning vocational training policies in the European Community in the 1980s,
- having regard to the Council resolution of 23 January 1984 on the promotion of employment for young people,
- having regard to the Council resolution of 7 June 1984 on action to combat unemployment amongst women,

all of which proposed specific action in favour of women in the areas referred to,

- having regard to the report of the Committee on Women's Rights and the opinion of the Committee on Social Affairs and Employment (Doc. 2-788/84),
- having regard to the result of the vote on the Commission's proposal,

whereas

- A. legal provisions for equal treatment are not adequate in themselves to remove *de facto* inequalities affecting women in working life; there are obstacles to the achievement of equal opportunities in practice which are non-legal in character and which derive both from the parallel responsibilities of women in society and the family and from an organization of work which is historically conditioned by masculine models,
- B. implementation of positive action is not hindered by Article 2 (4) of Directive 76/207/EEC which states that 'this Directive shall be without prejudice to measures to promote equal opportunity for men and women, in particular by removing existing inequalities which affect women's opportunities in the areas referred to in Article 1 (1)',
- C. in a period of economic crisis the Member States are increasingly reluctant to implement and further extend legislation in favour of women's rights (EP resolution of 17 January 1984), whereas it is at just such a time that positive action is required to safeguard equal opportunities and can provide an effective means of supplementing existing legislation,
- D. positive actions such as those which are proposed should not be seen simply as a useful means of eliminating existing inequalities facing women in the employment situation but to a still greater extent as a means of bringing about long-term structural changes in society so that the exercise of paid or unpaid occupations and functions is no longer determined by sex or personal living conditions but instead by talent, expertise and preferences,
- E. positive actions should also make a contribution to the better utilization of investment in education which is largely financed by the public authorities,
- F. the omission of emphasis on an emancipation policy directed primarily towards structural changes would also result in substantial costs to society as a result of the increasing need for recourse to social security benefits,
- G. there are no integrated programmes of positive action in the Member States, either in the private or the public sector; the positive actions experimented to date have tended to be fragmentary and extremely disparate, and are in general of limited scope,

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- H. firms have to be encouraged to take action by external initiatives (for example, collective agreements, legislation, financial incentives and the provision of technical assistance) and analyses of the action undertaken in the Member States of the Community and certain third countries showed clearly that the implementation and more general promotion of positive action could be guaranteed only by a binding legal framework,
- I. positive action, especially at the workplace, has been pursued on a broader basis and with greater logical consistency in certain non-Community countries which have a suitable regulative framework (witness the USA and Sweden),
- J. in the action that they undertake, the national authorities must also address themselves to those social factors outside the workplace, which influence the patterns of work adopted by women, and hence in particular the social services,
1. Considers that a binding legal instrument is the best means of achieving progress in the area of positive action;
  2. Recognizes, however, that this recommendation can play a useful part in making the concept and system of positive action better known and thereby promoting the implementation of such action, provided that those concerned are sufficiently informed about the recommendation; considers, therefore, that this recommendation must be very widely publicized;
  3. Considers that it is vital to make clear to employers (public and private), professional organizations and women themselves that these actions, which stand to benefit the undertakings themselves, will consequently ensure better utilization of all human resources, i.e. of the entire work-force;
  4. Urges the Commission to see to it that absolute priority is given under the Social Fund to undertakings whose applications include a programme for positive action in favour of women to give them a more equal status within the undertaking, whether the measures are designed to benefit young women or women of over 25 years of age;
  5. Regards the recommendation submitted by the Commission as a preparatory step towards a Directive but points out that, particularly since the more flexible framework of a recommendation has been chosen, it is essential to monitor progress;
  6. Takes the view that the three-year interval proposed by the Commission is far too long;
  7. Requests the Commission, therefore, to monitor after two years the extent to which the Member States have fulfilled their obligations and thereafter to report annually thereon to the Council and the European Parliament;
  8. Considers that the results of the annual progress reports should be included in the annual report on the development of the social situation in the Community drawn up pursuant to Article 122 of the EEC Treaty and also in the general report on the activities of the Community so as to disseminate information on this subject;
  9. Requests the Commission to forward to Parliament an annual survey of the results of seminars, pilot studies, etc. which are organized in the various Member States in connection with this subject;
  10. Notes that since many professions and positions (in particular those requiring higher qualifications) have to date been pursued and occupied mainly by men, the qualities and

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attributes considered necessary for such professions and positions tend to be associated with qualities and attributes which appear to be more prevalent in men than in women;

calls on the Commission therefore to conduct a study into this phenomenon so as to be able, in the light of the results obtained, to take measures to prevent this 'bias' occurring in tests, advertisements and applications relating to certain professions and positions;

11. Considers it unacceptable that a number of extremely important Directives concerning the position of women have still not been adopted by the Council and expects them to be dealt with at the next Council meeting;

12. Considers it regrettable that the Commission's interim report on implementation of the new Community action programme on the promotion of equal opportunities for women does not describe clearly the implementation of positive action taken within the Commission under its own staff policy and calls on the Commission to submit to it within two months a detailed report on this action indicating its effectiveness (results obtained and methods used to measure the impact of the action);

13. Calls on the Council to adopt as soon as possible the action programme concerning positive action in the field of education;

14. Calls on the Council, the Court of Justice, the Court of Auditors and the Economic and Social Committee to establish a programme of equal opportunities for female officials; decides that the Parliament itself should set an example by establishing such a programme for its own female officials and by reporting within one year on the measures implemented;

15. Instructs its President to forward to the Council and Commission, and to the Governments of the Member States, as Parliament's opinion, the Commission's proposal as voted by Parliament and the corresponding resolution, with a request for comments from the Governments of the Member States.

Referring to Mr Megahy's statement at the beginning of the vote, concerning the application of Rule 54 (a), the President stated that in view of the importance of the matter, she had decided, as was permitted by the first subparagraph of paragraph 2 of that Rule, to continue with the vote.

The following spoke: Mr Megahy, Mr Patterson and Mr Newton Dunn, the last two on the conduct of the debates and, in particular, the application of Rule 82.

3. Report by Mr Megahy (Doc. 2-785/84) (1)

— Commission proposal (Doc. 2-456/84 — COM(84) 379 final);

Unless otherwise indicated, all the amendments had been tabled by the Committee on Social Affairs.

(1) The rapporteur spoke on the amendments.

Before Article 1:

— amendment 1: adopted.

Article 1, paragraph 1:

— amendment 2: adopted.

Mr Klepsch, Mr d'Ormesson and Mr Ducarme spoke on the presence of Oreste Scalzone.

— amendments 3 to 8: adopted by successive votes;

— amendment 9: Mrs Maij-Weggen, on behalf of the EPP Group, requested a split vote.

First part, as far as 'Member States': adopted.

Second part: adopted by electronic vote.

Article 1, paragraph 2, first indent:

— amendment 24 by Mr Tuckman: rejected;

— amendment 10: adopted.

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- having regard to the report of the Committee on Energy, Research and Technology and the opinion of the Committee on Agriculture, Fisheries and Food (Doc. A2-54/86),
1. Wishes to see closer links between agriculture and biotechnology to open up new long-term prospects for rural areas;
  2. Calls on the Commission to lay the foundations now for an economically viable and environmentally sustainable symbiosis between agriculture and biotechnology;
  3. Rejects, however, the large-scale industrial production of bioethanol from renewable raw materials in present world market conditions;
  4. Rejects any subsidization of bioethanol production, except for research;
  5. Warns in particular of the financial consequences of a crash programme;
  6. Deplores a strategy based on the use of current food surpluses for the manufacture of bioethanol and which would involve unacceptable costs;
  7. Advocates a cautious approach incorporating the following measures:
    - financial support for pilot and demonstration projects and a Community-wide comparative analysis of their results,
    - studies of the economic effects of bioethanol production on, for example: trade, balance of payments, farm prices, farmers' incomes, employment, regional structures and the potential for decentralization,
    - studies of the environmental implications (monoculture, waste disposal and soil erosion and air pollution),
    - basic research into the breeding of new high-energy plants, alternative crop cultures and improved technologies for conversion and separation of bioethanol into marketable products,
    - measures aiming at a further cost reduction of bioethanol rather than subsidies for immediate production and utilization,
    - exploitation of recent advances in biotechnology and process engineering in Japan and Scandinavia, which promise to improve the energy balance and cost of bioethanol production;
  8. Calls on the Commission to make an early and comprehensive report and proposal incorporating these, and other, measures;
  9. Calls on the Commission to investigate other ways of using renewable raw materials in addition to the bioethanol programme;
  10. Instructs its President to forward this resolution and the committee's report to the Council and Commission.

### 3. One-parent families

- Doc. A2-230/85

#### RESOLUTION on one-parent families

*The European Parliament,*

- having regard to
  - (i) the Council recommendation of 13 December 1984 on the promotion of positive action for women<sup>(1)</sup>,

<sup>(1)</sup> OJ No L 331, 19. 12. 1984, p. 34.

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- (ii) the Council resolution of 7 June 1984 on women's employment <sup>(1)</sup>,
- (iii) the Commission decision of 30 April 1985 on the guidelines for the management of the European Social Fund in the financial years 1986 to 1988 <sup>(2)</sup>,
- having regard to the following matters affecting the situation of women, on which the European Parliament has given its opinion, and which are still awaiting decision by Council:
  - (a) draft directive on voluntary part-time work <sup>(3)</sup>,
  - (b) draft directive on temporary work <sup>(4)</sup>,
  - (c) draft directive on parental leave and leave for family reasons <sup>(5)</sup>,
  - (d) draft recommendation on the reduction and reorganization of working time <sup>(6)</sup>,
  - (e) the Commission study on single-parent families and poverty in the EEC <sup>(7)</sup>.
- having regard to
  - (i) its resolution of 11 February 1983 on discrimination between single mothers and married women as regards filiation in certain Member States <sup>(8)</sup>,
  - (ii) its resolution of 20 January 1984 on discrimination in the matter of passing on nationality <sup>(9)</sup>,
  - (iii) its resolution of 9 June 1983 on family policy in the European Community <sup>(10)</sup>,
  - (iv) the report on family policy currently being prepared by its committee on Social Affairs and Employment,
- having regard to
  - (i) the motion for a resolution tabled by Mrs Gadioux and Mrs Van Hemeldonck on single-parent families (Doc. 2-1275/84),
  - (ii) the motion for a resolution tabled by Mrs Braun-Moser and others on the social situation of women in the European Community (Doc. B2-42/85),
- having regard to the report of the Committee on Women's Rights and the opinions of the Committee on Legal Affairs and Citizens' Rights (Doc. A2-230/85) and the Committee on Youth, Culture, Education, Information and Sport.

#### 1. Notes

- that there is no internationally recognized definition of the one-parent family;
- that the designation of one-parent family embraces various categories in the different countries of the EEC such as parents who live alone with one or more children, couples with children living out of wedlock, single parents living with other relatives in addition to their children, groups of people living together without marital or child-parent relationships;
- that the available statistics are incomplete, difficult to compare and misleading;
- that it would be useful and desirable to have accurate and reliable data in order to organize appropriate action;

<sup>(1)</sup> OJ No C 161, 21. 6. 1984, p. 4.

<sup>(2)</sup> OJ No L 133, 22. 5. 1985, p. 26.

<sup>(3)</sup> Doc. 1-540/82, EP opinion adopted 16. 9. 1982 — OJ No C 267, 11. 10. 1982, p. 50.

<sup>(4)</sup> Doc. 1-1314/83, EP opinion adopted 6. 7. 1983 — OJ No C 242, 12. 9. 1983, p. 34.

<sup>(5)</sup> Doc. 1-1528/83, EP opinion adopted 30. 3. 1984 — OJ No C 117, 30. 4. 1984, p. 174.

<sup>(6)</sup> Doc. 1-909/83, EP opinion adopted 18. 11. 1983 — OJ No C 342, 19. 12. 1983, p. 145.

<sup>(7)</sup> V/2541/1/82.

<sup>(8)</sup> OJ No C 68, 14. 3. 1983, p. 120.

<sup>(9)</sup> OJ No C 46, 20. 2. 1984, p. 146.

<sup>(10)</sup> OJ No C 184, 11. 7. 1983, p. 116.

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- that the single parent with dependent children should be interpreted as the parent living with children and not at the same time with other people, this being the type of one-parent family experiencing the greatest difficulty;
- that the notion of dependent child varies according to the country both in respect of age and school attendance as well as the right to draw family benefits;
- that the precise classification of genuine one-parent families is needed to avoid measures being taken to assist such families on the basis of false information;

2. Notes further:

- that the number of single parents with children has been shown to be on the increase in all countries of the Community;
- that by far the majority of these single parents are women (widowed, divorced and separated women, unmarried mothers);
- that the income of one-parent families is generally lower than that of two-parent families with only one source of income;
- that for the most part these families, particularly single women with children, fall within the poverty category;

3. Points out that the economic hardship of single women with children is a result of various factors such as:

- the difficulty of finding paid employment particularly in the case of women who were previously housewives and are having to seek work for the first time;
- the employment situation for women in the Member States is difficult, women and young women are worse hit by unemployment and this makes the situation for single mothers particularly difficult;
- the lack of information and of bodies to provide advice and guidance;
- employment in many cases is unskilled and low-paid jobs;
- a low level of education and inadequate vocational training, since, in many cases, having children has prevented them from continuing;
- greater difficulties experienced by a single woman with children in coordinating activities outside the home with the rearing and education of children;
- a still insufficient number of child-care facilities in many countries, a lack of flexibility in their opening hours and, in some cases, their high cost;
- the fact that, as a result, single mothers with children, more often than fathers, depend on public welfare for support, and on alimony for assistance for their survival;
- disparities in income between single mothers with children depending on whether they are widowed, single, separated or divorced, while on the whole the situation of widowed mothers is less straitened than that of the other single mothers;

4. Observes

- (a) In the case of widowed mothers
- that survivors' pension entitlements vary within the Member countries both as regards the amount and the conditions of benefit;
  - that the taxation of pension-derived incomes is also subject to different regulations;
  - that the divorced spouse is not entitled to a portion of the survivors' pension in all the countries;
- (b) In the case of divorced or separated women
- that the provisions and conditions for granting alimony to the spouse or children (paid to the parent with custody) vary widely between the Member countries;

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- that only a small number of Member countries have legislation which empowers public or insurance authorities to advance payment of alimony and to act on the beneficiaries' behalf where claims of non-payment are brought against the spouse;
- that systems of taxation also differ both as regards the possibility for the individual paying the alimony to deduct it from taxable income, and as regards taxation of the beneficiary for the same alimony;
- that allowances or alimony which the law provides shall be paid to the weaker spouse following divorce or marital separation should be applicable on equal terms in the event of the breakdown of a *de facto* stable union;

5. Stresses that the hardship of the single mother is aggravated by other factors and in particular:

(a) by problems related to housing

- often the breakdown of family life results in the loss of residence;
- single mothers are rarely owners of the home and are often not named as parties to the lease;
- facilities are not always provided for the allocation of council or rent-controlled housing to one-parent families;
- landlords are sometimes reluctant to rent private housing to single parents;
- it emerges that one-parent families with a woman head of household are more numerous in large cities than in small towns;
- it is often difficult to provide accommodation quickly in these cases as publicly-assisted housing, for example, is not available in sufficient quantities;

(b) by social and psychological problems

- often the breakdown of family life involves being uprooted from one's environment, and the loss of friends and social contacts;
- looking after children for a single parent who must also cope with their economic welfare is so time-consuming that it leads to isolation;
- the opportunities for social and cultural life, entertainment and holidays for one-parent families are more limited;
- coping with the education of children is more difficult for a single parent and sometimes gives rise to insecurity and psychological problems;
- prejudices and social disapproval towards unmarried mothers or separated or divorced women continue to persist, particularly in some regions;
- all these conditions have repercussions on the physical and psychological state of the children, who for financial reasons must in general already be considered to be disadvantaged as far as their prospects are concerned;

6. Points out furthermore:

- that the legislation in the Member States relating to family law, parental authority, the matrimonial system of community or separation of property, divorce and legal separation, recognition and status of children born out of wedlock, vary and the differences have a bearing on the status of the single parent;
- that the rulings of the courts on granting custody of children, although undergoing change, reflect a stereotyped view of the social division of roles on the basis of sex and show a bias towards giving custody to the mother;
- that both parents should be required to provide for the support and education of the children even where the marriage has broken up and the children have the right to be looked after by both parents although they are separated and to be consulted by the relevant authorities when such authorities make decisions that affect the children, on such matters as custody, parental visiting rights, etc.;

**Studies and statistical surveys**

7. Calls on the Commission, on the basis of the foregoing consideration, to:
- (a) carry out a statistical survey at European level, in collaboration with the Member States and institutes specialized in statistics, in order to produce a common definition of the one-parent family and standard criteria;
  - (b) draw up a comparative survey of the different systems applied by the individual Member States and to present, where possible, proposals for harmonizing regulations to be submitted to the Council;
  - (c) arrive, on the basis of a common definition at European level, at a view of the one-parent family from all aspects as a family unit and to put an end to existing forms of discrimination;

**Access to work**

8. Considers that a comprehensive solution to the economic problems of single women with children could be provided by a policy guaranteeing all women equal opportunities, whatever their family status, and founded on access to paid employment; emphasizes the vital importance for a single woman with a dependent family of being able to hold down a skilled job and calls, therefore, for:
- (a) the application of the measures contained in the Council resolution (June 1984) to combat female unemployment<sup>(\*)</sup>;
  - (b) care to be taken to avoid discrimination on the basis of family status in access to work and to the professions either in the public or in the private sector;
  - (c) the adoption of appropriate measures, including financial provisions, to encourage the participation of single parents with dependent children in vocational training courses (as is already the case in Denmark);
  - (d) priority to be given to single mothers in the operations of the ESF;
  - (e) the introduction of incentives for undertakings which employ single mothers and provisional allowances while looking for work (as is already the case in France for widows);

**For single working mothers**

9. Emphasizes the need to make it easier for mothers with dependent children to combine work outside the home with the care and education of the children and therefore calls for:
- (a) the provision of flexible working hours;
  - (b) the possibility of doubling the length of maternity leave;
  - (c) the granting of leave for the single parent when a child is ill, even after the period of maternity leave, at least until the child has reached the age of 12;
  - (d) the introduction on a trial basis of home-help services in cases of child illness;

**Housing**

10. On the basis of the documentation collected, considers that the problem of housing is particularly serious and urges therefore that:
- (a) in the planning and construction of housing consideration be given to the types of building suited to one-parent families;
  - (b) measures be adopted to facilitate access for one-parent families to council housing;
  - (c) by eliminating possible legal obstacles cohabitation be encouraged for several one-parent families even when they are not related;

(\*) OJ No C 161, 21. 6. 1984, p. 4.

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- (d) social centres and meeting places be set up for one-parent associations and self-help organizations and to encourage contact between these families and other citizens;

#### *Services*

11. Emphasizes the effect on the one-parent family of the lack and cost of services for children and calls for:
- (a) the expansion of services for care (crèches, nursery schools, etc.), preferably close to residential areas and flexible opening hours at such facilities;
  - (b) the introduction of all-day school as an option;
  - (c) priority for children of one-parent families in access to recreation centres, sporting activities and holiday camps;

#### *Tax systems*

12. Notes that tax systems often do not take account of one-parent families and urges:
- (a) that all cases, including those of unmarried women, be entitled to tax deduction for dependent children;
  - (b) that tax deductions be granted for the care of the child (as in France and the Federal Republic of Germany);
  - (c) that in the case of inheritance greater rights be introduced for the surviving spouse and for the children born out of wedlock;

#### *Assistance*

13. Considers that a large proportion of the problems of single mothers relating to assistance could be overcome if all women, regardless of their family status, were guaranteed direct rather than derived rights; believes, however, that measures specifically designed to provide assistance to one-parent families will be necessary for a transitional period and calls for:
- (a) systems of financial and social aid to be set up for the period following a death or separation;
  - (b) administrative formalities to be simplified to reduce the length of time between the request for and provision of assistance;
  - (c) single mothers and their children, where they cannot benefit on other grounds, to be provided with insurance cover for health, accidents, etc.;
  - (d) experimenting with forms of home help for one-parent families;

#### *Alimony*

14. Considers that the legislation on alimony and maintenance payments in force in the Member States is still based on a stereotyped view of women as being economically dependent on men; notes, however, that in practice this is still often the actual situation and considers that for a transitional period action should be taken to:
- (a) prevent too steep a fall in the previous standard of living;
  - (b) guarantee assistance from the authorities (as in Denmark, West Germany and France) in obtaining payment of the alimony due and if necessary assume the financial responsibility of the parent in default;
  - (c) adopt, through taxation, measures to encourage the payment of alimony by those responsible, by broadening the possibility of those under obligation to deduct the alimony from taxable income and making it a taxable source of income for the beneficiary, with due exception for minimum sources of income;
  - (d) ensure that the rights of children in relation to both parents, as regards upkeep and inheritance, be the same regardless of whether they were born in or out of wedlock;

*Pension of the surviving spouse*

15. Considers the system of transferable pensions, particularly where they are paid only to women, to be inconsistent with the goal of guaranteeing every individual their own rights; stresses, however, that at the present time these pensions are often the only source of income for millions of families; notes that there are wide disparities in the allocation of pensions to the surviving spouse and hopes that these regulations will be adjusted so as to eliminate discrimination between the sexes in the granting of survivors' pensions; further calls for:

- (a) raising the ceiling on survivors' pensions;
- (b) allowing for individual pensions and survivors' pensions to be drawn concurrently up to a certain level;
- (c) establishing the right to survivors' pensions for the divorced spouse on a proportional basis of the years of married life;
- (d) studying forms of insurance or support benefits for widowed persons with children who are entitled only to a survivor's pension;
- (e) an entitlement to a similar pension for people who have been living together for a long period and for children after the death of (one of) their parents;
- (f) implementation of the proposal for a directive on occupational social security schemes, which bans direct or indirect discrimination in the calculation of benefits for surviving spouses under occupational pension schemes;

*Social and psychological problems*

16. Stresses the serious psychological and social tensions experienced by one-parent families and urges:

- (a) that pejorative terms referring to children born out of wedlock such as 'extra marital' or 'illegitimate' be dropped from legislation and opposed in practice;
- (b) that the term 'head of household' usually attributed to the father be replaced by 'household representative' (as is the case in Italy);
- (c) that adequate information be made available to one-parent families on their rights either through the creation of advisory and guidance bodies or through the publication of handbooks like those produced in France by the Ministry for Women's Rights;
- (d) that support be given to one-parent associations and self-help groups both by governments and the EEC, in order to promote cooperation and the exchange of information in Europe;
- (e) that equal attention be paid to one-parent families and to regular married couples in encouraging saving and investment;
- (f) that the mass-media be urged to encourage a feeling of solidarity and combat prejudices;

17. Appeals to the judiciaries of the Member States, particularly in cases of awarding custody of children, to give prime consideration to the good of the child, without giving preference to either parent and to seek ways to ensure that the joint responsibility of parents in the education of children continues even after the dissolution of the marriage bond, in particular by resorting more often to joint custody;

18. Calls on the Commission of the Communities and the Member States in their respective capacities, to adopt the necessary measures on the basis of the foregoing requests;

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19. Instructs its President to forward this resolution to the Commission, the Council, and to the governments of the Member States.

Wednesday, 14 October 1987

**3. Discrimination against immigrant women**

— Doc. A2-133/87

**RESOLUTION****on discrimination against immigrant women and female migrant workers in legislation and regulations in the Community***The European Parliament,*

- having regard to the fundamental provisions of the Treaties which provide for equal treatment for men and women and freedom of movement within the European Community,
  - having regard to the Community Directives on equal treatment for men and women as regards pay (75/117/EEC, OJ No L 45, 19. 2. 1975, p. 19), opportunities (76/207/EEC, OJ No L 39 14. 2. 1976, p. 40), and social security (79/7/EEC, OJ No L 6 10. 1. 1979, p. 24),
  - having regard to its resolutions of 13 May 1986 on a new Community medium-term programme to promote equal opportunities for women (1986-1990) <sup>(1)</sup> (notably paragraphs 7 and 23) and of 11 June 1986 on violence against women <sup>(2)</sup> (notably paragraphs 44-48),
  - having regard to the motion for a resolution tabled by Mr Newman (Doc. 2-931/84),
  - having regard to its resolutions of 7 May 1985 on the communication from the Commission of the European Communities to the Council on guidelines for a Community policy on migration <sup>(3)</sup> and of 12 March 1987 on the right of asylum <sup>(4)</sup>,
  - having regard to its resolution of 17 January 1984 on the Situation of Women in Europe <sup>(5)</sup>,
  - having regard to the report drawn up by the Committee of Inquiry into the Rise of Facism and Racism in Europe (Doc. A2-16/85/rev.),
  - having regard to the Joint Declaration against Racism and Xenophobia and its resolution of 11 June 1986 <sup>(6)</sup>,
  - having regard to the judgment handed down by the European Court of Human Rights in the cases brought by Abdullaziz, Cabales and Balkandali of 28 May 1985 (15/1983/71/107-109),
  - having regard to the recommendations by the Forum and World Conference of Women held in Nairobi to mark the conclusion of the Decade for Women,
  - having regard to the report of the Committee on Women's Rights (Doc. A2-133/87),
- A. whereas the Universal Declaration of Human Rights, the International Convention on Civil and Political Rights, and the constitutions of the majority of Member States contain clauses relating to the inviolability of the human person, the protection of the individual's private life, guarantees of the right of free choice of spouse and the protection of marriage and family life, and prohibit all forms of discrimination on grounds of sex,
- B. whereas in many cases Member States' immigration law is implicitly or explicitly based on — and reproduces — a traditional role perception according to which the husband is regarded as the main breadwinner and head of the family, and his wife is dependent on him, even though this is contrary to the principle of equal treatment,

<sup>(1)</sup> OJ No C 148, 16. 6. 1986, p. 45.<sup>(2)</sup> OJ No C 176, 14. 7. 1986, p. 73.<sup>(3)</sup> OJ No C 141, 10. 6. 1985, p. 75.<sup>(4)</sup> OJ No C 99, 13. 4. 1987, p. 167.<sup>(5)</sup> OJ No C 46, 20. 2. 1984, p. 42.<sup>(6)</sup> OJ No C 176, 14. 7. 1986, p. 62.

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- C. whereas the existing discrimination against women and girls in all sectors of society, and notably in the field of training and employment, is frequently aggravated by immigration law,
  - D. whereas the rights of residence of immigrant or migrant women often depend on their being in paid employment, which fact mitigates against them if they become unemployed or must leave a job to assume family responsibilities,
  - E. whereas existing immigration, residence and employment law in particular forces many immigrant women into illegality and to seek employment illegally,
  - F. whereas, in the case of divorce, immigrant women often suffer discrimination in their country of origin,
  - G. whereas, when immigrant parents return to their country of origin, many girls are compelled by their families to follow,
1. Expresses concern that in some Community Member States the law governing the residence of immigrant women is becoming increasingly restrictive;
  2. Calls on the governments of the Member States forthwith to amend their laws governing the residence of immigrant women so that respect for family life is protected and intervention by the State in private relations between spouses is eliminated;
  3. Urges that Member States should establish an integration policy for third country immigrants which fully respects principles of equal opportunity;
  4. Considers that the right to reunite the family applies to any person, of either sex, wishing family members to join him or her in the place where he or she has settled;
  5. Emphasizes that any person legally settled in a Member State has the right to apply for entry clearance for members of his/her family and has right of appeal against refusal;
  6. Recommends that the fiancé(e) of an EC national should be permitted to reside in the Member State in question for a limited period if he or she has applied for the relevant marriage papers;
  7. Calls on the governments of the Member States to ensure that their national legislation provides for a right of residence for persons married to EC nationals, even if the marriage ceremony took place outside the EC;
  8. Points out that a marriage should continue to enjoy special protection until it is legally dissolved;
  9. Urges the governments of the Member States to direct their registry offices, aliens authorities and diplomatic representations to respect the right of all people freely to choose their spouses irrespective of their origin or nationality;
  10. Calls for the same legal conditions and status to be accorded to a couple living together as if they were married, provided that these rights are available to nationals and that the couple in question is legitimately residing in an EEC State;
  11. Condemns certain measures aimed at ascertaining whether an EC national and a non-EC national are genuinely living as a married couple, notably the practices of questioning those concerned, making inquiries among neighbours and the house inspections which occur in some Member States;
  12. Calls on the governments of the Member States concerned to put an end to these practices;

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13. Requests that the delays which at present occur in some Member States before a person may be joined by his or her spouse be reduced as much as possible and that the applications for entry be dealt with as promptly as possible;
14. Calls for non-EC nationals already resident as part of a family to be granted right of residence independent of the other members of their family, such as their spouse or their or both of their parents;
15. Calls further for all EC citizens, male and female, to be guaranteed right of residence throughout the European Community independent of the other members of their family, such as their spouse or either or both of their parents;
16. Considers that EC nationals and non-EC nationals should be put on an equal footing as regards right of residence and that their residence permits should not be withdrawn if they become unemployed but previously held work permits;
17. Considers that, where non-EC nationals who have entered an EC country on a tourist visa in order to join legally resident members of their family are able to legalize their further residence in that country, they should be allowed to continue to do so, subject to the prior possession of right of residence by a member of the family in question;
18. Calls for an immediate end to the practice of expelling migrant women if their husband returns to his country of origin or moves to another country, in case of separation or divorce, if their husband or father falls sick, is imprisoned or dies, or if they are in receipt of welfare assistance;
19. Urges that, from the age of eighteen, the children of migrant workers are automatically issued with their own residence permit, enabling them to remain in the Member States following the voluntary departure or expulsion of their parents, and allowing them to make a free choice in the event of opposition from their families;
20. Demands that a non-EC citizen should not be required to furnish evidence of a domicile as a precondition for the granting of permission to be joined by other family members;
21. Considers that all women and girls who are fleeing from repressive regimes and genuinely seeking asylum because of persecution on the grounds of sex should be granted right of residence or refugee status;
22. Wishes to see foreign women enjoy the same protection from maltreatment and violence in the family as women who are EC nationals;
23. Demands that any immigrant women should be able to ask for divorce without immediately being threatened with expulsion;
24. Believes that women in such cases should be able to enjoy the same guarantees as nationals of the Member State in question;
25. Demands that there be no discrimination against women and girls from third countries and that they should have equal access to all forms of vocational training and not only in traditional 'female' spheres of activity but in every sphere of employment;
26. Considers that immigrant women and girls should be given the opportunity to earn a living themselves as a matter of urgency and demands that there should be no discrimination on the labour market between EC nationals and women from third countries;
27. Calls for the employment of skilled foreign staff not only to advise immigrant women but also as counsellors in social welfare, health and other fields;
28. Considers that spouses wishing to join their husbands should be allowed to apply for a work permit or, if necessary, be granted national assistance in accordance with the provisions of each Member State;

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29. Points out that the principle of equal pay for the same work also applies to women and girls who are not EC nationals;
30. Considers that young, second-generation immigrants should enjoy the same rights to social welfare benefits as EC citizens;
31. Calls for free language and literacy courses to be organized for immigrant women, together with talks on safety and protection at work in their mother tongue or in a language with which they are familiar, during working time;
32. Calls for all organizations which come into contact on a regular basis with immigrant and migrant labour to take special measures to promote the recruitment of immigrant female employees;
33. Emphasizes that all state benefits in respect of families and children must apply without restriction to male or female immigrants legitimately residing in a Member State;
34. Stresses in particular that the children of immigrants must have equal access to public child-care facilities;
35. Urges that young second-generation immigrants, particularly girls, should not be deported for drug problems;
36. Demands that, in accordance with the size of the migrant worker population, community health and social counselling centres be set up providing the following services:
  - (a) information and counselling for immigrant women and girls,
  - (b) social and psychological assistance,
  - (c) education and training opportunities for immigrants,
  - (d) access to other services such as information on methods of contraception, psychological and medical care, cancer prevention, etc.;
37. Calls for such centres to be financed by the Member States;
38. Calls for the creation of meeting places and advice centres for immigrant women and girls in particular;
39. Demands that the families of migrant workers and of workers from third countries should be fully informed of educational and career opportunities for their children, and considers that school attendance is compulsory for foreign girls too;
40. Demands that oral and written information be made available to immigrants, as far as possible in their mother tongue or in a language with which they are familiar, on language courses, school systems, job and training opportunities, health care, social security entitlements and legislation affecting immigrants;
41. Recommends that immigrant women's groups and organizations in the Member States be adequately consulted by public information, guidance and counselling centres for immigrant women and girls;
42. Is in favour of special mass media programmes on the specific problems facing immigrant women, produced, if possible in their mother tongue or in a language with which they are familiar, by women from the relevant countries, or in consultation with the relevant immigrant population;
43. Urges that foreigners who have re-emigrated should retain the right to return to the Member State concerned within a reasonable period;
44. Demands genuine participation by immigrants and their organizations and interest groups in all decisions that concern them;

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45. Demands that any non-EC national who is married to an EC national be entitled to the same freedom of movement within the EC as the latter;
46. Emphasizes that any foreigner who is married to an EC national, and any non-EC national who is in possession of a residence permit of a Member State, does not require a visa;
47. Reaffirms that freedom of movement should be extended to all workers from third countries and their spouses who have joined them who have been resident in the Community for five years or more and are required to have a visa to travel within the Community;
48. Demands that Member States' legislation and regulations concerning migrant workers, immigrants and workers from third countries should apply equally to persons originating from all third countries;
49. Instructs its President to forward this resolution and the report of its committee to the Council, the Commission, the governments and parliaments of the Member States, the Council of Europe, and all foreigners' organizations and organizations of women married to foreigners.

#### 4. Construction products \*\* I

— Proposal for a directive COM(86) 756 final/3

TEXT PROPOSED BY THE COMMISSION  
OF THE EUROPEAN COMMUNITIES (\*)

TEXT AMENDED  
BY THE EUROPEAN PARLIAMENT

**Council directive on the approximation of the laws, regulations and administrative provisions of the Member States relating to construction products**

Having regard to the Treaty establishing the European Economic Community, and in particular *Article 100* thereof,

Having regard to the Treaty establishing the European Economic Community, and in particular **Article 100 A** thereof,

Rest of preamble unchanged

Recitals unchanged

Articles 1 to 8 unchanged

*Article 19*

*Article 19*

Paragraph 1 unchanged

2. The Committee shall be made up of representatives appointed by the Member States and chaired by a representative of the Commission. Each Member State shall appoint two representatives.

2. The Committee shall be made up of representatives appointed by the Member States and chaired by a representative of the Commission. Each Member State shall appoint two representatives. **The Member States shall ensure in joint deliberation that the manufacturers, the industrial users and the consumers are appropriately represented on the committee.**

Remainder of Article 19 unchanged

Article 20 unchanged

(\*) For full text see OJ No C 93, 9. 4. 1987, p. 1.

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18. Calls upon the Commission also to:
- (a) take further steps in Spain and Portugal to publicize the working of the ESF and any other Community measures which might be of benefit to the women of these countries,
  - (b) organize, or increase the number of, seminars, meetings or other forms of publicity or public education campaign on the Community's equal opportunities policy in the Spanish autonomous communities and the Portuguese autonomous regions;
19. Requests the Commission also to adopt further measures vis-à-vis Spain and Portugal to encourage the creation of jobs for women at the local level within the framework of the second medium-term action programme on equal opportunities and, in particular, to support measures which will encourage women to set up in business and form cooperatives;
20. Instructs its President to forward this resolution to the Commission, the Council, the Spanish and Portuguese Parliaments and the governments of the Member States.

#### 10. Equal opportunities for boys and girls in the field of education

— Doc. A2-68/88

#### RESOLUTION

##### on equal opportunities for boys and girls in the field of education and vocational training

*The European Parliament,*

- having regard to its resolution of 17 January 1984 on the situation of women in Europe and, in particular, the chapter on education and vocational training (OJ No C 46, 20.2.1984, p. 42),
  - having regard to the resolution of the Council and the Ministers for Education meeting within the Council of 3 June 1985 on equal opportunities for girls and boys in education (OJ No C 166, 5.7.1985, p. 1),
  - having regard to the Council resolution of 22 December 1986 on employment growth (OJ No C 340, 31.12.1986, p. 2),
  - having regard to the Council resolution of 24 July 1986 including a medium-term Community programme (1986-1990) on equal opportunities for women (OJ No C 203, 12.8.1986, p. 2),
  - having regard to the Commission's communication on vocational training for women (COM(87) 155 final),
  - having regard to the Commission's recommendation of 24 November 1987 on vocational training for women (COM C(87) 2167),
  - having regard to the motion for a resolution by Mrs Lizin on equality of men and women in vocational training and industrial apprenticeship (Doc. B2-444/85),
  - having regard to the report of the Committee on Women's Rights and the opinion of the Committee on Youth, Culture, Education, Information and Sport (Doc. A2-68/88),
- A. whereas education and vocational training are essential prerequisites for attaining equal opportunities for men and women in social, professional, cultural and political life and, consequently, there are grounds for insisting that these prerequisites be fully implemented in all the Member States,

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- B. whereas it is important that parents and educators bring up children from the earliest age in accordance with the principle of equal opportunities so that equality can be achieved later in life,
- C. having regard to the need to develop education and vocational training for women with a view to broadening educational and vocational choices and, in particular, guiding women towards jobs with a future,
- D. whereas very few women are currently opting for careers of the future, although professional and educational options for young people have begun to change, and it is therefore important that educational and vocational guidance be better organized to this end,
- E. whereas there is still, however, a large discrepancy between the number of boys and girls studying science and technology subjects in secondary schools and a corresponding underrepresentation of women studying these subjects at tertiary level,
- F. whereas the future career expectations of parents and teachers often vary greatly for boys and girls, resulting in women entering into a far smaller range of jobs than their male contemporaries,
- G. whereas numerous efforts have been made in the Member States to achieve a better balance of the sexes across all levels and types of general and vocational education,
- H. whereas, however, women's training is still confined to a restricted number of skills, for which the employment outlook is often limited,
1. Considers that current developments are still inadequate, particularly as regards vocational training and guidance for women;
  2. Considers that measures should be taken to eliminate the psychological and cultural barriers that prevent girls choosing scientific and technical careers, with programmes to promote equal opportunities, backed by appropriate facilities and resources and designed to be continued long enough and on a broad enough front to achieve a permanent change in educational attitudes and practices;
  3. Calls on the Council and the Ministers of Education meeting within the Council and the Ministers of Social Affairs and Employment to ensure that more tangible and consistent measures are taken, and are followed up more effectively, to encourage the Member States to implement the equal opportunities programme decided by the Council on 24 July 1986;
  4. Requests that such efforts be made especially:
    - with a view to raising the awareness of everybody involved in the educational process, particularly teachers and parents and especially where the whole range of training and vocational possibilities open to girls and young women beyond the traditional 'female' occupations is concerned,
    - in the field of school and vocational guidance,
    - in integrating the issues associated with equal opportunities and the educational aspects of equal opportunities in initial and further training courses for teachers and in training courses for those who train other people, particularly in the industrial sector,
    - with a view to halting the reinforcement of sex stereotypes among children, in both the choice of subjects studied and social behaviour, at all levels of education from nursery school onwards,
    - with a view to encouraging the recognition of traditionally female fields of study as having the same value and status as those which are traditionally regarded as male and are still largely dominated by men,

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- to ensure that textbooks and other curricular materials used in schools do not portray men and women in traditional gender roles and do not ignore the major contribution made by women to society both today and in the past,
  - with a view to creating awareness that equal opportunities for both sexes is not a concept that is confined to the classroom or the curriculum alone and must permeate all aspects of school activity,
  - to ensure that physical education is as important for girls as for boys,
  - to ensure that greater emphasis is placed on equal opportunities within the teaching profession itself so that more women occupy senior posts throughout the whole range of educational establishments, and particularly in vocational guidance,
  - in the field of school and vocational training for women for jobs where they are under-represented, particularly in the field of the new technologies, chiefly in fields concerned with research in new technologies and programming, with prospects for progress to positions of administrative and managerial responsibility,
  - in the field of craft and industrial apprenticeships by encouraging employers to recruit girls and young women into apprenticeships and by encouraging girls and young women to take independent action and establish their own undertakings,
  - as regards the transition from school to employment,
  - with a view to increasing women's participation in vocational and further training courses, particularly by adapting working hours and the length of training courses to meet the specific problems of women with family responsibility and providing adequate childcare facilities for all women attending training courses who need them,
  - to provide women with the opportunity to attend women-only training courses in non-traditional sectors of industry,
  - in the field of distance-learning and distance-training,
  - in the field of training or re-education for women re-entering employment after a break,
  - in the field of special measures on behalf of the most disadvantaged groups, particularly immigrant and disabled women,
  - as regards training for women setting up or participating in women's cooperatives and local employment schemes,
  - to provide special programmes and seminars on topics concerned with market research, marketing and industrial management for young women who set up small or medium-sized undertakings or cooperatives,
  - in the field of supportive measures in areas where there is the highest percentage among women of repeated school years and abandoned school courses,
  - as regards the provision of study grants for young women studying at home to enable them to carry out their studies in one of their chosen specialities,
  - to ensure that the classification of qualifications and tasks takes into account specific female attitudes and activities that are currently undervalued;
5. Welcomes the Commission's recommendation of 24 November 1987 concerning vocational training for women which contains all the necessary measures on the subject, and calls on the Commission to monitor closely the implementation of the measures taken by the Member States;
6. Calls on the Commission to report back to Parliament one year from now on the implementation of these measures, and instructs the appropriate parliamentary committee to draw up a report on the subject;
7. Calls on the Commission to continue and intensify all the necessary measures through the network that it has introduced in respect of equal opportunities in education and training;

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8. Calls on the Commission to draw up, at Community level, pilot and innovatory training projects for girls and demonstration projects aimed at exchanging the experiences gained from the most relevant and effective projects implemented in the Member States;
9. Calls on the Commission to support visits by experts or training officers from one Member State to another or several other Member States in order to provide an opportunity to benefit from a wide range of experiences in the field of equal opportunities;
10. Calls on the Commission to provide in the 1989 budget a specific line for the organization of information seminars in the 12 Member States to make all the persons concerned aware of the need to equal opportunities for women in the field of education and vocational training;
11. Calls on the Commission to take account of the suggestions contained in this resolution when implementing the ERASMUS, YES, and COMETT programmes;
12. Urges the Member States to implement as soon as possible both the Council's equal opportunities programme of 24 July 1986 and the Commission's recommendation on vocational training for women;
13. Calls on the Member States to take steps to remove from all educational textbooks at all levels any stereotypes concerning career choices and sex-based role allocation within the family and requests that similar attention be given to education programmes broadcast on television and radio and to private educational establishments, institutes etc;
14. Calls on the Member States to establish special advisers on equal opportunities in educational and vocational guidance services and employment agencies;
15. Calls on the Member States to organize, in the various mass media, regular information campaigns to promote greater equality of opportunity and wider career options;
16. Calls on the Member States to study the possibility of recognizing the skills acquired within the home and the family as training for certain posts and jobs in the educational sector (elderly care assistants, social services assistants, etc.) while at the same time uncovering and eradicating the reasons which cause or encourage the 'black' labour market for women;
17. Calls for 1990 to be declared 'European Year for Equal opportunities between Men and Women in Education and Vocational Training' and, in this context, for a major public event to be organized at European level and in cooperation with the Council of Europe and the OECD, with conferences and debates at the highest level involving teachers from all the Community countries;
18. Instructs its President to forward this resolution to the Commission, the Council and the parliaments and governments of the Member States.

## 11. Drive to halt deforestation in the Third World

— Doc. A2-18/88

### RESOLUTION

on technology transfer to the Third World as part of the drive to halt deforestation

*The European Parliament,*

- having regard to the motion for a resolution by Mr Deprez on the gradual disappearance of forests in the world and the economic and ecological disasters to which this leads (Doc. B2-660/85),

**Bardong**

Some fears have been expressed. Would it not endanger the industry for it to make this small, modest contribution? I think that idea is a terrible mistake. In the case of the coal industry itself, I have been told that it only pays 2.6 m ECU in tax in the whole of the European Community. If you divide that by twelve countries and, let us say, 50 or 100 undertakings, you can see that what they have to contribute is little more than pin money. I am happy to pay DM 5 if my workers then give me a present of DM 500. Since the Commission is already releasing so much more money from the reserves as a result of continuous pressure, it might as well release the 10 million more per year from the reserves; I would have understood that argument. But I regard the argument that the industry will obtain so much for its workers from this small sum and that otherwise they would suffer as fundamentally wrong.

**HOFF (S).** — (DE) Mr President, on a point of order, let me ask you to find out why the Council has not taken part in this important debate and to inform Parliament tomorrow morning why the Council was not present. Commissioner Christophersen said we must convince the Council. How are we to convince it on these important questions, in this matter, if it is not even prepared to listen to the arguments put forward here by Parliament and the Commission? I ask you quite urgently to inform Parliament tomorrow morning why no Council representative attended this debate.

**PRESIDENT.** — Mrs Hoff, I share your concern at the absence of the Council representative. But there is nothing we can do to change this.

The joint debate is closed.

The vote will take place at 6.30 p.m.

#### 6. *Equal pay and treatment for women and men*

**PRESIDENT.** — The next item is the report (Doc. A 2-298/88) by Mrs Larive, on behalf of the Committee on Women's Rights, on

the proposal from the Commission to the Council (COM(88) 269 final — Doc. C 2-83/88) for a directive on the burden of proof in the areas of equal pay and equal treatment for women and men.

**LARIVE (LDR), rapporteur.** — (NL) Mr President, at 4 p.m. tomorrow the Council of Ministers for Social Affairs will deliberate on the proposal for a directive on the burden of proof in the area of equal pay and equal treatment for women and men. The Greek Presidency is very committed to this directive and has urgently requested the European Parliament's opinion.

We, as the European Parliament, have been pressing for such a directive since 1981. What is at issue? Anyway, it is not about reversing the burden of proof, as opponents of the directive all too readily and systematically assert and, as we know, is the case with product liability. Three main issues are involved.

Firstly, a readjustment of the burden of proof in Article 3 of the directive. The complainant, usually a woman, must adduce grounds for a presumption of direct or indirect discrimination. The respondent, usually the employer or potential employer, must then show that he has not acted in contravention of the principle of equal treatment. What is involved, then, is a delicate division of burden of proof, while keeping — in my view, rightly — penal law out of the directive.

Secondly, there is the gathering of information by judges and parties. Article 4 seeks to institute effective procedures for examining complaints and for furnishing and obtaining information.

Thirdly, in Article 5 a definition is given of indirect discrimination.

Opinions are divided regarding the need to codify past decisions of the Court of Justice. I would, however, emphatically request the Commission to give its support tomorrow for the maintenance of this article. At all events, your rapporteur believes it necessary for the Commission to set on foot an information campaign about the content of the term "indirect discrimination", aimed particularly at national judges. We, as Members of the European Parliament, are rightly proud that, thanks to European emancipation legislation, the European woman's position as regards equal pay and equal treatment has greatly improved. I shall not be the only one to suspect that, without these European commitments, the emancipation process in a number of Member States would have stuck at pious intentions.

Yet experience shows that in practice our European legislation, of which we are so proud, when contravened often proves to be a paper tiger. Despite the widespread continuation of all manner of forms of discrimination, European research shows that few women seek legal remedy and those that do are almost never successful. The general rule: *actori incumbit probatio* or the burden of proof reposes on the plaintiff, places the woman, in practice, before insuperable problems. Except in France, Portugal, West Germany and Ireland, this general rule applies, also in discrimination cases. Moreover, documentary evidence, such as staffing data and the internal papers used by appointment boards, are usually held by the defendant.

The Committee on Women's Rights is consequently a warm supporter of the directive, which affords definite

**Larive**

assistance in the solution of these problems. So we thank the Commission for an excellent proposal.

Your rapporteur would point out that the directive does not impose any new obligations on the business world. Its purpose is to make legal procedures more efficient when existing obligations are not observed. As, for example, the Netherlands Department and Chain Store Council put it: We have no objections at all against the directive since we do not discriminate against our female employees. Imagine, then, my amazement when it turned out that several Member States were busily engaged in watering down the directive and reducing it to a useless, meaningless pamphlet, as happened with the two earlier emancipation directives, the one containing company and sectoral regulations, the other concerning the self-employed. These directives were then presented with much flourish to European women.

This time we have no need for a meaningless Christmas present for European women. Nor does the fate of the draft directives on part-time work, temporary work and maternity leave, relegated to the lowest drawer of the European desk, have any attraction for us. Since the Committee on Women's Rights wishes this directive to be adopted as completely as possible, it has avoided making changes or tightening up the proposal's provisions to any great extent. More important is the fact that our committee, in amendment No 10, is offering a far-going compromise for Article 4 and I hope that Parliament will support it this evening at 6.30. For this article appears to give rise to big problems in countries where the judge's role is in general passive and where the judge does not, as in Belgium, France, Italy and Luxembourg, have to take a more active part. With our amendment, countries have three years in which to examine how the provisions on that more active role are to be embodied in national legislation. This compromise ought to enable the Council to approve the directive tomorrow.

I am counting for the rest on the active cooperation of my own, Netherlands, Government. On 30 August last the Minister for Justice declared in the Netherlands Parliament that this draft directive was superfluous because the division of burden of proof was already as intended by the directive. Although I, like the Netherlands Emancipation Council, here would place my question marks, the directive does not apparently cause any problems in the Netherlands. I consider this further reason, out of solidarity with other European women who are not in such a privileged position, for being particularly active and constructive tomorrow in endeavours to have the directive approved.

Europe 1992, with much greater mobility and a drastically changing labour market plus the need for social cohesion, make it essential that in all EEC Member States there should be equal right to equal treatment and an effective guarantee for the exercise of that right. Which of the Member States can object to Euro-

pean women acquiring equal chances in giving effect to acknowledged claims stemming from European legislation adopted unanimously? Tomorrow, 16 December, will reveal whether our governments are paying lip service to the European woman or that they are prepared to give her not only paper rights but also a real chance to make those rights stick through the courts.

*(Applause from the right)*

**IN THE CHAIR: MR CLINTON***Vice-President*

**VAYSSADE (S).** — *(FR)* Mr President, the Socialists are delighted that we have at last had the opportunity to examine this proposal for a directive, which was planned as part of the second action programme but, as Mrs Larive has stressed, is something that has been called for by this House for a very long time.

In individual disputes, as every one knows, employees are always in a weaker position than the employer. Women are at an even greater disadvantage when fighting against discrimination based on sex. Discrimination is difficult to prove, especially when it is indirect, but it is very much a part of women's experience and can be extremely painful.

Hence the vital need to reverse the burden of proof. In fact, what the Commission is proposing is not total reversal of the burden of proof, but rather a sharing of the onus. This is borne out by Article 3(3), which allows Member States the option to reverse the burden of proof totally. What we have here is rather a chronology for the production of evidence, which in fact gives women the opportunity to adduce facts and places a heavier burden of proof on employers.

Another extremely important provision in this text is that determining which party loses a case where doubt subsists. Who gets the benefit of the doubt? Under Article 3, it is the complainant, the woman bringing the action, and that is very important. The last provision to which I wish to draw attention, since we set great store by it, is Article 5, with its definition of indirect discrimination. We consider this article essential, and would be deeply disappointed if it were to disappear.

The Socialist Group is going to support the majority of the amendments tabled by the Committee on Women's Rights, and I want to congratulate Mrs Larive on the job she has done. However, I wish to comment on three of the amendments.

Amendment No 9 proposes deleting Article 3(2). Is this really necessary in the light of the revised wording

**Vayssade**

of Article 3(1), on which I am pleased to note that the Legal Affairs Committee's amendment has been accepted by the Committee on Women's Rights? Should not a definition of simple presumption be retained? It would have been sounder in my view to keep it rather than delete it.

Secondly, Amendment No 10. I know that Article 4 was the subject of extensive debate, and I have to say that the French translation 'les gouvernements s'informent' struck me as somewhat odd. I do not think it tallies with the original. The French version doubtless needs to be revised. Apart from that, I find it regrettable that the Council cannot bring itself to say that a directive must be applied, and that the necessary provisions must be introduced.

Finally, on Amendment No 11, is not the insertion of the words 'or third parties' too restrictive in connection with disclosure of all information relevant to the conduct of a case, and would it not run the risk of opening the door to all manner of abuse?

We prefer the wording recommended by the Committee on Women's Rights to Amendments Nos 20 and 22, and will be voting against these amendments. We find that Amendment No 21 waters down the text, particularly as regards the scope for giving the complainant the benefit of the doubt in an action. We shall therefore be voting against it.

**FONTAINE (PPE).** — (FR) Mr President, ladies and gentlemen, this proposal for a directive brought before us by the Commission is something for which Parliament has been pressing for many years, as other speakers have already said. We can only regret that it has taken so long for the report we approved in May 1984 to bear fruit.

That report was prompted by the existence of a serious and very real problem with which we are familiar in this House: the failure to observe the principle of equal treatment between the sexes, despite the fact that it is clearly enunciated in the Treaty of Rome and has been the subject of three specific directives.

To date, as we are well aware, there has been scarcely any improvement in the situation. A recent survey on pay structures in the European Economic Community has shown that in many of our States the disparity in pay between men and women, all other factors being equal, can be as much as 20%. For years we have been trying to get to the root of this disgraceful situation. That the problem in the majority of cases is one of indirect discrimination, which is pernicious by definition, clearly makes it extremely difficult to establish proof. It was therefore this difficulty that needed to be tackled, and that is the purpose of the proposal for a directive before us today and the excellent report by our colleague Mrs Larive, whom I wish to congratulate in my turn.

The Commission's proposals have our overall approval. We agree with the rapporteur that the definition of indirect discrimination is necessary and satisfactory in its content, and that it must absolutely be retained. As regards the establishment of proof, the Commission admittedly does not go all the way in reversing the burden of proof, since it requires a simple presumption of discrimination, but this approach, refined by a few amendments, is one that we find balanced. We must beware of the danger of adopting more stringent provisions which might eventually militate against what we are trying to achieve, by triggering increased discrimination at the recruitment stage, which is also a very real problem, sad to say. Let us not forget that while unemployment in our twelve countries fell by 2.7% between May 1987 and May 1988, unemployment among women rose by 2% over the same period. If we needed any motivation, statistics like those should concentrate our minds on further action to be taken, especially with the prospect of 1992.

I trust that our vote will be as near unanimous as can be, and it remains only for us to hope that the Council will in turn adopt this text, which is essential in order to put an end to forms of discrimination that must become a thing of the past.

**LLORCA VILAPLANA (ED).** — (ES) Mr President, Mrs Larive has drawn up a report and difficulties have cropped up. There is the initial one of a shortage of time and then there are all the valiant efforts that have had to be made to reconcile what the Committee on Women's Rights would have liked to see, with what is was actually possible to squeeze out of Council.

On the eternal theme of discriminatory treatment of women and men professionally and in terms of pay we are dealing this time with the onus of proof in such matters. Parliament has been making constant efforts to reduce these sorts of inequalities. Various earlier reports, dealing with related topics, anticipated this additional aspect. However, as Mrs Vayssade pointed out in her draft opinion, the burden of proof is a standard component of Member State law on civil proceedings. In accordance with the law, each party has to prove its case if it is to succeed. In this matter we have of course not only differences in legal provisions but the difficulty of demonstrating a claim when it comes to discrimination. This shows up at one and the same time how important this report is and the difficulties involved in it. With her report Mrs Larive has got as far as she could for the moment. However, in the long run, this is nothing more than a start. It will lead us on to score more positive and resounding successes in future. Our group will be voting in favour of the Larive report. We would congratulate the lady on her work and we support the appeals to the Council that have just been made.

**CINCIARI RODANO (CCM).** — (IT) Mr President, as my colleague, Mrs Larive has said, we are

**CINCIARI RODANO (COM).** — *(IT)* Mr President, as my colleague, Mrs Larive has said, we are talking in this case not about a reversal of the burden of proof, but only a change in the procedure regarding proof.

It is, unfortunately, a retrograde step — we must say this quite clearly — both in relation to the aims indicated in the second programme of action for equality of opportunity, and above all as far as many resolutions adopted by this Parliament are concerned.

I have to say that in this case, as in other cases — for example, in relation to the social security directive — I am aware of a certain contradiction. The President of the Commission makes great, solemn declarations on the European social dimension and the social area; and then, when it is a question of adopting legislative measures, he proves extremely timid.

The report of the Committee on Women's Rights is even more cautious than the Commission's text — if that is possible. Our group will vote in favour of the majority of the amendments — not all of them — because we want to put the Council to the test by a vote with a large majority. It must be clear that what we are voting for today is the minimum, it is less than what women are calling for, and it is less than some legislation such as, for example, legislation in Italy, which already provides in certain cases for a reversal of the burden of proof. We consider the provision regarding indirect discrimination to be indispensable, and we agree with the amendment that is designed to safeguard positive measures.

I should like finally to know from the Commission whether the text does or does not contain the expression 'at any stage in the proceedings' that figured in the Italian text sent out by the Commission but not in the other language versions. That obviously considerably changes the procedure.

**LEMASSE (RDE).** — Mr President, Mrs Larive has once again presented us with an excellent report. For me it is a particularly appropriate subject as yesterday, the day when this report should have been before this Parliament, was the seventieth anniversary in Ireland of the first vote cast by the suffragette movement.

The proposal we have before us is important, I believe, in two respects. It consolidates Community action on equal treatment for men and women. Secondly, it addresses itself to the practical problems experienced by claimants under Community legislation. There is absolutely no point in having equality legislation if it is not achieving the intended effect of reducing discrimination in the workplace. The situation in many Member States is that a large number of apparently well-founded cases fail, are withdrawn or are settled out of court. Why is this happening? The problem appears to lie with imposing the burden of proof on the plaintiff

who, in order to build a case, must have access to information which is rarely in the hands of employees.

We have argued many times in the European Parliament for a different approach to be adopted. I welcome the opportunity this proposal should give to establishing a more realistic system of redress. I also hope that it will make employers more conscious of their responsibilities and duties under Community equality legislation.

Another aspect of this proposal which I fully support is Article 5, which defines the concept of indirect discrimination. This is a very grey area in all Member States and the lack of a definition has complicated many cases. Adapting this definition would mean that evidence can be taken in courts of indirect discrimination, that is, apparently neutral provisions which disproportionately favour one sex.

There have been a number of indications that this provision will be substantially modified by certain Member States. I want to be clear on one thing. This provision is an important part of the overall proposal to ensure effective implementation of equality measures. Any attempt to dilute this will reduce the chances of many legitimate cases receiving fair hearings.

This is an important initiative in ensuring that the citizens of our Community have recourse to Community law in a practical, logical and just manner, and we should support the proposal in its entirety.

**VAN DIJK (ARC).** — *(NL)* Mr President, the reversal of the burden of proof is of the greatest importance for women to allow them to really do something about unequal treatment which, as we all know, is still of daily occurrence in the European Community. The reversal of the burden of proof has not been clearly specified by the Commission in this directive, but a step has at all events been taken in that direction. Unfortunately, the readiness to compromise shown by the Committee on Women's Rights has resulted in several amendments which, as I see it, sharpen the directive in the wrong way. This gives the impression — as indeed Mrs Larive has herself said — that the reversal of the burden of proof has been shed. You may defend this with the argument that such is important so as to be able to convince the Council, but we all know equally well in what kind of a procedure we have got involved. The question is whether the Council will be ready to countenance the amendments if they are adopted here. It could well be that the Council considers they go too far. The question is above all: what does this directive offer women in Europe? In several countries it would even result in a worsening of their legal position. That is surely inadmissible! In various other countries it will result in an improvement, but I must honestly say that I find it a very questionable business if this Parliament should adopt all the

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**Van Dijk**

Women's Rights Committee's amendments. At any rate, I shall advise my group not to adopt a number of them.

In conclusion I believe that, all in all, it represents a slight improvement and so I shall refrain from advising my group to vote against it.

**VAN DER WAAL (NI).** — *(NL)* Mr President, we have some considerable misgivings about Mrs Larive's report. To avoid all misunderstanding, these are not prompted by objections on our part to equal treatment of women and men on the labour market, equal wages for equal work or anything else like that. My criticism relates to the fact that this report is situated in the context of efforts at a further individualization of society; no allowance can be made for the social and societal circumstances in which men and women find themselves and the heavy responsibilities of their relationship towards others. Were this principle to be followed up fiscally and socially and should women find themselves at a disadvantage as a result of discrimination, then there would certainly need to be discussions about measures to improve the situation. However, whether the heavy artillery of government compulsion is necessary, or the reversal of the burden of proof, that I seriously doubt. The nature of these remedies seem to me to be out of all proportion to the size of the problem. The assertion that there is no reversal here of the burden of proof, I find materially untenable; not only because in Article 3(3) the Member States are explicitly invited to introduce this principle, but above all because in paragraph 1 of this article the wording is maintained that the complainant shall have the benefit of any doubt that remains. I shall therefore vote for the amendment seeking to delete this passage but even then I shall be unable to lend my support to this report.

**LENZ (PPE).** — *(DE)* Mr President, the Commission proposal for a directive on the burden of proof in the area of equal pay and equal treatment for women and men is certainly an important step forward, especially for the equal access of women to employment. We hope it will at least encourage our Member States to do something where it is necessary.

The directive has been formulated very flexibly. We would really have preferred it to have been worded more strongly and above all we would have wished for more time in order to formulate it more carefully and discuss it. Caution is advisable for texts which give rise to so many reservations in some of our Member States. The proposal will certainly not fulfil some of the hopes that have been expressed here. We are aware of the difficult nature of this matter in the context of our own countries. But really no one who takes decisions based on the principle of equal treatment need fear this instrument, and certainly not in its present form.

Our amendment to Article 3 is designed to clarify matters.

But I would like to make one critical comment, which I hope the Council will take into account in the final version. The translations of Articles 3 and 4 are not consistent in all languages. And the fact that we have amendments which relate only to some of the languages is an indication that the texts are obviously not identical. This seems rather curious to me for a legal document. The amendments tabled to Articles 3 and 4 do not refer to the same wording either. In view of the importance of this directive to many women, we really must establish clarity here to avoid any difficulties which might be used at a later date as a pretext for not applying the directive.

In spite of these reservations we will vote for the amendments, except for the amendment by Mrs van Dijk. I await with suspense, however, whether the Council really will give its assent, as the Greek Presidency of the Council hopes. For the sake of my country I would hope that the Council speaks clearly, for that would help us to make progress on this matter in our own country.

**MAIJ-WEGGEN (PPE).** — *(NL)* Mr President, honourable Members, I wish to begin by complimenting Mrs Larive on her excellent report on a complex and also somewhat contested directive. It is a sound report and reveals considerable legal expertise. That deserves to be said. The first time that the subject of reversal of the burden of proof came up in this Parliament and in a parliamentary resolution was in February 1981. I remember it so clearly because I was the one who tabled the resolution; it was the resolution of the then Committee of Inquiry on the position of women in Europe. I could hardly imagine then that it would take 8 years for Parliament's wish to be fulfilled. But, happily, the baby is now born after a very long gestation period, and it is a bonny baby too.

The present directive is the result of a compromise. It does not really involve reversal of the burden of proof, as was originally requested; it is much more a matter of apportioning the burden of proof. I consider this a very sensible starting-point. For a simple reversal of the burden of proof can turn one inequitable situation into another inequitable situation. I support the moderate approach that has been chosen and wish to make three remarks regarding the directive's content. In Article 4 the directive calls for the principle of shared burden of proof to be embodied in national legislation. In the Netherlands — Mrs Larive has already mentioned this — two Ministries have stated that such is not necessary since the points in question have already been included in the act now pending on equal treatment. I have looked into this and I agree with the Netherlands Emancipation Council that such is only very partially true. I would therefore ask the Netherlands Government to satisfy the Emancipation Coun-

**Maij-Weggen**

cil's request that it introduce this directive well and truly into Netherlands legislation. I must also call upon the Second Chamber to keep a careful eye on this matter. A second problem regarding Article 4 concerns the manner in which material for the burden of proof has to be acquired. Under the Netherlands legal system — and that of five other EEC countries — the judge does not play an active role in gathering evidence. Consequently, an independent body, for instance an inspectorate for equal treatment, ought to take on this task. Mrs Larive has added an amendment on this point and I believe it to be very useful and also very necessary; certainly in my country such an inspectorate could perform very worthwhile services.

A third point I should like to stress concerns Article 5. We find there a very sound definition of the term 'indirect discrimination' based on earlier verdicts of the European Court of Justice. Certain Member States — let the Commission be warned — are keen to remove this article in particular, but I consider this to be the very last point the Commission should allow to be dropped. I would advise it to remain very alert on this issue.

Mr President, just one final remark. We have here a directive on the reversal of the burden of proof for the directives on equal treatment for women. We have further a large series of equal treatment directives in the EC, namely those for foreign workers. It would be very fine if this directive were followed by a comparable directive for foreign workers. For why should women get special treatment and not foreign workers, who come up against similar problems of law enforcement? I wish thus to support the present directive.

**MOSAR, Member of the Commission.** — (FR) Mr President, allow me to begin by congratulating Mrs Larive on the quality of her report and to thank her for her support to the Commission's proposal.

As you know, this proposal for a directive seeks to give greater effect to measures adopted by Member States pursuant to the Community directives bearing on equality between men and women. The aims of our proposal are to ease the burden of proof for the complainant, to improve procedures, and to clarify the difficult concept of indirect discrimination, this in accordance with the case law of the Court of Justice. In proposing this directive, we are also answering a call made on numerous occasions by the European Parliament in a series of resolutions, as several speakers have rightly reminded us.

The Council has already worked very intensively on this directive, and the Greek Presidency hopes to get it adopted tomorrow at the meeting of the Social Affairs Council. But the discussions in the Council have been heavy going, and there is a strong likelihood that the compromise that emerges will significantly weaken the directive, particularly Articles 4 and 5.

If Parliament confirms that it is prepared to agree to a compromise strategy, the Commission will support the compromise proposed by the Presidency in order to achieve a positive outcome. What both of us — you the Parliament and we the Commission — are striving for is the adoption of this directive, which will be an important addition to the array of Community legislation on equality.

On the two articles to which I have referred, the Commission thinks it will be possible to insist on adoption of Article 4 as modified. However, the Council will have great difficulty in agreeing to Article 5, but the Commission will try to convince it of the need to accept Article 5 in the form insisted on by the Committee on Women's Rights and its rapporteur, Mrs Larive.

On the subject of Article 4(a), I would like to say — in reply to the question asked just now by Mrs Cinciari Rodano — that all procedures are covered, at least in the German, French and English versions. I can assure her that I shall have the others checked.

**VAYSSADE (S).** — (FR) I would like to ask the Commissioner whether the Member States reject the case law of the Court of Justice, since Article 5 reflects that case law.

I cannot see on what basis the Member States could oppose it.

(Applause)

**CINCIARI RODANO (COM).** — (IT) My question was really a different one. In the Italian version sent out by the Commission, Article 3 says: 'at any stage in the proceedings'. In other languages this phrase is missing. I should like to know whether this phrase forms part of the text of the directive, or not.

**MAIJ-WEGGEN (PPE).** — (NL) Mr President, I have a further question for the Commission. It has intimated that the biggest problems lie in Articles 4 and 5. We have drafted a compromise for Article 4, but I cannot imagine that the Commission will tomorrow agree to Article 5 being removed or watered down. I think we are then in a situation where the Commission will simply have to withdraw such a directive. We cannot again return to the women of Europe with a greatly diluted directive. That would be a far too humiliating situation.

**MOSAR, Member of the Commission.** — (FR) Mr President, if I may answer these questions. I think I can give immediate answers to the first and third, since the questioners are perfectly right. That is why the Commission will be pressing for adoption of the wording proposed, as I said just now.

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**Mosar**

On the question concerning translation problems, we shall be looking into the matter.

**PRESIDENT.** — The debate is closed.

The vote will be taken at 6.30 p.m.

### 7. Role of multinational undertakings

**PRESIDENT.** — The next item is the report (Doc. A 2-235/88) by Mr Blumenfeld, on behalf of the Committee on External Economic Relations, on the role of multinational undertakings in the Community and in its external trade.

**BLUMENFELD (PPE), rapporteur.** — (DE) Mr President, I have often been asked in recent years why the Committee on External Economic Relations is actually drawing up a report on multinationals. I must say I have asked myself the same question. This should really be a matter for the Committee on Economic and Monetary Affairs. But my report is intended as a kind of signal, to underline the importance of this whole question and enable the new Parliament to take the appropriate action on the basis of the Commission proposals.

Large internationally active undertakings were frequently at the centre of economic controversy in the past. They were, sometimes justifiably, accused of using the international scope of their operations to circumvent national legislation and of abusing their economic power. The term 'multinational' had negative overtones.

Today, as we stand on the threshold of a uniform internal market, this has completely changed. As multinationals operate across frontiers, it is not surprising that they also play an important role in external trade. While official statistics give no detailed information on the multinationals' share of Community imports and exports, research by the United Nations indicates a share of roughly two thirds. I shall return to this.

Services are an important field for international undertakings. They account for about 40% of total foreign investment by multinationals. The international operations of multinationals in the various service industries, such as banking, insurance, transport and tourism, take much more specific forms than in the production sector, and a separate report on the subject would therefore be necessary. The present report will touch on services only where fundamental questions are concerned which affect multinationals in general. From an economic policy viewpoint, questions of competition policy in particular are raised. We have to ensure that the undertakings within the Community can merge to form groups capable of using the opportunities offered

by the new internal market and of surviving international competition. But I also think that national legislation on mergers will have to be raised to Community level and adapted to the European dimension.

Let me make it clear, however, Mr President, that the success of the internal market will largely depend on acknowledging that the social dimension — I do not like the term, but we can use it as a kind of shorthand — is just as important as the purely economic dimension. The economic ground rules for the internal market can only be those of the social market economy. In return for the greater scope for profits, undertakings in the internal market must be prepared to grant their workers comprehensive rights to participation, information and protection throughout the Community.

The very fact that multinationals account for an estimated two thirds of all the Community's imports and exports is a pointer to the dynamic role they play in the Community's foreign trade. Their experience of the markets in other countries, and their subsidiaries' contacts in the host countries, open up sales opportunities for products from the Community which the latter would often be unable to take up without the operations of the multinationals. This is notwithstanding the fact that direct investment by European undertakings abroad initially represents a capital outflow and, if past exports are replaced by production abroad, adversely affects the balance of trade and, as some people fear, costs jobs.

However, a static assessment of this nature does not go beyond the initial effect of direct investment abroad. The foreign trade statistics show at a glance that the Community is particularly competitive in the world market in those industries in which Community undertakings have invested throughout the world, e.g. in chemicals, motor vehicles and the electrical and electronics industries.

A special problem arises where multinationals from third countries such as Japan invest in assembly plants in order to avoid fiscal and anti-dumping measures. We must look at this very carefully and we expect the Commission to tackle this question too, now that it has introduced anti-dumping measures in relation to imports of primary products. Anti-dumping measures have in fact all too often been used to open the door for protectionism. The way the Commission goes about them is therefore vital.

In summary I can say that according to our research in past years, multinational undertakings have played an important pioneering role in drawing together the economies of the European Community. With the establishment of a common internal market with a uniform legal basis in the Community by the end of 1992 the role of the multinationals and their sphere of activity will be radically changed. Multinationals will turn into large undertakings with the internal market. That is a key point of this whole report and I would ask you

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**4. Single market and women**

— A3-0358/90

**RESOLUTION****on the 1992 Single Market and its implications for women in the EC***The European Parliament,*

- having regard to the conclusions of the Forum of the Committee on Women's Rights on 'Women and Employment in the 1990s' (PE 140.187),
  - having regard to the Commission's Third Action Programme for Women,
  - having regard to the conclusions of the Forum of the Committee on Women's Rights on childcare (25/26 June 1990),
  - having regard to the Commission communication of 5 December 1989 on an action programme to implement the Community Charter of basic social rights for workers,
  - having regard to the European Trade Union's pioneering statement on collective bargaining (April 1990),
  - having regard to Rule 121 of its Rules of Procedure,
  - having regard to the report and conclusions of the seminar of Women and the Completion of the Internal Market, held in Dublin on 14-16 February 1990,
  - having regard to the recommendations of its Committee of Inquiry into Racism and Xenophobia of July 1990,
  - having regard to the findings of the Commission's 1988 labour market survey on women in the labour market,
  - having regard to the report by the Committee on Women's Rights (A3-0358/90),
- A. having regard to the aims of the EC as laid down in Article 3 of the Treaty of Rome and Article 130a of the Single European Act,
  - B. having regard to the principles laid down in the Charter of Fundamental Social Rights and the Commission's action programme,
  - C. whereas the completion of the Single Market will lead to greater internal mobility and an increase in production and strengthen the EC's economic position, and should therefore have positive consequences in the social, economic and cultural spheres for all citizens of the EEC, both men and women, and for non-nationals living in EC territory,
  - D. whereas the directives based on Article 119 of the Treaty of Rome and the Commission campaigns, in particular, have done much to improve the situation of women in all Member States and have also had a positive effect on women's legal status in the Member States,
  - E. whereas, however, these campaigns did not always find practical expression and have lost their momentum to a worrying extent over the last few years, so that women in the Community still have a long way to go to catch up with men economically, socially and politically,
  - F. mindful of the twofold economic and social problem affecting women, in particular women in the least developed and most outlying regions,
  - G. mindful of the wives of migrant workers and women belonging to ethnic or other minorities, and of the lack of an appropriate policy in this field,

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- H. regretting that the Council's directives, resolutions and recommendations on women are being inadequately implemented, and that the Commission, the Council and the Member States have failed to implement Parliament's resolution of 16 September 1988 on the application of Council directives, resolutions and recommendations concerning women<sup>(1)</sup>,
- I. having regard to its resolution of 12 December 1990 on the Commission proposal for a Council directive concerning the protection at work of pregnant women or women who have recently given birth<sup>(2)</sup> and to the opinion of its Committee on Social Affairs, Employment and the Working Environment<sup>(3)</sup>,

**I. Starting on equal terms**

1. Stresses that it is only if all the recommendations made in resolution A2-166/88 are put into practice and the Commission, the Council and the Member States are pursuing coordinated positive policies in favour of women by 1 January 1993 that men and women can enter the Single European Market on equal terms;
2. Calls on the Commission, the Council and the Member States to draw up all draft laws, regulations and campaigns in the context of the Single European Market in such a way that no laws or measures which discriminate against women, maintain existing inequalities or give rise to other inequalities are passed;
3. Calls on the Commission to bring pressure to bear on the Governments of the Member States to introduce race relations legislation to provide legal protection from racial discrimination;
4. Calls on the Commission to carry out a survey of all women who will be affected by the new internal market regulations, concerning measures to be drawn up;

**II. Opening up the entire labour market**

5. Calls on the Commission as guardian of the Treaties to ensure that the Member States open up all sections of the labour market to men and women alike;
6. Calls on the Commission to present model programmes for women returning to paid work drawn up in accordance with the latest expert findings as requested in its resolution of 14 October 1987<sup>(4)</sup>;
7. Calls on the Commission to draw up a directive abolishing age limits for recruitment purposes;
8. Urges the Commission to pass the necessary legislation and to take over the opinions on atypical employment relations adopted by the European Parliament on 10 July 1990<sup>(5)</sup> and 24 October 1990<sup>(6)</sup>;
9. Calls on the Commission to present a directive prohibiting all forms of unprotected work and to draw up measures to combat illegal work;
10. Calls on the Commission to present a directive on positive action and an action programme to promote equal opportunities for women in employment and to promote positive measures in the field of employment;
11. Calls on the Commission to draw up a list of measures such as quotas to combat direct and indirect discrimination against women in access to employment, employment contracts and promotion;

(1) OJ No C 262, 16.10.1988, p. 180.

(2) See minutes of that sitting (Part II, Item 4).

(3) See annex to A3-0337/90.

(4) OJ No C 305, 16.11.1987, p. 79.

(5) OJ No C 301, 17.9.1990, p. 32.

(6) See minutes of that sitting (Part II, Item 7).

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12. Calls on the Commission to draw up a professional statute for women working on farms and in other family undertakings and to amend Directive 86/613/EEC as recommended in its Resolution of 16 March 1989 <sup>(1)</sup>;

13. Urges the Commission to direct additional fundings as an extension to existing schemes to provide specialized advice and training to women who have started their own businesses in how to adapt to the wider internal market, *inter alia* by increasing the appropriations earmarked for the NOW initiative;

### *III. Valuing work equally*

14. Calls on the Commission to draw up an EEC-wide system of job classifications which evaluates men's and women's work objectively and makes allowance for factors such as mobility, unsocial working hours, dignity of the employee, workload, noise and the like;

15. Calls on the Commission to put forward proposals defining the concepts of identical work and equivalent work;

16. Points out that women do the lion's share of unpaid work in the family and society, and calls for greater efforts to divide these tasks more equally between men and women, in order to improve the social infrastructure for childcare and care for the sick, the elderly and the disabled;

17. Calls on the Commission to put forward proposals to adapt and regulate working hours in such a way as to facilitate a better division of the available time between paid work, the family, leisure time, education and in-service training;

18. Asks all the Member States to set up offices to deal with complaints about discrimination, to institutionalize the right to submit complaints at EC level and to grant trade unions the right to pursue complaints on behalf of women workers;

19. Calls on the Commission to draw up a proposal for a directive on the rights of women working with new technologies;

20. Recalls its resolution of 8 July 1988 on equal opportunities in the field of education and vocational training <sup>(2)</sup> and believes that there is a need for the structural funds to target specific programmes on women who are faced with new technologies at the workplace;

21. Points out to the Commission that the concerns of R and D programmes should include the development of procedures, techniques and products to lighten women's workload, both paid and unpaid;

22. Points to the importance of the NOW initiative, which seeks to offset the adverse effects that completion of the single market might have on women's job prospects;

23. Stresses the significance of the IRIS programme for women's vocational training and hopes that it will be properly funded;

24. Appeals to the Commission to develop, together with the two sides of industry, suitable, practical and appropriate vocational training methods, under the auspices of, *inter alia*, the FORCE programme;

25. Appeals to the Commission to promote research to underpin effective technological education for adults;

<sup>(1)</sup> OJ No C 96, 17.4.1989, p. 163.

<sup>(2)</sup> OJ No C 235, 12.9.1988, p. 189.

*IV. Mobility*

26. Sees, in women's considerable interest in programmes such as ERASMUS, YES and COMETT, proof that women seize opportunities provided that they are as accessible for women as for men;

27. Hopes that the transnational measures taken under the FORCE programme will take into account the specific problems facing women: refusal to recognise equivalent diplomas, lack of social infrastructure and childcare facilities, and part-time work;

28. Advocates the drawing up of proposals to offer the accompanying partner the opportunity of employment as well;

29. Whereas 90% of European management staff employed in France, Germany, Spain, Italy, the Netherlands and Belgium believe that it is primarily the responsibility of these Member States to draw up a plan for the employment of the partners of transnational workers;

*V. Opening up isolated regions*

30. Calls on the Commission, within the framework of the ERDF, to combat all adverse effects for women of existing programmes;

31. Calls on the Commission to use the ERDF to set up or support programmes aimed at women which, thanks to their small scale and distribution over a wide area, would benefit women in isolated regions;

32. Calls on the European Centre for the Development of Vocational Training (CEDEFOP) to devote particular attention to setting up education and training programmes which can be used in isolated regions and which use all modern media;

33. Calls on the Commission and the Member States to encourage and help fund and advise on the setting up of local women's cooperatives and initiatives;

34. Hopes that LEDA initiatives targeted specifically on women will be set up and that the REGIS and POSEIDON programmes, the POSEIMA programme, currently under preparation, and any others that may be set up for the benefit of the islands and most isolated regions and overseas territories, will take women's interests in these regions into account and guarantee their access to new training schemes and new sectors, such as tourism;

*VI. Education and training*

35. Given that women are under-represented in the higher status jobs and are held back by specific handicaps such as their dual responsibilities at work and in the family, their more restricted mobility and long-term unemployment, efforts should be made to ensure that at least 50% of the training programmes funded by the Social Fund are devoted to women;

36. The Member States must consult their national equal opportunities commissions at each stage when setting up, implementing, following up and evaluating education and training programmes;

37. Advocates a particular effort to ensure that women account for half of all participants in programmes such as EUROTECHNET, COMETT, FORCE, DELTA, PETRA, LINGUA, ERASMUS and TEMPUS;

38. Hopes that the IRIS network will be involved in each of these programmes and that the FORCE programme will give particular attention to part-time workers;

39. Calls on the Commission and the Member States to encourage, fund and advise schemes providing training, information and careers advice for black and ethnic minority women, to help them to adapt to new regulations and to the new employment market created by 1992;

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### *VII. Quality of life*

40. Considers, that, as the cost of labour has fallen each year since 1985, sufficient financial resources are now available to extend the social and family dimension of the Internal Market by:

- (a) expanding childcare infrastructure and facilities and issuing a framework directive on childcare,
- (b) supporting and reinforcing local social structures and taking the lack of such structures into account when disbursing ERDF funds,
- (c) protecting the status of mothers and parents through a directive and a code of conduct, *inter alia*,
- (d) issuing a directive to curb sexual harassment and ensure the dignity of workers at their place of work,
- (e) upgrading the public transport network and adapting it to fit in with women's daily routines, bearing in mind that poor public transport can lock women into local labour pools with artificially depressed wages;

41. Calls on the Commission to conduct a comparative study into the compatibility of marriage law, legal provisions concerning divorce, particularly as regards the sharing of pension rights in the event of divorce, the rights of children and family law in general in the various Member States with a view to drawing up procedures which lead to the harmonization of these rights and have equivalent legal effects;

### *VIII. The advantages of lower prices and improved technology*

42. Welcomes the predicted fall (up to 10%) in the prices of domestic appliances, communication equipment, vehicles and the like, which will benefit women as consumers with less purchasing power, provided that the Commission ensures that the producers do not form price agreements;

43. Welcomes the fact that it is now possible to decentralize public administration and the production of common consumer goods, which may lead to more employment for women in their own area, even in rural areas;

44. Hopes that specialized educational and informative television channels will be set up and that applied technology to save time and lighten domestic chores will be developed;

### *IX. Minorities*

45. Supports the recommendations made in the Report on the findings of the Committee of Inquiry into Racism and Xenophobia<sup>(1)</sup> with regard to the situation of the wives of 'guest workers' and women immigrants;

46. Asks the Commission to take account both of the gender dimension and of ethnic minorities in the production of statistics;

47. Calls on the Commission to attach particular importance to equal rights for men and women in its public education campaigns designed to combat racism;

### *X. Genuine political rights and participation*

48. Draws the attention of the Member States to the need to create conditions enabling women to become more actively involved at the heart of political and social decision-making processes;

49. Is concerned at the low number of women Members of Parliament in Europe, both in national parliaments and the European Parliament, and calls on all citizens, particularly women, to encourage the active participation of women in political life;

<sup>(1)</sup> A3-0195/90.

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50. Calls on all Member States to set up a permanent commission on women's rights and to endow it with the necessary financial, administrative and legal resources;

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51. Instructs its President to forward this resolution to the Council, the Commission and the governments of the Member States.

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because of brutality to get the confessions. But they did not walk out the dock. There is a feeling that, frankly, an Irishman cannot get justice at the moment in England. Confidence will come back again when all this is over.

I commend my amendments which are only technicalities to put this matter correct which is a grave injustice to Scots law.

*(Applause)*

CRAWLEY (S). — Mr President, I should first like to add my congratulations to Mr Bontempi for his excellent report and his real commitment to the cause of the Birmingham Six over the two years since Parliament agreed the November 1989 joint resolution. I should also like to give recognition to all those Members who have campaigned tirelessly throughout the men's imprisonment.

The Bontempi report reiterates the infamous and solemn facts of the painfully long saga of imprisonment and injustice meted out to six Irishmen whose very Irishness seemed to be the most compelling reason for their treatment at the hands of the English police and judiciary in 1974, a judiciary whose reputation may never recover from the devastating revelations brought to light by the conclusions of the Birmingham Six, the Guildford Four and the Maguire Seven cases. The action taken now by the British Government must include a complete overhaul of the totally discredited appeals system as my colleague Ms Oddy has said. I have received a telephone message from Billy Power, one of the Birmingham Six, who wished the following to be made known to colleagues and friends in Parliament:

'I welcome this report to the European Parliament and sincerely hope that some good comes of it. However, I am sceptical that the United Kingdom Government will implement anything from the European Parliament given their past record. The problem about the appeal court system in the United Kingdom is that it makes judgements while juries give verdicts. Had we been given a retrial in 1987 and all the evidence put before a jury, we would have been found not guilty. This would have meant that any inquiry would have included the issue of police brutality. As it was the 1990 appeal did not consider allegations of brutality. The police inquiry now taking place therefore only covers the ESDA test and related issues and only four of the 20 officers involved have been charged. Had a jury been allowed to look at the evidence rather than the appeal court, the present inquiry would have been much wider.'

Colleagues tonight have said that the injustices in this case have European lessons such as the need always to safeguard human rights at times of terrible acts of terrorism like that resulting in the carnage that killed 21 people in Birmingham on 21 November 1974. We must go on from here using the Bontempi report as the basis for progress and the right of the European

Parliament to make its views known in such cases. Such positive intervention by Parliament can only assist in rebuilding and maintaining a publicly supported police and judiciary in England that is so necessary for a healthy democratic government, as Mr Maher has wisely pointed out. In that spirit I support Mr Andrews' important call for justice in the case of Judith Ward.

*(Applause)*

VAN OUIRIVE (S). — (NL) Mr President, the fact that I am not going to speak about IRA terrorism does not mean that I approve of terrorism. But what has struck me most, as a non-Briton, in this whole affair is the complete lack of effective judicial control over police conduct in England. I have the impression that this is becoming a real problem in several countries of the European Community. For example, the Belgian Government and the Minister for Home Affairs in Belgium have found it necessary to set up special control commissions which are answerable to parliament. But control over international police conduct is getting to be at least as great a problem in Europe. In this Parliament of course we would very much like to see what the Council is now calling the question of internal and judicial affairs covered within the European Community. I also note that control over police activities is not adequately covered by the Schengen Agreement. But, Mr President, it is at the same time a question of the defence of human rights in relation to police action, and it is regrettable that we in this Parliament, even in the Committee on Legal Affairs and Citizens' Rights, are no longer concerned with these matters. I think it absolutely vital that we endeavour to secure an explicit commitment on the part of the European Community here through its accession to the European Convention on Human Rights. I think we should also devote more attention within the European Community to the formulation of a number of democratic principles of law. What concerns me here, for example, is the need for control over police action and — referring to the case of the Birmingham Six — the absolute necessity that the submissions of both sides be heard in all criminal proceedings. I also think it absolutely vital that principles of law be formulated governing expediency and legality, for the benefit of all countries in the Community.

*(Applause)*

PRESIDENT. — The debate is closed.

The vote will be taken tomorrow at 12 noon.

#### 10. *Dignity of women and men at work*

PRESIDENT. — The next item is the report (Doc. A3-264/91) by Mrs Crawley, on behalf of the Committee on Women's Rights, on the Commission's draft recommendation on the protection of the dignity of women and men at work.

CRAWLEY, *rapporteur*. — Mr President, the European debate on sexual harassment at work has grown from a hesitant whisper to a clamour for action in the last month. Yet the sensationalism of the *Judge Clarence Thomas v Professor Anita Hill* case masks the real emerging picture of more women being harassed, more often, in more workplaces across Europe.

The Commission's excellent work which we are debating tonight, on a code of practice to protect the dignity of men and women at work established firmly that sexual harassment has been the most common and least discussed occupational health hazard for working women for many years. It makes thousands of women's lives miserable every day. It causes work absenteeism, depression, poor motivation. The reported complaints to the Equal Opportunities Commission in Britain this year have increased by 25% on last year. 5 500 complaints were received by the organization Women against Sexual Harassment. 5 694 complaints to the Equal Opportunities Commission in the United States last year. The Dutch Government survey indicated that 58% of Dutch women suffered sexual harassment of some form in the workplace. The most recent surveys in Britain suggest that 51% of women questioned have, at some point in their working life, suffered from this behaviour. Women are the main but not the exclusive targets of this type of harassment. The practice is generally perpetrated by male superiors or managers on female subordinates. Those most at risk include divorced and separated women, new entrants to the labour market — both male and female — women with irregular employment contracts or who are working on predominantly male work sites. Also at risk are women with disabilities, women from ethnic minorities and lesbians and gay men. Employees' work rates and health, as well as companies' profitability suffer from this phenomenon. The United States Merits Systems Protection Board found that sexual harassment at work cost the US Federal Government \$189 million between 1978 and 1980.

While many definitions of sexual harassment exist, Mr President, the common theme is that it is behaviour unwanted by and unwelcome to the recipient. It can be verbal, physical or visual. It can include suggestive remarks, offensive flirtation, pin-ups in the workplace, leering and unnecessary touching. Although this is not an exhaustive list, it is helpful for this Parliament to give some guidance to employers and trade union representatives as to where the limits of reasonable, acceptable social behaviour between men and women at work can be drawn.

The Committee on Women's Rights of Parliament would have preferred the greater strength of a directive rather than the advisory status of a recommendation. However, the Commission is to be congratulated on its persistence in this matter, as is the Irish presidency on its 1990 initiative. This code of practice will be a source of great clarity, comfort and confidence-building to victims now experiencing harassment. It marks a real step forward for working women in the 1990s in

Europe. The labour market of the 1990s, the changes that are going on within it and the present skills shortage will mean that more women will be present at the workplace than ever before in the years to come. While that may mean more incidents of harassment it should also mean that women will have more influence to demand a strengthening of the national laws to combat harassment.

The code of practice addresses itself to employers, trade unions and individual employees. It provides clear guidance on procedures to be taken to minimize sexual harassment and deal with it informally or formally if the informal course of action fails. It also addresses issues of counselling and support for victims of harassment.

Finally, Mr President, in supporting the Commission's work and adding what it hopes will be clarifying and strengthening amendments to it, the European Parliament is sending an unambiguous signal to Member States and social partners to take sexual harassment seriously from now on. As with all health hazards in the workplace, this Parliament is determined that this health hazard will not be the scourge of the workplace in the 1990s.

(Applause)

RONN (S). — (DA) Many cases of sexual harassment at the workplace have been reported in recent years, not least in Denmark. I believe that we are only seeing the tip of the iceberg in these cases. That is why there is a need for attention to be focused on this whole area and for general guidelines on good conduct at the workplace to be worked out. That may help to prevent cases of sexual harassment.

The proposals we are working on here must form the basis for a local debate in which a balance can be found that takes account of national norms and recognized workplace jargon. It is clear that the liberal sexual climate we have in Denmark calls for rules which may differ from those needed in Southern Europe. What is acceptable to one person is not acceptable to another, and what is acceptable in one country may not be in another. If the rules are not adapted to local conditions, the whole code of practice becomes ridiculous, which this issue does not deserve.

There may be many reasons why only a very small number of sexual harassment cases come to light. I believe that one of the main reasons is the victim's fear of not being taken seriously. That is not reasonable and constitutes one more good reason to introduce a code of practice governing conduct at the workplace, in both the public and the private sector. Such a code will have a preventive effect and will make it much easier to detect infringements of the rules, and we must take action against those who practise harassment.

Employers must be responsible for drafting written internal rules, in consultation with their employees, setting out what normal conduct at the workplace should be. The trade unions must offer their members assistance when harassment has occurred, and that

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should apply to both the victim and the perpetrator of sexual harassment. And it must also be possible to offer psychological help.

There are many examples to show that these cases need to be taken seriously. The case we have seen unfolding in the United States did not lead to any consequences but rather bears the hallmarks of a delayed act of revenge. Rules on sexual harassment must therefore form part of the personnel policy of any good workplace. The aim in fact is not to get the maximum number of cases but to prevent them from arising. With greater openness on the problems and a serious debate, I believe that those people who feel they are harassed will be in a better position to stand up and say no.

(Applause)

HERMANS (PPE). — (NL) Mr President, ladies and gentlemen, about seven years ago I led a wide-ranging study in Flanders into unwanted sexual attention at work. We discovered then how difficult it is to acquire and to provide exact data on this problem. A number of factors are involved. I will only name a few. For some sex is still taboo, others are affected by the sensationalism and commercialization of sex. Secondly, there is the culture of masculinity and femininity and the associated stereotypes and prejudices. Thirdly, there is the subjective experience of workplace culture, working relations and sexuality interfering in working relations. The last-mentioned aspect is the point at issue here.

Behaviour and actions with a sexual purpose which constitute a disruptive and unwanted interference in working relations, as a result of which one of the parties experiences the behaviour as intimidating and feels abused. It is not just a question here of protecting those sensitive souls who don't want to join in with the rough and tumble, nor is it the concern to regulate and control workplace relations in such a way that people feel regimented and restricted all the time. We are well acquainted with the problem raised here: we know about abuse and we know of nineteenth century situations in which women were not only called upon to perform heavy labour but were also expected to attend to the pleasures, including sexual lusts, of their bosses. No doubt the situation is different today, but we know that even now many women are suffering from the same problem.

To me it is not a question of knowing what exact percentages we are talking about. Each violation of human dignity is one too many! I am glad that the European Community, in the context of social policy and action on equal treatment for men and women, is devoting attention to this problem of sexual harassment and the dignity of men and women in the working situation. I consider the proposed recommendation to be good at this stage in the discussion and policy-making. The main aim in my opinion is to ensure that there are neither victims nor perpetrators. This means influencing the culture of the workplace in such a way that men and women can work together in mutual

respect. For that purpose we must create a situation in which the problem can be discussed and in which women feel defended. They will not then get trapped and held hostage in relationships which will poison and kill their working relations and private lives. I hope that the recommendation before us will make a contribution to that. Our group will in any case support the recommendation in its entirety.

(Applause)

SALEMA (LDR). — (PT) Mr President, it is most unfortunate but I have to start by expressing my group's bewilderment at the procedure which was used to adopt this report.

In the sitting of 9 September, the Commission's proposal was sent to the Committee on Women's Rights for it to examine the basis. The Committee on Women's Rights appointed the rapporteur at the meeting of 24 September, it approved the report at the meeting of 10 October and the report was submitted to the Parliament on the same day to be considered by the plenum. On 10 October, which was during the last plenary session, the meeting of the Committee on Women's Rights clashed with the meetings of the political groups. The deadline which was given for amendments was two or three days and the meeting of the Committee was not convened properly or in advance. Our group is presented with a *fait accompli* on which our opinion was not heard and at which we were not present. We had no opportunity to contribute and neither is there any reference anywhere in the report to a request for urgent consideration!

I don't want to be unfair to the Committee on Women's Rights. The committee's secretarial services tell me that this is all the Commission's fault. I have no idea why an issue like this is being treated in such a way. However, this point cannot be hushed up here in the plenum. We believe that the procedure which has been followed is unacceptable and I do not know of any other report which has been voted on in such a short space of time. It is especially unacceptable because in our opinion, the issue we are considering — which is the protection of the dignity of women and men at work, in which, as you know, the sexual harassment aspect is important — deserves to be treated seriously and impartially, but at the same time, democratically and openly.

The proposal which came from the Commission is reasonably acceptable and balanced but not very well substantiated. In some of the proposals for amendment which have been submitted, the report of the Committee on Women's Rights shows a degree of exaggeration and lack of balance which, at the very least, do not help towards drawing up a code of conduct which is simple, accessible and generally accepted and which enables the victims of sexual harassment to solve this serious problem.

The ideas which are being proposed are not based on any analysis or on any study which has been carried out in the different Member States. And even if they do not

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lay themselves open to ridicule in a Community measure, at the very least they are far too superficial and detailed. Therefore, we cannot support amendments 7 and 8, and if that was not enough, reading the other amendments, such as No 18 onwards, leaves us even more confused. Tasks are allocated to the trade unions which clearly give the impression that they are the only organizations committed towards dealing with this type of issue. That may be the case in the United Kingdom, but it is certainly not the case in other Member States.

Therefore, we find it very difficult to vote for some of the amendments. Their intentions are good, Mr President, but as the saying goes in my country, even hell is full of good intentions. We are going to vote for the Commission's recommendation, but we cannot come out in favour of amendments which, in a superficial and flippant way, are going to lessen the impact and even some of the acceptability of a recommendation like this.

*(Applause)*

NAPOLETANO (GUE). — *(IT)* Thank you, Mr President. This resolution on the subject of sexual harassment leads us to pass on from the hyped-up publicity given to a particular case — that of Judge Thomas, which has occupied the attention not only of American public opinion but world public opinion generally — to what is in fact an everyday occurrence. In fact, as can be seen from the motion for a resolution, from the code proposed by the Commission, such harassment happens daily on a wide scale and I should therefore not like the excessive publicity given to a particular case to lead public opinion to think that it is an exceptional case. On the contrary, the facts in our possession, the statistics collected by the Commission, show that, for example, in Europe 84% of the Spanish women interviewed, 34% of the Belgian women, 51% of the British women and 58% of the Dutch women stated that they had been subjected, during their working careers, to pressure and blackmail of a sexual nature at work. The field with which we are concerned is therefore really very very vast, and in Italy, where the facts are less certain because of the absence of statistics coordinated by the authorities, rules that are very similar to the code of conduct proposed by the Commission are nevertheless starting to be inserted in the collective labour agreements governing many trades. We therefore favour — indeed, we agree with — the adoption of this code by the Commission, but we should like it however to enable the Council to adopt a more binding instrument because, if we recognize that this is a widespread phenomenon, and if we recognize that something must be done, then more is needed than a recommendation and a code, and we must adopt a more binding legal instrument. I am insisting on this point because this is a field in which the type of legal action taken by Member States should also be coordinated, if we really do want our approach to the question of individual rights to have at least a European dimension. I think that this is important, because it is accompanied by a change in public thinking. I do not

think that legal instruments alone will be able to prevent the spread of this phenomenon, but I do think that legal instruments can help encourage women to make use of them, not women individually but also more collectively. It can also help to bring about a change in people's attitudes — at present, so long as people and public opinion, including women, identify with a certain 'masculinism' and hence with a mentality of male solidarity, it will be very difficult to crush this type of behaviour. When public opinion, looking beyond much-publicized individual legal cases, finally identifies with everyone's right to be able freely to do their daily work and equally freely to conduct their human, sexual and amorous relationships, then I think that we shall also see the prevention of this phenomenon. I have a strong belief in the question of collective identification, and I think that this instrument helps to put public opinion on the side of women, not because women are the only ones affected by this phenomenon, but because it seems to me that it is women who report it. Christine reminded us also of other categories or individuals that are often subjected to these pressures.

Finally, I would say that the motion for a resolution should be supported because it puts emphasis on one point — namely, that in the working world the most hateful blackmail is blackmail exercised by one's superiors. I think that this is a type of behaviour that needs particularly to be fought, and this is said in the motion that we are discussing, and said very seriously.

*(Applause)*

CRAWLEY (S). — Simply on a point of information for Madam Salema that, in fact, an analysis was carried out by the Commission, and I will talk to Madam Salema about that later.

VAN DIJK (V). — *(NL)* Mr President, in fact why are we discussing a recommendation and not a directive? Something funny is going on. Apparently there are Member States which are not prepared to enter into agreements with one another within the European Community on how sexual harassment at the workplace is to be tackled. It is nonsense to say that it cannot be done. There would be absolutely no problem in putting what is now in the recommendation into a directive. Evidently there is so much opposition to doing that in the Council that the Commission did not have the stomach to come up with a draft directive. That is extremely regrettable. Parliament has repeatedly asked for a directive and, moreover, not just for this. It is a little as though equality between men and women, and that is what we are really talking about in matters of sexual harassment, has become a side issue.

Sexual harassment is a serious problem for women: it stands in the way of their career development, it deprives them of proper access to the labour market, to vocational training. That is also recognized in the recommendation. It is therefore clear that some serious legislative work was needed here. It is a matter of health and safety at the workplace, equal treatment for men

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and women, equal access to the labour market and equal conditions in other respects. And perhaps in some cases it is even a question of equal pay, however grave a matter that may be.

I would just like to comment on what Mrs Salema said. It is indeed clear that the trade union movement, employers, employees, works councils and people who represent people in enterprises are assigned a major role here. They must all concern themselves seriously with the problem. If they do not do so, the taboo will not be broken. And that is perhaps the only difference in Europe, that in one part of Europe it is less of a taboo than in others. The difference is not to be found in the manner in which sexual harassment takes place. It makes no difference whether you have your bottom pinched in Italy or Denmark! What matters is that we try to deal with this problem in a serious manner throughout Europe and give women a guarantee that they can go to complaints commissions, that they can involve their trade unions and their representatives. It need not be dealt with in the way we have seen in the United States; that could augur ill for the conduct of the debate. I hope we can do things better in Europe.

*(Applause)*

VAYSSADE (S). — (FR) Mr President, I would first like to congratulate Mrs Crawley for her thorough and excellent work on this report. The problem is not new: we have often discussed it in the Committee on Women's Rights. Significant studies have been carried out by the Commission, and the Dutch Presidency had already raised the issue.

We have long been calling for laws and policy stances on this matter. I think it was necessary to move fast. There was no shortage of material; I think we have worked at a speed which gave everyone the opportunity to express their views in the Committee on Women's Rights and to examine the amendments in the normal course of procedures.

I also think it was necessary to work fast because the Dutch Presidency intends to make every effort to have the proposal adopted following the colloquium which it intends to organize. It is important that we should be ready. Of course we regret that it has not taken the form of a directive, which would be easier and more binding on Member States. We know, however, that discussion of this matter has started in earnest in several countries. In France, for example, the penal code is being revised to include an article on sexual harassment and penalties for those who engage in it.

Mr President, the 'casting couch' has been, at least in France, the subject of many jokes which for a long time have glossed over the reality of the difficulties, suffering and stress experienced by women confronted by uninvited advances at the workplace, and indeed by blackmail in some cases when promotion or even recruitment is made conditional upon their allowing men certain privileges. This problem has now been brought out into the open and appropriate measures

must be taken to curb it. This can only be done by all employees in companies, their unions, employers and management acting together. Everyone is jointly responsible for the work environment. That is why we shall approve the amendments tabled by the Socialist Group to this end.

*(Applause)*

BANOTTI (PPE). — Mr President, I would like to join my colleagues in the chorus of praise for Mrs Crawley's excellent report and I would not be a true Irishwoman if I did not also sew it into the record that the birth of this report took place during the Irish Presidency.

Some years ago, Mr President, there was a welcome influx of women parliamentarians into the Irish Parliament and we were all immensely excited about this at the time. I can remember asking a colleague was it not wonderful to have finally achieved that breakthrough and she said: 'It is wonderful, but the one thing that is going to kill me is the jokes'. I said: 'Jokes?' She said: 'Yes, it is the biggest single problem we are encountering as new women Members in the Parliament'. I am not talking about wit and gaiety — the sort of wit that lightens up all our lives. I am talking about dreary long drawn-out pedantic jokes that everybody in this Parliament has undoubtedly listened to. I have absolutely no doubt that many of my male colleagues found them equally as unfunny as we did but they never felt they could say 'stop'. Of course if we said 'stop', we were immediately accused of having no sense of humour. The women's movement has consistently been told that it has no sense of humour and that somehow we should beat ourselves over the head and feel more guilty about this.

Obviously, if Mrs Crawley had tried, she could not have had a more fortuitous timing for her report than she has now because we are not just talking about legislation. I agree with Mrs van Dijk that it is a pity it is not a directive. But even if we did have a directive, Mr President, we would still be faced with the fact that we can change the laws but most importantly, we have to be able to change the attitudes. What has happened in America in the last few days, what has been stimulated by Mrs Crawley's report is that all of a sudden attitudes are changing. The conversations we are having in planes, the conversations we are hearing at bus stops have changed and that is wonderful. For that we have to be truly thankful because this was always the problem that dare not speak its name. We could not talk about it because for some reason, it was very often a nice guy you were working beside and you did not want to cause trouble. So you put up with a lot more than any man would ever have put up with.

Well done, Mrs Crawley, this is a great report. It is extremely timely and I hope that it will change the lives of women workers throughout the Community.

*(Applause)*

VAN PUTTEN (S). — (NL) Mr President, I also extend a warm word of thanks to Mrs Crawley. I think we have an immensely important document before us; the story of Judge Thomas in America only goes to show how immensely important it is that we take this matter further. One could say more about the Thomas affair, but I will not speculate on which of the two was right. That is not what concerns us here. However I think that enough has been said to demonstrate that this is not the way we should want to do things in Europe. On the contrary I think that we should prevent cases of this kind from arising and not bring them out into a public debate in such a way.

Be that as it may, the affair should not be trivialized. A whole lot has already been said: figures amounting to 51% of British women and 58% of Dutch women have been mentioned. According to Irish women, as I understood it, only 22% have experienced this kind of behaviour. It occurred to me on seeing the statistics that this might say more about the taboo than the real figure.

Mr President, I think the danger now is — and we must be very alert to this — is that the discussion gets bogged down in an endless search for a definition of what is meant by 'unwanted intimacies'. The important thing is to recognize that they happen and to deal with the problem. It would be a pity if we allowed ourselves to be sidetracked in that way. For wherever women — and usually it is women who are affected — regard the situation as undesirable, the question of pressure arises. In a work situation in which women are subordinates, and anyone who studies the labour market knows how often that is the case, they will find it difficult to offer resistance. That is why unwanted intimacies are a handicap to women in their career development and why we must indeed support women and place them in a position to resist. That is why they must be given the means for action which are recommended in this report. I too, along with Mrs Van Dijk and others, took the view that it should have been a directive. But I just say that to align myself with that same group of people. We are only happy that this document has been produced. It should have been a directive, and Mrs Crawley recommends that, if the report which the Commission must present on the findings after three years does not show that enough has been achieved, Parliament must reconsider the matter and demand a directive.

Finally, on the subject of the taboo — another word which cropped up repeatedly: it must be got rid of. The power structures between men and women must — please don't misunderstand my use of language — be 'laid bare'.

(Applause)

SARLIS (PPE). — (GR) Mr President, Ladies and Gentlemen, I welcome and agree with the Commission's draft recommendation, but I have certain reservations and in some cases I disagree with a number of amendments. For example, amendment number 9, in declaring that sexual harassment is a form of sex

discrimination, excludes the possibility that sexual harassment may take place between persons of the same sex. That, ladies and gentlemen, demonstrates the superficiality of some amendments and the haste with which they were worded.

We must acknowledge that there is unequal treatment to the disadvantage of working women, especially in the context of recruitment, promotional and remunerative development, and social security. In addition, in cases of divorce the consequences are more severe for women under many legal systems. Besides, sexual harassment of working people is a phenomenon that must be eliminated, as indeed should disrespect for the sacraments, bad language, etc., as Mrs Banotti mentioned. However, I do not agree that just one of these phenomena, sexual harassment, should be isolated and that we should create special mechanisms for suppressing it, which would be of doubtful efficacy and would lead to greater contrast between the sexes.

And finally, I must mention something distressing which does us no credit: on the parliamentary Committee on Women's Rights, among 67 permanent and co-opted members there are only 10 men. That committee is one whose very objective should be issues of equality between the sexes. Consequently, ways should be found to deal with the matter, because more men should be among its membership. Its deliberations are open and participation is voluntary. I do not know what is to be done, but it is something that must be corrected. Notice that this evening I am the first male speaker on this issue, which affects men just as much as it does women. That should concern us and we must think about what it means.

SANTOS, Maria (S). — (PT) Mr President, ladies and gentlemen, during the last week, the Industrial Tribunal in Portugal accepted the accusations made by a female employee of a large multinational company, deciding that she had been the victim of continuous harassment by a company official. This action led to the employment contract being terminated and to the payment of compensation based on an accusation of sexual harassment. But even though the Committee for Equality in Employment believes that a third of female workers in Portugal are victims of this sort of violence, at the moment only one more action is known to be waiting to be brought before the Tribunal. And, faced with such a situation, women feel powerless to react due to a lack of official support. Legal protection is clearly inadequate both on the question of defining harassment and in the legal proceedings, which is reflected in women's apparent passivity and in their internalization of the problem. Women who are faced with this situation do not think that it is worth complaining, either because they do not have the means or because they are afraid of the consequences.

The excellent report by our colleague Christine Crawley helps to meet the demands which arise in relation to this issue, particularly the need to draw up national legislation which specifically considers the matter of

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sexual harassment at work and the measures which need to be taken to allow female employees to make a complaint without suffering reprisals. It also covers the need for legislation which recognizes the right to working conditions which respect physical and psychological dignity and integrity — principles which must be considered in a Community directive, which, incidentally, the rapporteur also says is necessary. The Member States will also be responsible for promoting information campaigns to make the public aware of the problem and to inform them about their rights and about appeal proceedings, as well as for guaranteeing a non-sexist teaching system which promotes equality in education.

Finally, I must mention that women's organizations must be recognized as having a role in supporting women who are victims of sexual harassment and, consequently, the relevant measures must be taken, particularly on the question of their right to act as a party in civil actions.

This report clearly opposes a form of aggression which particularly affects women, particularly working women, and which, as well as violating their dignity, actually acts as a barrier to equal rights and opportunities at work. This report concerns women and it must be approved in the European Parliament.

(Applause)

PANNELLA (NI). — (IT) Mr President, I delayed asking to speak again for a few minutes because — and I confess this to honourable Members — I am somewhat upset as I make this speech. I should have liked time for further reflection, I should have liked to be able to take part in the work of the committee and contribute in some measure to the excellent work done by Mrs Crawley. At this point I can only humbly make a few comments.

I should not like it if, by taking action against sexual harassment, we were sometimes unconsciously to end up treating sex itself as a harassment. I should not like us to do anything to promote the development of a situation in which any suggestion of friendship, any invitation to a different relationship, could be interpreted, when seen through the different eyes of different individuals, as harassment. I would not like the quest to understand individual types of behaviour to lead us, possibly in another committee, to cover several centuries of emptiness, the centuries in which there was much discussion of what was harassment or what was sin, and up to what point, and for whom, it was either of these things. They are still recent centuries, in which the confessors' manuals, written for the Jesuits in the name of casuistry, strove to explain in a thousand and one ways whether a given attitude was sinful, and whether a given initiative was violent or not.

I would also like to ask the rapporteur, and all of you, kindly to delete any reference to homosexuality and men, because dealing with the homosexual condition in this way means offending it. The sexual harassment to

which you refer is sometimes an example of bad taste, and it wounds psychologically. But today, when in offices and at work normal men and women joke together about the different nature of this or that, there is perhaps a suicide involved, an extreme suffering, and the violence of heterosexuals *vis-a-vis* homosexuals cannot be dealt with in these terms. I ask you to delete this part. Let us deal with it on another occasion, because treating such an extremely serious subject as it is treated here means, in my view, casting suspicion over the rest of the report in its entirety. As far as the rest is concerned, I humbly accept what you say.

The Radical Party was absolutely the first to fight for divorce in a society such as exists in Italy — and it did so alone, against all political parties initially — and for abortion, for the protection of deviants and homosexuality, as well as for conscientious objection in all fields. We held meetings during the 1960s on the relationship between repression by the authorities and sexual repression; we questioned our own selves; we felt it our duty to say, going beyond even the requirements of scrupulous accuracy in terms of the record, 'We homosexuals', just as we also said, 'We drug addicts', or 'We abortionists', or 'We divorcees'.

I think, after all, that a parliamentary report in which we deal with things that are almost of a scientific nature is to some extent a dangerous proceeding. Where positive right is concerned we have to restrict ourselves to a very few indications, and we have to give a great deal of further thought to those assessments and illustrations of a social and psychological nature, because this is perhaps not the place to deal with them.

Believe me — I speak to you with real gratitude for your commitment and the report that you have drawn up, but also with deep fear. In this field also we need something that is concerned, not with women's rights, but with personal rights. And, in face of the diversity of homosexuality, just as in face of all the diversities of which the world is full, we must still realize that, sometimes, the types of harassment that we are seeking to penalize today are in reality almost marginal.

If we tackle the bigger problem, the problem of the essence of love, the essence of violence, with this approach, we shall also be involving the question of protection against harassment. And that is why I am giving this small warning, especially to those who, like myself, are considered as being of the Left: take care that the pretext of the fight against sexual harassment does not lead you to the ancestral interpretation of sex as harassment!

CRAWLEY (S). — Mr President, I always listen very carefully to Mr Pannella, and it is fascinating that the Jesuits have crept into this debate. I have, however, taken very seriously what he has said and I would inform him that before he arrived in the Chamber, when I gave my presentation, I did draw attention to the part of the report that reiterated the fact that although women are the main targets of sexual harassment, there

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are many other groups of people who also have experienced sexual harassment and these include the homosexual community, lesbians and gay men. I think this is the first Commission document that actually has a reference to lesbians and gay men in it. So, Mr Pannella, I think your point has been covered. Thank you for raising it.

**BRITTAN, Sir Leon, Vice-President of the Commission.** — Mr President, I congratulate Mrs Crawley and the Committee on Women's Rights on the comprehensive and detailed report on the protection of the dignity of women and men at work, and also on the work that many of them had done long before this particular report was being produced. That has been a culmination rather than the whole of their work. I should mention at the outset that I fully agree with what Mrs Crawley has just said in response to Mr Pannella. There is no doubt that the recommendations in the code do cover the kind of behaviour that he rightly stigmatized and wanted to be covered by the recommendation.

The Commission notes and shares the report's concern about the extent of the problem of sexual harassment at work and the serious effects it may have on those subjected to such intolerable violations of their dignity. Many of the speakers have rightly pointed out that this is not an occasional event but something that is really quite frequent. There has been a whole range of studies undertaken in the majority of Member States, some of which have been referred to in the debate, which have estimated variously that between 30%, and even 85%, of women have been sexually harassed in the workplace.

It is clear that this is an unpleasant aspect of working life for many people. It can have a very serious effect upon the health, confidence and morale of those affected by it. Furthermore, it can lead to harmful consequences for employers as well. It can have a bad effect on the profitability of an enterprise where staff take sick leave or resign because of sexual harassment and efficiency and productivity are reduced by people having to work in an environment in which the dignity of employees is not respected. Speaking for myself, I regard all that as a subsidiary consideration. The main consideration is that behaviour of this kind is simply intolerable and should not be permitted.

The Commission is aware that there are inadequacies in the legal protection against violations of dignity available to individuals. That is why it intends to adopt this recommendation to encourage the Member States to promote awareness that unwanted conduct of a sexual nature, or other conduct based on sex affecting the dignity of women and men at work is unacceptable and is likely to contravene the principle of equal treatment within the meaning of Articles 3, 4 and 5 of the Equal Treatment Directive.

A number of people have asked why we are talking about a recommendation and not a directive. It is a point that Mrs Crawley herself, Mrs van Dijk, Mrs Van

Putten, Mrs Santos and others made. Some have even suggested that it is not a directive but a recommendation because of some lack of courage on the part of the Commission. That is not the case. The reason why it is a recommendation is precisely the one that I have just mentioned, namely, it is likely that conduct of the kind which contravenes the recommendation would also contravene the principle of equal treatment within the meaning of Articles 3, 4 and 5 of the Equal Treatment Directive. So what one is really talking about in this recommendation is ensuring through the code of practice that the conduct does not take place, ensuring, in other words, that what in many cases is likely to be a breach of the Equal Treatment Directive, is prevented in practice. Mrs Hermans' point that prevention should be the main aim, is absolutely essential to what we are seeking to do here.

The code of practice to be adopted by the Commission aims to provide practical guidance to employers, trade unions and employees on means of ensuring that sexual harassment does not occur, and if it does occur, of ensuring that adequate procedures are available to deal with the problem and prevent its recurrence. Proper procedures are at the heart of the whole matter. Based on examples of good practice in the Member States, the code makes a series of recommendations and puts forward practical steps which could be taken to deal with this problem. I believe that the recommendations in the code of practice will achieve a number of vital objectives. Together they contain a definition of sexual harassment and make it clear that it is unacceptable and may, as I have said, be contrary to laws on equal treatment. This should help to ensure that the problem is taken seriously at national level and under existing law by stimulating awareness of the problem and encouraging the Member States to enforce the present law and to prevent behaviour of this kind in various other ways as well. The code provides practical guidance on effective means of dealing with the problem, and I hope that the Commission's initiative will heighten the awareness of employees that they do not have to tolerate unwanted conduct of a sexual nature or other conduct based on sex affecting their dignity. If this makes people aware that it is not acceptable to society and that they do not have to tolerate it, then it will serve an extremely useful purpose.

The Commission has given careful consideration to the amendments and is grateful for the prompt attention given to the text. We will be amending the recommendation to clarify the Commission's role in disseminating and evaluating the effectiveness of the code of practice as you suggest. We will also — and I think this is an important point — delete the reference to the fact that account may also need to be taken of national or local practices, as we accept that this might imply that the Commission would accept differing standards of protection in different Member States. We will change the title of the code along the lines Parliament suggests so that it will now read: 'Protecting the dignity of

**BRITTAN, Sir Leon**

women and men at work — a code of practice on measures to combat sexual harassment'. The title of the recommendation will stay as it is to ensure consistency with the Council resolution of 29 May 1990. We will also incorporate a number of Parliament's amendments which seek to make more explicit the Commission's intentions and will revise the recommendations to trade unions to incorporate some of the valuable suggestions.

In conclusion, the Commission will be adopting its recommendation and code of practice in the near future and will, as Parliament suggests, ensure their widest possible circulation. We consider it of vital importance to tackle the problem of sexual harassment at work and to encourage the creation of a climate at work in which the dignity of individuals of both sexes is respected. We are convinced that the approach taken in this recommendation and code of practice will prove effective in working towards this goal.

*(Applause)*

**PRESIDENT.** — The debate is closed.

The vote will take place tomorrow at 12 noon.

#### 11. Wine

**PRESIDENT.** — The next item is the report (Doc. A3-246/91) by Mr Fantuzzi, on behalf of the Committee on Agriculture, Fisheries and Rural Development, on the proposals from the Commission to the Council concerning:

- I. A regulation amending for the second time Regulation (EEC) No 823/87 laying down special provisions relating to quality wines produced in specific regions (COM(90) 554 — C3-176/91);
- II. A regulation amending Regulation (EEC) No 358/79 on sparkling wines produced in the Community (COM(90) 554 — C3-177/91).

**FANTUZZI (GUE), rapporteur.** — *(IT)* Mr President, I shall not bother honourable Members with detailed reports on the context of the regulations. My concern is only to emphasize their substance — to point out, that is, that the amendments to the two regulations form part of a package of more comprehensive proposals from the Commission, designed to protect and exploit to best advantage the quality of the wines and sparkling wines produced in the Community. Parliament is required to give its opinion on only two of these regulations, in accordance with what is laid down in the Treaties, but I would like to state that, in the Committee on Agriculture, Fisheries and Rural Development we examined the entire package of regulations: the Commission was ready to present them to us all together, and I should like to say that this was a very positive attitude of theirs. In this way we are able to give a verdict on a complete set of measures, and this seems to me to be also very important because, as you know, Mr President, our Parliament sometimes encounters

problems in regard to its relationship with the other bodies of the Community. I think that, instead, in this case we have to appreciate the attitude adopted by the Commission. The regulations which are the subject of the proposals make up a set of measures that govern and harmonize at Community level the regulations for the production of wines, their designation and their presentation on the market. By their application these regulations have started the development of a Community quality policy in the agricultural sector, and have shown the substantial validity of this approach. The proposals that we are debating this evening were put forward in order to propose improvements designed to allow the more rigorous, more transparent application of these regulations. In particular the fixing of a deadline, beyond which, in the production of quality wines per, no further derogations for the use of wine-sector products originating in other regions will be allowed is, I fully believe, entirely in keeping with the strategy of protecting registered designations of origin, thus strengthening the Community's hand as it seeks to promote high-quality products, not least in international trade. It is my express hope that this strategy may be strengthened and given more adequate support with the approval of the Community regulations regarding the protection of registered designations of origin and the specific food requirements for quality agricultural products, for the final presentation of which Parliament is still waiting.

The amendments to the provisions designed to protect geographical names used to designate vine products in the face of similar-sounding brand names will prevent an excessively harsh line being taken on long-established brand names that are well known and highly regarded on the market. Within this framework, then, I think that all of these measures are together very important, particularly the review of maximum sulphur dioxide content in sparkling wines, which refers amongst other things to an amendment that was adopted recently by the European Parliament when it voted on the 1991/92 farm prices, and that requires the Commission to submit a report on maximum sulphur dioxide levels by 1 January 1992 at the latest. In addition we should remember that the Commission is also called upon to submit reports on the demarcation of wine-growing areas and the impact of the structural measures applicable in the wine sector, which we again call for as a matter of urgency. We hope that these reports will be presented very soon indeed, because I am sure that they will help form the basis of the proposals that are designed to back up the reform of the wine-sector aid scheme which, as Commissioner Mac Sharry emphasized in the last parliamentary part-session, the Commission intends to present by the end of the year.

In conclusion, Mr President, I would like to say that the Committee on Agriculture is agreed on the necessity for Parliament — very properly — to be much more closely involved in the presentation of all of these reports. The amendments along these lines have also been accepted by the Commission and I hope that tomorrow, when the

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21. Regrets that the law on matrimonial property is based primarily on property and earnings but ignores the assessment and recognition of tasks performed by partners; wishes it to be brought up to date;
22. Acknowledges that partners are entitled to freely decide not to do half the housework each, or to opt for an arrangement in which one does all the unwaged work and the other the remunerated work; takes the view, however, that this arrangement must be assessed as part of the property and earnings of the partners and may in no way serve as the basis for agreements concerning social security or the company;
23. Calls on the Member States to take positive steps to encourage men to meet their responsibilities and take on a fair share of all basic social duties (such as bringing up children, etc.);
24. Calls on the Member States to organize a system of work which would make for better performance of basic social duties by means of a gradual reduction in working time;
25. Instructs its President to forward this resolution to the Council, the Commission and the governments of the Member States.

## 15. Women in Central and Eastern Europe

A3-0198/93

### Resolution on the situation of women in Central and Eastern Europe

*The European Parliament,*

- having regard to Rule 121 of its Rules of Procedure,
  - having regard to the conclusions of the seminar of the Committee on Women's Rights on the future role of women in Eastern and Western Europe held on 28/29 November 1990 <sup>(1)</sup>,
  - having regard to its decisions and its opinion of 21 November 1990 on transitional measures applicable in the context of German reunification <sup>(2)</sup>,
  - having regard to its resolution of 14 May 1992 on a European Democracy Fund <sup>(3)</sup>,
  - having regard to the report of the Committee on Women's Rights (A3-0198/93),
- A. noting that this resolution tackles the problem of the situation of women on the basis of documents from Poland, Hungary, the Czech and Slovak Federative Republic, Romania and Germany (including the former German Democratic Republic),
- B. noting that statistics concerning both the role of women under Communist regimes at recent data and statistics are still incomplete as regards both their availability and their reliability,
- C. noting that the 'feminization' of sectors and areas of activity generally accompanied by lower wage levels — often castigated as a feature of Western European societies — also existed in Central and Eastern Europe,

<sup>(1)</sup> PE 146.256.

<sup>(2)</sup> OJ No C 324, 24.12.1990, p. 141 *et seq.*

<sup>(3)</sup> OJ No C 150, 15.6.1992, p. 281.

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- D. noting also that although the state officially espoused the emancipation of women as an ideological principle, the same type of discrimination existed as in the West both as regards wage levels and as regards access to decision-making positions,
- E. noting that the Socialist state planning system embraced not only the labour market but also political life, education and the social and cultural domain,
- F. noting that, in the course of this transition, the economic and social position of women has deteriorated dramatically, since they have been particularly hard-hit by job losses and have few prospects of re-employment and many are thus deprived of their former modest economic independence within the family,
- G. recognizing, however, that women often assume the role of breadwinner in the family, especially in industrialized regions threatened by mass unemployment, and that in rural areas older women in particular are falling victim to unemployment and social hardship,
- H. noting that the economic difficulties these countries are currently facing are an obstacle to the social and political involvement of women,
- I. whereas in some Eastern European countries women are only poorly represented in official positions and elected posts in politics and society (especially in parliaments, trade unions and parties) and are consequently playing too small a role in determining and carrying through the reform process, which threatens to perpetuate specific forms of discrimination,
- J. hoping that political parties, trade unions and associations will understand that only if women are appropriately represented on decision-making bodies will it be possible to overcome the current difficulties and strengthen the grass-roots commitment of all women to completing the reform process, which is urgently needed in a democracy,
- K. noting that the transition to a democratic system involves political, economic, social and cultural life and that this process is still under way, with women no longer playing a major role and with equality of rights as a social value having largely vanished,
- L. noting, however, the appearance in certain countries of women in leading positions — notably Mrs Suchoka, Prime Minister of Poland — and as presidents or vice-presidents of parliaments,
- M. noting that the European Community must contribute to the development of democratic and legitimate state structures based on the maintenance of equal rights for men and women and a social market economy,

**I. In this connection:**

1. Notes that the transition from a centrally-planned socialist economy to a market economy and the process of adjustment to the role of partner of the Single European Market represent a two-fold challenge for women in Central and Eastern Europe;
2. Notes that the family is still an important factor in social life in these countries and most women wish to combine family responsibilities and paid work;
3. Notes that the high level of unemployment which currently affects both men and women must not lead to measures which restrict women's freedom to choose between the family and/or paid work or force women to return to their traditional, purely domestic role;
4. Notes, however, that many women need their wages as an essential contribution to their families' incomes, particularly where — as in a large number of cases — they are bringing up children alone;

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5. Notes that rising unemployment — mainly affecting the female workforce — is partly due to the gap between supply and demand in respect of certain jobs; the lack of retraining and reintegration programmes and the failure adequately to dovetail training, qualifications and professional life are further factors which hamper the reintegration of women in the labour market;

6. Notes that in certain countries the restructuring of childcare facilities which were formerly closely linked to the organization of working life coupled with a shortage of public funds may bring about unacceptable cutbacks in these childcare facilities, impose a heavy burden on the social security network and limit the opportunities for women on the labour market;

7. Notes that the present catastrophic housing conditions are only gradually improving and this is exacerbating the difficulties of everyday life still further;

*II. For these reasons, addressing itself to the governments of the countries of Central and Eastern Europe:*

8. Calls on the governments to take all possible measures in the political arena to ensure the full participation of women in political and social life and to involve them in all decision-making processes by creating mechanisms to promote a quality of opportunity, e.g. the appointment of equal opportunities officers at all levels and by reports by parties and trade unions on women's participation;

9. Calls on the governments to take all possible measures at work to use women's high professional qualifications and expertise to the best advantage and ensure that they have access to all professions:

- (a) by retraining and continuing education measures in the new economic and industrial processes and by guaranteeing a number of posts for women at universities, scientific and technical institutes and in scientific and technical research;
- (b) by pilot projects and programmes to help women set up small and medium sized undertakings;
- (c) in view of the important role played by women in agriculture, by adopting programmes to make it easier for women employed in agriculture or in related areas to have access to new forms and methods of agriculture;

10. Calls on the governments, in health and social policy, to guarantee support for all measures to help women meet their commitments in the family and in paid work without discrimination:

- (a) by health education, where this is not already available, including the creation of facilities for prevention and follow-up care, family counselling and counselling on the upbringing of children and on protection at work,
- (b) in the social security system, full security of employment, protection for pregnant women, and security of education and measures to eliminate the risk of unemployment;

11. Calls on the governments to take all measures which ensure the creation of organizations at social and professional level in which women can contribute their interests in accordance with requirements of a pluralistic, democratic society;

12. Notes that the economic problems and political uncertainty these countries are facing is increasing the pressure of migration on the EC, and whereas women are forming an ever-larger proportion of migratory flows, both legal and illegal;

13. Hopes that ever-closer cooperation between the countries of Central and Eastern Europe and the institutions of the EC will help create greater equality of living conditions;

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*III.*

14. Calls on the Commission to provide the European Parliament with a maximum of information and statistics on the current living and working conditions of women in Central and Eastern Europe;

15. Calls on the Commission also:

- (a) to make information on all EC programmes more accessible than hitherto to women in Central and Eastern Europe;
- (b) to inform women in Central and Eastern Europe of the situation of women in the Community countries and on relevant European equal rights legislation, notably through exchanges of information and the pooling of experience between women's associations and administrative bodies at local, regional, national and Community levels;
- (c) to support existing women's organizations and networks (childcare networks, women in decision-taking centres, IRIS) so that women in Eastern Europe can become acquainted with these networks and with the new Community programmes (Foundation for Eastern Europe, Tempus, Phare);
- (d) to issue EC brochures or publish information in the local press — with Community aid — on training opportunities as part of EC programmes;

16. Calls on the Commission and Member States to include in the Community programmes specific aid measures to promote and maintain women's jobs, notably by the following measures:

- (a) introducing specific action programmes for branches and economic sectors in which women form the bulk of the workforce, and for agricultural sectors and SMUs;
- (b) providing for women to be fairly represented in Community programmes (Phare, Tempus, Foundation for Eastern Europe) and in the association agreements concluded between the Community and the countries of Eastern Europe by setting aside an adequate and perceptible budgetary endowment for this purpose;
- (c) implementing programmes to combat female unemployment by retraining, further training and re-entry programmes;
- (d) setting-up labour exchanges and job counselling centres;
- (e) increasing the proportion of women taking part in all vocational training and retraining programmes;
- (f) providing support at political and trade union level for the creation of networks of 'women and decision-taking centres' and supporting measures to promote equal rights;
- (g) introducing the dimension of equal rights and 'mainstreaming' in further training and public awareness programmes, the Foundation for Democracy and the programmes for cooperation and technical support for the countries of Central and Eastern Europe;
- (h) further training for those responsible for placement so that they are better equipped to coordinate the training and qualifications of the workforce in the light of labour market requirements;
- (i) granting aid, in particular for health care and training, as part of programmes for immigrants and refugees and women to enable them to support themselves.

17. Calls on the Commission and Member States to set up information programmes on:

- (a) health matters, the problem of violence in society, in particular against women and children and the problem of sexual harassment at the workplace;

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(b) the rights and obligations of women seeking to immigrate into the European Community and the risks of illegal immigration;

(c) how to combat the trade in women based in Eastern Europe;

18. Calls on the Commission to ensure that the measures embodied in the Community programmes seek, as a matter of priority, to support local policy initiatives in respect of the family, the elderly, childcare and health and that these also include initiatives designed to promote self-reliance;

19. Intends to organize a conference with women representatives from Central and Eastern Europe to discuss the following matters:

- the political involvement of women,
- continuing training,
- an assessment of the impact of EC programmes on women in Central and Eastern Europe;

20. Calls on the Commission to report to it every two years on the situation of women in Eastern and Central Europe and on the implementation of Community funds and programmes in the countries concerned;

21. Calls on the Commission to draw up the first report before the UN world conference of women due to be held in Beijing in mid-1995;

\* \* \*

22. Instructs its President to forward this resolution to the Commission, the Council and the governments and parliaments of the Member States and of countries of Central and Eastern Europe.

## 16. Postal services

B3-0942 and 0944/93

### Resolution on the single market for postal services

*The European Parliament,*

- having regard to the Commission Green Paper on the development of the single market for postal services (COM(91)0476),
- having regard to its resolution of 22 January 1993 <sup>(1)</sup> on that Green Paper, in which it called on the Commission to draw up a package of proposals to establish a single market for postal services,
- having regard to the Commission Communication on the guidelines for the development of Community postal services, presented on 2 June 1993 and submitted to the Telecommunications Council of 16 June 1993 (COM(93)0247),

- A. whereas the Commission plans to draw up legislative proposals in the second half of 1993, and whereas it is at present considering Article 90(3) of the EEC Treaty as a possible legal base for certain proposals for directives,
- B. drawing attention to the economic and social importance of postal services (1,3% of GDP and 1 700 000 employees),

<sup>(1)</sup> OJ No C 42, 15.2.1993, p. 240.

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LANE

the Commission is that a special management committee would be set up to regulate non-Annex 2 products. While I appreciate that for practical reasons it would be impossible for such a broad-based management committee to set export refund levies independently of those established in the sectoral management committees, I would be very keen to ensure that the non-Annex 2 management committee would be given the maximum flexibility to ensure that export refunds applied to non-Annex 2 products do not in any case affect negatively the competitiveness of our processed products traded in the world market.

I tabled two amendments at the Committee on Agriculture, Fisheries and Rural Development. These were both approved unanimously. The first amendment is straightforward. The second amendment was opposed by the Commission. Today I hope that the Commission will take a different view on Amendment No 2, since all we are saying to the Commission is that Parliament should have a role, and the word 'shall' is much more important than the word 'may', which is in the Commission document. So I would hope that the two amendments can be supported today.

**SCHMIDHUBER, Member of the Commission. – (DE)** Madam President, ladies and gentlemen, the Commission thanks the Committee on Agriculture, Fisheries and Rural Development, and particularly its rapporteur, Mr Lane, for the report he has very expertly drafted on the proposal for a Council Regulation laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products. A trade arrangement of that kind was made in 1966 in order to offset the price differences between the world market and the Community market as regards the procurement of agricultural products and their effect on trade in the goods manufactured from them. The present proposal pursues that basic idea but in addition takes into account all the alterations which have become necessary since the present rules came into force.

The essential content of the proposal is as follows: continuation of the trade arrangement for goods already included in Regulation (EEC) No 3033/80; the inclusion of all non-Annex II goods from Chapters 1 to 24 of the Combined Nomenclature, making a distinction between industrial and agricultural protection; the acceptance of rules for implementation under the same procedure as for the agricultural management committees, but in the framework of a new committee specially set up for the purpose; and special rules for the application of the preferential agreements concluded by the Community.

As regards the proposals for amendments put forward by Parliament, the Commission can basically accept the first amendment. In trade with non-Annex II goods, preferential agreements have attained a growing importance. By now they extend to more than half of exports. As the agreements mentioned in Article 6 of the proposal are such as apply for example for the European Economic Area, it seems in fact politically desirable to make clear in what circumstances such rules may apply.

On the other hand the Commission cannot accept the second amendment, which provides for the management committee which is to be newly set up a more restrictive procedure than for all the other management committees, which were set up under Article 43 of the Treaty. In the

framework of association agreements measures may become necessary which, in the interests of an appropriate transposition of the agreements must, in urgent cases and with effect as from a given date, be applied immediately.

Naturally the Commission will in every case take the point of view of the management committee very carefully into account in its decision before it adopts any further measures.

**PRESIDENT. –** The debate is closed.

We shall now proceed to the vote.

*(Parliament adopted the legislative resolution)*

#### 7. Women and parental co-responsibility

**PRESIDENT. –** The next item is the report (Doc. A3-122/93) by Mr Nordmann, on behalf of the Committee on Women's Rights, on women and parental co-responsibility.

**NORDMANN (LDR), rapporteur. – (FR)** Madam President, as a bachelor without known or identifiable children, I regard myself as being in a position of perfect objectivity in making this report, on behalf of the Committee on Women's Rights on this question of parental co-responsibility.

That is a question which is linked to the increase in divorce in our western societies and particularly in the Community. Naturally it is not for us to express a view on basic questions, philosophical or otherwise, for or against divorce, or to know whether a good divorce is better than a bad marriage or the other way round. So let us leave such considerations aside and tackle principally the practical problems concerning especially couples of different nationality. In the European Communities themselves marriages and divorces between partners of different nationality are fairly numerous, and by 'Community' I mean the actual administration of the Commission, the Council and Parliament. That is a problem which closely involves some people.

Case-law has brought into focus, in parallel with what those making the law have tried to do, a number of formulae for ensuring that the parental couple outlast the married couple and that in the interests of the child – an expression to which I shall come back – parenthood may wholly survive divorce.

The report I am submitting asks for a legal grooming to make this parental co-responsibility fully compatible with freedom of movement of persons and so that a number of specific problems should at least not be aggravated by this freedom of movement of persons. The questions of the abductions of children and of maintenance payments are mainly the issue here.

The report also stresses the question of help, but only that of formulae for family conciliation and the role of grandparents.

I asked for a separate vote on paragraph 10 because the proposal for the creation of an ombudsman, in the formula finally adopted by our committee, is perhaps not legally in the correct form and might certainly be omitted. If it is approved that does not perhaps matter very much, but if it can be omitted that can only improve the report.

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I should like to end, Madam President, by putting into context the role which the Community can play in a question such as this. I spoke just now of the interests of the child. That is of course what everyone has in view, or claims to have in view, in this type of discussion. All too often, statistically in any case, it is a legal practice to say that the mother must keep the child and the father must pay. It is precisely that rough and ready formula which leads to the various problems reviewed by the report and we should like to work so as to reduce its gravity.

Madam President, I should like the measures which we are asking the Commission and the Member States to take to make it possible to say one day: 'The war of the sexes will not take place'. I think that would be over-ambitious in this day and age and I shall content myself with saying, along with the philosopher Alain: 'By taking a stone from the fortress every day, let us save ourselves the trouble of demolishing it, of destroying it, of capturing it'. I shall end on that modest note, Madam President, and with the hope that Parliament may follow this spirit of moderation.

**GIL-ROBLES GIL-DELGADO (PPE)**, *Drafterman of the Opinion of the Committee on Youth, Culture, Education and the Media*. – (ES) Mr President, I should like to congratulate Mr Nordmann on his excellent report and I must thank him and say how pleased I am that he has included certain of the recommendations in our Opinion, particularly the request for a report on procedures for mediation within the family which already exist in the Community. The Committee on Culture thinks that such procedures may in some way smooth out certain aspects of break-up which are therefore traumatic and seriously affect the position of the children in cases of separation and divorce. However, such procedures are not sufficiently well-established or wide-spread, they are not well known, which makes it difficult to have access to them. It therefore seems to me an excellent thing to ask for such a report.

Similarly I must stress the importance attached to problems deriving from immigration which, as foreseen in the report itself, will be on the increase and which, as we have already been able to note repeatedly in Parliament's Committee on Petitions, cause serious situations for the children themselves.

It is also important that recognition has been given to the principle that decisions relating to the exercise of paternal authority must have the safeguard of the child's interests as their principal object. In these situations of conflict the parents frequently forget this point of view and it is important that it should be emphasized so as to avoid the children being used – as happens, unfortunately, – as weapons in the battle between the parents.

On the other hand we should have been glad of a recognition of something that is important in practice, namely that parents should not only be able to have regular contacts with their children – as is certainly recognized – but that it is also necessary that they should keep one another informed about the children. Unfortunately, Madam President, sometimes not even surgical operations are reported to the absent spouse. In any event, that is a mere observation and no doubt there will be an appropriate time to make it. The report, I say again, is excellent.

**TONGUE (PSE)**. – Madam President, I welcome Mr Nordmann's report. It is a good report, it raises important issues well. I would like to say something particularly about lone parenthood, with reference particularly to paragraph 9, and about the co-responsibility not just of parents, but of the state.

As we know, there are a growing number of lone parent families in the Community. The United Kingdom has the highest number of single parents. There are 1.3 million one-parent families in the United Kingdom and an estimated 2.2 million children in those families. The majority of lone parents are women and a large proportion live in poverty. Often lone women who go out to work and who have to pay childcare costs are worse off than if they stayed at home on social security. One child can equal £75 childcare per week in the United Kingdom. With no minimum wage in the United Kingdom this is often more than a woman can now earn in the United Kingdom. We have more than 3 million women earning less than the Council of Europe decency threshold and now women are reported to be earning less than £1 – BFr50 – an hour.

In my country unfortunately lone parents are the object of attack by the Conservative government, portrayed as a scourge of society, outcasts living on the state. I have to say no one wants to live in dependency, but some have little choice unless government acts to help them be independent. Without effective social protection throughout the Community based on individual, and not on family or household, rights women will be denied opportunities to participate fully in the economy and society.

The answer is not to reduce benefit, which is what the United Kingdom government is talking about, but to provide in the public sector adequate childcare; to promote vocational training and equal opportunity strategies to help women to enter the labour market; and to provide information and counselling to lone parents and very importantly, a minimum wage that permits people and particularly lone women to earn a living wage. We need a coherent Europe-wide strategy towards improving the situation of lone parents. To assist lone parents and others obliged to depend on the State we first need – and I want to make this principle clear – to spend public money on childcare and training, to provide people with the tools to be independent while at the same time ensuring the economic progress of them and society as a whole.

**LULLING (PPE)**. – (FR) For generations and in many of our countries until very recently a wife and mother who became a widow had to endure the humiliating experience of having imposed upon her a guardian for her children because she was denied the authority of being able to safeguard on her own the interests of her children.

Although that humiliating procedure for widows is finished with in most of our countries, I hope, we are faced today with new problems arising from the growing number of separations and divorces which lead to situations of conflict which are extremely hard to deal with even when the parents are citizens of a single Member State, but which are even more painful in the case of a couple of different nationalities.

I should like to compliment our rapporteur, Mr Nordmann, on his excellent report and his splendid presentation here. He has excellently analysed and above all

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declaimed against the numerous prejudices against single women with dependent children, prejudices which become apparent in different ways at the level of society into which a single mother, unmarried or divorced, must fit – distrust, rejection, the feeling of guilt in addition to the other material problems which often entail real impoverishment. It is a real tragedy for very many women and their children that not more than a third of maintenance payments are made regularly and in full by the fathers who, in certain cases, in my country, until recently got more in tax allowances than they had to pay in maintenance.

Clearly the Community cannot disregard these situations and, as in other fields, it must encourage harmonization of the laws of the Member States with the aim of a Community convergence in family law guaranteeing parental co-responsibility in the interests of the children.

If it were possible to work out policies based on the numerous conclusions and recommendations of this report and of the resolution which we are shortly to approve, women, men and their children, whatever might be the family situation, would live in a better world than the one which, for many, is the sad reality in our Community at the present time.

**SALEMA O. MARTINS (LDR).** – (PT) Madam President, in a Community Europe which has more than 80 million children it is appropriate that the questions arising should be solved by education and maintenance. The principle adopted today fortunately, or at least in legal terms, is in a situation of marriage or factual union the principle of sharing of responsibilities between the father and the mother in the joint exercise of parental authority which they possess over their children.

But that is not what happens when family life breaks down, whether it be divorce, separation, single parentage and so on, when the children are entrusted to the care of the mother. According to the information available it is the mother in roughly nine cases out of ten who takes on alone the care of the child, with all the burden that entails, although without prejudice to the right to visit or the duty to provide maintenance, which falls upon the father. He, moreover, very often does not make the payments and takes no interest in what happens to his children.

These situations, which become very difficult for the mothers on the emotional, family, occupational and social levels and so forth, mean that thought should be given to the possibility of applying here the principle of co-responsibility. That is the subject of the report. It is not an easy question, the more so because, for reasons which are extremely well known, practically all the Member States of the Community adopt the system of the prerogative of the exclusive exercise of the father's authority. But the solutions and measures now recommended by our rapporteur in this resolution to provide for the women in these difficult situations call for the full attention of the Community institutions.

I hope that the Commission will not claim, as it has done with regard to other reports, in particular that on the abduction of minors, for which I was responsible, that this subject has nothing to do with the powers of the Community.

**DOMINGO SEGARRA (NI).** – (ES) Madam President, first I should like to thank the rapporteur, Mr Nordmann,

on drafting his report with the serious approach which it deserves. Mr Nordmann is one of the Members who works with us on the Committee on Women's Rights and I must say that he does so, although at times we differ on certain questions, with great seriousness and interest. I think that that is clear from the report he presents to us today; it was thought that the report was not strictly within the province of the Community institutions, but that the development of the single market and the new Europe defined by the Treaty of Union make it possible for Parliament and the Commission to take decisions on questions which are not in so many words in the text of the Treaties.

The free movement of workers throughout the twelve countries and the breaking up of the family are creating problems concerning separation of families and of children whose guardianship is divided between various countries and various different judicial districts with different systems of social security.

What legislation is to be applied? What rights are guaranteed to such a child when his mother lives in one country and his father in another? This is a Community subject and it falls within the Community's province whether we like it or not. So the Commission must start to recognize the need to harmonize the laws which are to guarantee the rights of the child and the systems of social security which are to guarantee the rights of children both to health and benefits. That is therefore a first challenge which the institutions, have to face: to harmonize laws, and therefore to harmonize the benefits guaranteed to the child.

But when the parents live in different countries it is necessary to guarantee the right to visits and to information – as Mr Gil-Robles was saying – which goes further than the strict visiting right of a father or a mother, just as the guarantee of free movement of workers and citizens in the twelve countries must not imply for the child an end to what should be family unity.

Family separation is also leading to a proliferation of single-parent families, and for the most part the responsibility for the single-parent family falls upon the mother, who is left with the custody of the children and who frequently has to work and to face many problems. In this respect the Community authority could guarantee that Community funds – which are within our province – should be more and more devoted to financing infrastructures and additional measures capable of improving the living and working conditions of these mothers, something which will have its effect on the conditions in which children are to live and grow up.

**SCHMIDHUBER, Member of the Commission.** – (DE) Madam President, ladies and gentlemen, first I should like to congratulate the rapporteur, Mr Jean-Thomas Nordmann, on his excellent report. He has graphically portrayed the position of women bringing up a family on their own, who, as we know, frequently face legal problems and difficulties in fitting in to society and employment.

As you know, the Community has no powers in the sphere of family policy. It is therefore not entitled to concern itself with questions concerning divorce, child care or claims for maintenance. On these subjects it can neither issue legislative provisions nor harmonize the relevant legislative provisions of the Member States.

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Nevertheless, on the basis of the conclusions of the Council of Ministers responsible for family matters on 29 September 1989, the Commission has set up a European watchdog to monitor the rules of individual states with regard to family law and policy.

This institution will draw up annually a report on the trends and developments to be observed in the family sphere in the twelve Member States. National legislation on aspects of divorce, child care and payment of maintenance will be analysed. In addition the Commission has arranged seminars or financed studies which have been referred to in Mr Nordmann's excellent report.

With regard to the multilateral agreements for solving cross-frontier child care problems, the Commission is not in a position at present to take measures to ensure ratification by the Member States. Naturally it would take matters up appropriately if the necessary legal authority were to be conferred upon it, but that is a matter which is not entirely free from problems in view of Article 3b inserted in the Treaty of Rome by the Maastricht Treaty.

However, the Commission has proposed measures to improve work opportunities for women bringing up a family alone. As a result the Council adopted on 31 March 1992 a recommendation on child care. In that recommendation the Member States are requested to create appropriate opportunities for child care for parents who are gainfully occupied or completing their studies, to grant special leave for gainfully occupied parents, to arrange framework conditions and the structure and organization of work suited to the needs of parents and children, and finally to adopt measures which will make it easier to divide occupational, family and educational duties between men and women as regards child care.

I should like to add that it is made clear in the recommendation that child care facilities must be accessible to children with special needs, in particular children from one-parent families. Finally the Commission has established partnerships between the Member States in the framework of the NOW initiative ('New Opportunities for Women') which are intended to bring into force special further occupational training programmes for women. This initiative has given special priority to child care. It calls for the creation of child care facilities in the Objective 1 regions in the framework of a joint co-financing of social and regional funds.

In addition it supports the training of staff of child care establishments in the whole Community so as to improve the quality of the services provided. In the selection of projects all Member States have had regard to the possible combination of vocational training and the establishment of creches. Of the 800 projects approved, 207 focus on the question of compatibility of occupational and family duties. Needs in this field and the success of the relevant measures realized in the NOW framework have resulted in promotion of equal opportunities for men and women and the provision of care services for children and other members of the family being now included amongst the aims of the new provisions on the Social Fund.

**PRESIDENT.** – The debate is closed.

We shall now proceed to the vote.

*Explanation of vote*

**DEPREZ (PPE), in writing.** – (FR) I should like to express my support for Mr Nordmann's report on women and parental co-responsibility.

In view of the considerable increase in the number of separations and divorces, in unmarried couples and the number of children born outside wedlock, as well as of the number of children born of successive unions, the problem of the custody of children is becoming especially acute.

In that context this report very properly insists on the importance of ensuring a balance between the distribution of the rights as well as of the duties of parents towards their children.

On the other hand we find that multilateral international instruments on rights of custody very frequently prove to be inadequate in the case of conflicts between nationals of Community States. In this respect, although it is clear that this question must remain within the exclusive competence of the Member States, it would be desirable for them, so far as is possible, to harmonize their rules on this subject so as not to add insoluble administrative difficulties to the human tragedies.

Thus, this report, by proposing a simplification of the formalities governing the mutual recognition and enforcement of the courts' judgments, serves to remind us that the organization of our legal systems must come second to the development of our societies and must above all serve the well-being of citizens.

One last remark, to stress a proposal in which I am greatly interested: that of setting up a maintenance credit fund intended to serve as a financial guarantee either during divorce proceedings or in the event of a legal dispute following the decision on the payment of maintenance. Such a fund would be entitled to take proceedings against the defaulting parent in order to recoup its advance.

*(Parliament adopted the resolution)*

*8. Gabčíkovo dam*

**PRESIDENT.** – The next item is the statement by the Commission on the Gabčíkovo dam.

**SCHMIDHUBER, Member of the Commission.** – (DE) Madam President, ladies and gentlemen, On 7 April 1993 Hungary and Slovakia signed the special agreement to refer the Gabčíkovo Nagymaros case to the International Court of Justice.

That was the result of concerted action by the Community and its Member States and a series of triangular discussions in which the Commission took part. The parties had invited it to offer its good offices as mediator to settle the dispute.

Ratification documents were exchanged in Brussels on 28 June. After registration in the UN Secretariat the parties notified the International Court of Justice of the special agreement on 2 July 1993, which may accordingly be regarded as the official date on which the matter was brought before the court.

As you know, Hungary and Slovakia have agreed to introduce provisional rules for water management for the

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**Legislative resolution embodying the opinion of the European Parliament on the proposal for a Council decision establishing a medium-term action programme to combat exclusion and promote solidarity: a new programme to support and stimulate innovation (1994 to 1999) (COM(93)00435 — C3-0522/93)**

(Consultation procedure)

*The European Parliament,*

- having regard to the Commission proposal to the Council (COM(93)0435),
  - having been consulted by the Council pursuant to Article 235 of the EC Treaty (C3-0522/93),
  - having regard to the report of the Committee on Social Affairs, Employment and the Working Environment and the opinion of the Committee on Budgets (A3-0072/94),
1. Approves the Commission proposal subject to Parliament's amendments;
  2. Calls on the Commission to amend its proposal accordingly, pursuant to Article 189a(2) of the EC Treaty;
  3. Asks to be consulted again should the Council intend to make substantial modifications to the Commission proposal;
  4. Instructs its President to forward this opinion to the Council and Commission.

(b) A3-0065/94

**Resolution on poverty among women in Europe**

*The European Parliament,*

- having regard to the motion for resolution by Mrs André-Léonard and others on poverty among women in Europe (B3-0627/92),
  - having regard to the definition of poverty given by Council Decision 85/8/EEC of 19 December 1984<sup>(1)</sup>: 'the poor are persons, families and groups of persons whose resources (material, cultural and social) are so limited as to exclude them from the minimum acceptable way of life in the Member State in which they live',
  - having regard to the new responsibilities in the social policy area which the Treaty on European Union and the new arrangements for the Structural Funds have devolved on the European Union,
  - having regard to Rule 45 of its Rules of Procedure,
  - having regard to the report of the Committee on Women's Rights (A3-0065/94),
- A. welcoming the doubling of funds for the Fourth Programme to combat poverty,
  - B. whereas a range of social, economic and cultural measures are needed to combat poverty among and the social exclusion of women,

<sup>(1)</sup> OJ L 2, 3.01.1985, p. 24.

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- C. whereas there are more than 18,5 million unemployed people, more than 50 million poor people and 3 million homeless people, and whereas the proportion of poor people in the Community is 15%, of which women form the majority, and whereas the feminization of poverty is a valid concept,
- D. whereas women are over-represented in groups particularly affected by poverty: 55% of the long-term unemployed, 90% of single parents and 80% of elderly people dependent on the social welfare systems are women, as are a majority of those in low-paid employment,
- E. whereas social exclusion is growing in all countries as a result of the recession and the policies followed by the Member States, and whereas this leads to marginalization which particularly affects women,
- F. whereas the growing outward signs of social exclusion reveal the inadequacy of social security and social welfare systems,
- G. whereas, given that throughout the Union, women still earn on average 70% of men's earnings, despite often high levels of skill and responsibility, women thus represent a majority of those earning less than the Council of Europe's decency threshold,
- H. whereas many women work in part-time, temporary or otherwise insecure employment which increases their vulnerability to poverty; whereas a lack of childcare in some Member States means that women often enter the labour market on an unequal basis, reducing their bargaining power and increasing their vulnerability to exploitation,
- I. whereas one of the major problems in achieving equal pay between men and women is that many conventional job evaluation and payment systems have a gender bias and given that we continue to find large discrepancies between men and women, these systems should be overhauled,
1. Calls for a legally guaranteed minimum wage to be adopted in all the Member States and emphasizes the obligation to provide appropriate remuneration and good working conditions affording protection against arbitrary treatment and exploitation;
  2. Calls on the Council to implement the outstanding labour laws and rapidly to adopt the Directives on pay and working conditions for women, such as the Directives on the reversal of the burden of proof, parental leave and atypical work;
  3. Calls for a Directive to be adopted on sexual harassment at the workplace, as is long overdue, bearing in mind that women in low-paid and relatively unskilled jobs are most vulnerable to sexual harassment;
  4. Calls on the Council to examine whether, in the context of subsidiarity, the Community's competence can be extended to public health and housing;
  5. Calls on the Council to implement a genuine policy to combat poverty, backed by the budget required to finance measures in this area with a view to countering the continually increasing number of disadvantaged women in the European Union;
  6. Calls for the budget for training and employment promotion measures for girls and young women to be increased under the Structural Funds with a view to tackling the high unemployment affecting this section of the population and for specific measures for women threatened with social exclusion;

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7. Calls on the Commission, in the context of Community initiatives, to set up studies on the factors and processes which bring about or prolong poverty and social exclusion and on the reasons for increasing poverty with a view to determining what specific measures should be taken to enable the persons concerned — especially young people and women — to be (re)integrated into the economy and society;
8. Calls on the Commission in its statistics on poverty to give a detailed breakdown of the proportion of women and men in groups affected by poverty, taking account also of hidden poverty;
9. Calls on the Commission to compile an annual report on poverty which, in addition to an analysis of social trends, should also contain proposals for Community measures to tackle poverty and underprivilege;
10. Calls on the Commission to bring the issue of the feminization of poverty into the open by means of a public information campaign and to explicitly include it in the Fourth Poverty Programme;
11. Calls on the Commission and the Member States to provide more extensive information at local level about European Union programmes, bearing in mind that women living in poverty have less access to information;
12. Calls on the Member States to transpose the Council recommendation on childcare, adopt special measures to enable single parents to join the work-force, and provide appropriate childcare facilities for women undergoing training or seeking a job;
13. Calls on the Commission to bring forward measures to improve the rights of 'atypical' workers and proposals to ensure an equitable wage for all EU citizens;
14. Calls for recognition to be given to the expertise and contributions being brought to bear by women in combating drug-, violence-, and racism-related problems at family and neighbourhood level within the hotbeds of social tension in Europe's metropolises;
15. Calls for a European contact programme for women living in the Union's social flashpoint areas, modelled on the 'Youth for Europe' programme, the purpose of which would be to help ensure that the expertise of the women concerned could be marshalled on a professional footing;
16. Calls on the Commission to draw up an interim report on demographic change;
17. Calls on the Commission and the Member States to make greater use of the Structural Funds to combat women's unemployment; NOW, as the only Community initiative for women, as well as the other programmes and networks such as IRIS, ILE and Force, should definitely be continued and given increased resources;
18. Calls on the Member States and the Commission to put the emphasis on combating poverty among women and children in the preparations for the World Conference of Women in Peking in 1995;
19. Calls on the Member States to provide independent social insurance for people caring for their children or sick, elderly or handicapped family members;
20. Calls on the Member States to lay down special rent control provisions to protect poor families, single parents, and the elderly;
21. Calls on the Commission and the Member States to promote and develop models and programmes to help the homeless, such as a European Congress of initiatives against homelessness or 'networks against homelessness';

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22. Calls on the Council and Commission to provide increased support for refuges and advice centres for homeless women and victims of violence and to organize information campaigns to explain the connection between poverty and violence against women; points out that women living in poverty are the most frequent victims of sexual assault;
23. Points out that women belonging to the European Community's ethnic minorities, who mostly live in poverty, are being increasingly exposed to racist attacks and calls, therefore, for more intensive public education to combat racism;
24. Calls on the Council and Commission to implement fully the recommendations made in 1992 and to require the Member States to develop social models focusing on the situation of women and make the necessary adjustments to the structure of their public expenditure;
25. Calls on the Council and the Member States to take more account of networks and NGOs and to ensure the direct involvement of socially disadvantaged people and their representatives in the NGOs in drawing up programmes and projects to tackle the problem of social exclusion;
26. Calls on the Council and the Member States fully to implement the recommendations on common criteria concerning sufficient resources and social assistance in the social protection systems and on the convergence of social protection objectives and policies;
27. Calls on the Member States to set up services designed to simplify administrative formalities;
28. Calls on the Member States to:
- encourage positive action programmes in the public and private sector to assist women's participation in the labour market;
  - overhaul radically conventional job evaluation and payment systems, which are gender-biased and perpetuate unequal treatment between men and women, and replace them by good practice schemes;
29. Instructs its President to forward this resolution to the Council, the Commission, the parliaments and governments of the Member States, the Economic and Social Committee and both sides of industry.

## 6. EIB loans to SMEs \*

A3-0092/94

Proposal for a Council decision on the provision of Community interest subsidies on loans for SMEs extended by the EIB under its temporary lending facility (COM(93)0577 — C3-0021/94)

The proposal was approved with the following amendments:

TEXT PROPOSED  
BY THE COMMISSION (\*)

TEXT AMENDED  
BY PARLIAMENT

(Amendment 1)

*Recital 3a (new)*

Whereas SMEs with fewer than 250 employees account for more than 60% of employment in the European Union;

(\*) OJ C 10, 14.1.1994, p. 13.

**Vallvé**

Few sectors have seen as many changes as that of agriculture, not only in terms of the improvement of productivity, but also as regards the different use of land. The technological changes call for improved and more rapid data collection. Agricultural policies have changed over the last few years. The situation of people who live in the rural world has changed, and the level of concern of Europe's citizens at the possible impact of agricultural activities on the environment has changed as well. For all these reasons, there is a need for statistical systems to improve their form of presentation all the time.

Mr Jové's comments concerning the international implications are also important. Since the conclusion of the GATT agreements in 1992 in particular, international trade has had an increasing impact on agricultural production in the European Union.

Another important consideration is the future enlargement of the Union to include the countries of Central and Eastern Europe. We need to have information on agricultural production in those countries and its possible impact on production in the countries of the Union, including information on their production costs, as Mr Mulder rightly pointed out in his speech, with reference to the impact on agricultural production of other factors, such as energy costs, which should also be reflected in statistics.

For all these reasons, I believe that Mr Jové's report makes a useful contribution to the proposal to improve agricultural statistics, with a view to increasing the effectiveness of the European Union's management in the agricultural sector, which is currently a matter of concern to all our citizens.

**Van Miert, Member of the Commission.** – (FR) Madam President, the Commission welcomes Mr Jové's report on behalf of the Committee on Agriculture and Rural Development. Similarly, I should like to thank everyone who has spoken in this debate for their contributions.

The rapporteur underlines the main points of the Commission proposal and rightly emphasizes the fact that a reform of the agricultural statistics system is essential, for various objective reasons. It should be borne in mind that the common agricultural policy led the Community to develop a number of statistical applications during the 1960s and 1970s. These applications have been adapted to the considerable statistical information needs deriving from implementation of the CAP, with a view to underpinning its day-to-day management and of course promoting and monitoring its development over the years.

In drawing up this proposal for a decision, the Commission analysed the existing applications in detail, taking the current statistical information needs into account. The results of this activity, which naturally took some time to put together, were supplemented by informal discussions with national agricultural statistics officials – and the House will know as well as I do that certain Member States have problems to contend with on occasion where statistics are concerned. Nevertheless, I believe that the results of these discussions are promising and that consequently, in proposing this practical and realistic reform, the Commission must take care to avoid jeopardizing the *acquis communautaire*. In carrying out such an operation, therefore, we must be careful not to take risks.

In this context, let me refer to the interesting proposal put forward in the report with a view to exploiting the potential of the EAGGF's administrative data. This possibility has already been studied by the Commission and the relevant technical services of the Member States. Attempts along these lines have been made, but reservations have been expressed as to the usefulness of incorporating this data into the agricultural statistics system, bearing in mind the resources that would have to be employed and the need to maintain the essential neutrality of agricultural statistics.

As regards the methodology, therefore, the separation of control and statistical functions must be maintained in order to ensure the objectivity as well as the neutrality and reliability of statistical information. It should also be said that the use of administrative data, or EAGGF files, for statistical purposes is a relatively recent practice which has its limits. We have to take account of the fact that the various Member States have different levels of development – that is a fact – as well as different practices as regards the areas of application: slaughtering, cereals, and so on. Moreover, the reliability of these techniques has not yet, in our view, been adequately proven. For this reason, unfortunately, the Commission is unable to follow the rapporteur's recommendation.

Otherwise, ladies and gentlemen, the Commission – I repeat – very much welcomes this report and supports it with regard to the issues raised by Parliament.

**President.** – Thank you, Commissioner.

The debate is closed.

We shall now proceed to the vote.

(Parliament adopted the legislative resolution)

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### 3. Balance between women and men in decision-making

**President.** – The next item is the report (A4-0149/96) by Mrs Crepaz, on behalf of the Committee on Women's Rights, on the proposal for a Council Recommendation (Com(95)0593 – C4-0081/96-95/0308(CNS)) on the balanced participation of women and men in decision-making.

**Crepaz (PSE), rapporteur.** – (DE) Madam President, ladies and gentlemen, elections are increasingly being influenced by women. Women often give the proportion of women in decision-making positions within the parties as the main criterion for their voting decisions. It is therefore becoming increasingly important, for us as parliamentarians and for our parties, that women should occupy decision-making positions. It has also been clearly established that greater representation of women in the important decision-making bodies at national and EU level would result in women identifying themselves more strongly with politics in general and with political decisions.

In the various national Maastricht referenda, an excessive proportion of women in the EU gave it the cold shoulder. That leads me to the conclusion that the European Union needs to take this fact into account if it wants to do something about the problems that have arisen in connec-

**Crepaz**

tion with the Maastricht referenda. The Commission's proposal for a recommendation, to which my report refers, is an indication that the Commission has recognized the signs of the times. That is something on which it should be congratulated. However, the Commission's proposal must define clear objectives and must avoid ambiguous wording. Otherwise it will not be worth the paper it is written on.

Therefore the Committee on Women's Rights and I have attempted, by our amendments, to clear up any unclear points and misunderstandings. Let me make one thing clear: we women are not satisfied with – and I quote from the Commission's proposal – 'more justice and equality in the world'. What we want is the just and equal participation of women and men in the decision-making process. We are aware that this is an objective that can only be achieved gradually.

Special support for women is essential, in a democratic society, when women are in fact placed at a disadvantage in public life. If we as a Parliament are demanding that we should be more closely involved in the decision-making processes of the EU, thereby making those processes more democratic, then at the same time we must make those demands on behalf of women as well. It is contrary to the principle of democracy that a group of people who make up more than half of the population should be so under-represented at almost all levels of decision-making. For example, in the Member States as a whole, only 16% of ministerial posts are held by women. Quite rightly, those women who do hold ministerial office in the Member States have demanded equal participation of women and men in the decision-making process.

In my report, I mention the fact that women are disadvantaged in the employment market, and this is due to the segregation of the employment market. This separation also exists in the decision-making process. Women who rise to positions where they have power and take decisions still do so mainly in areas that considered typically women's domains, such as women's issues, social services, education etc.

But we are interested in seeing women represented in all policy areas. It is precisely when it comes to child care facilities or assistance for women – in other words when it comes down to money – that the people taking the decisions are mostly men.

The integration of women into decision-making processes must be accompanied by the successful integration of men into domestic and family responsibilities. This includes, in particular, the unpaid work involved in caring for the sick and elderly within the family, which is done almost exclusively by women. This is an area from which men have up to now managed to exclude themselves completely. If equal participation of men and women in the decision-making process is to succeed at all, there must be a real redistribution of responsibilities in our society.

Another important point concerns the media. We know that some Member States would prefer this area not to be mentioned at all. Obviously it is precisely in the media that the image of women in society is most strongly characterized. A change in the way women are represented in the media would rapidly bring with it changes in society's attitudes. Therefore I am proposing that in this area too we should be encouraging equal participation of women and

men at producer and director levels, as well as in the decision-making bodies.

Equal access to the decision-making process for every citizen is a fundamental principle of democracy. At almost all essential levels of the decision-making process, women do not have the same access as men. I am delighted that the Commission is taking an interest in this subject, even if only in the context of a recommendation to Member States. But I hope that the Commission and the Council will take on board as many as possible of the amendments that I have included in my report. If they do, then at least part of the non-binding nature of this recommendation will be removed.

**Marinucci (PSE).** – (IT) Madam President, in my country there is a proverb which goes: 'The mountain has brought forth a mouse'. After the formal interest shown by the Commission, and Commissioner Flynn personally, at the Pechino Conference, after the approval of the Fourth Action Programme which states that the increased presence of women in the institutions and institutional bodies will result in a renewal of values, ideas, and ways of behaving which are of advantage to society as a whole, this proposal for a recommendation displays true poverty of content and discouraging lack of ambition. Then to have it debated on a Friday, at this time of day, suggests a lack of interest that comes close to contempt.

And it really is a sin, because, starting from a truly modest recommendation, as I just said, the rapporteur, Mrs Crepaz, to whom I express all my admiration and gratitude, has done work so accurate and precise, that we can actually say that if all her amendments, approved by the Committee on Women's Rights, are accepted by the Commission and the Council, the text will have assumed dignity and consistency.

On 18 March, in Rome, the new Charter was signed which, following on from the Athens Charter, commits governments, local authorities, parties, and associations to implement an active policy for integrating women at all levels and ensuring that women are present in all decision-making areas.

The spread of female administrators in local bodies across the whole of Europe is particularly important, because it is actually in the political settings closest to the citizens that women demonstrate their great capacity for listening to needs, and their efficiency and speed in dealing with problems and resolving them.

From this Parliament, where the presence of women is higher than the average for the national parliaments, with the exception of the Scandinavian region, a bold call must go out on the requirement to introduce compulsory quantitative measures for regular checks and evaluations – as made explicit in the rapporteur's amendment, approved by the Committee on Women's Rights at point b) of paragraph 3 of this recommendation – and to revise electoral laws if they are shown to penalize women. It is also necessary to prevent new Community rules weakening laws capable of redistributing the balance between men and women in public positions, like the one in Bremen, which was the subject of a famous, though I prefer to say infamous, decision of the European Court of Justice.

On the threshold of the 21st Century, women have already demonstrated to the full how great a contribution they can

**Marinucci**

make and have made to the construction and defence of democracy in our countries. Now they have the right to equal representation in running it.

**IN THE CHAIR: MR D. MARTIN**

*Vice-President*

**Colombo Svevo (PPE).** – (IT) Mr President, by temperament I have a little more patience than Mrs Marinucci, but I have to admit that in certain situations her insistence and impatience are more productive than my patience. Well, since I am more patient, I believe this recommendation from the Council is mediocre but important, because we women are used to starting from small beginnings to achieve important ends.

Most of all, and on behalf of my group, I want to support Mrs Crepaz' intelligent and accessible report, which I think has really taken all the links in the decision-making process apart, and has tried to see how those links can actually be reconnected to produce a new balance for women in that process. And I must also thank her and the whole committee, because amongst these possible links she has taken up the amendment I presented on ease of access, women entrepreneurs and women's participation in the liberal professions which, in my opinion, form part of these complicated links for involving women in the decision-making process.

I also support all the instruments Mrs Crepaz has listed in the report, from integrated and transverse imposition to some simple checking mechanisms she has sought to introduce and which seem to me extremely important: statistics, percentage achievement of certain objectives, publicity campaigns, regular progress reports. I believe these small mechanisms are important instruments because words can be transformed into deeds, and they give us the means of ensuring that they really are transformed into deeds.

I think it gives our rapporteur pleasure to know that, in the end, we already have a small result. The charter Mrs Marinucci mentioned just now, signed by all the female ministers in Rome on 16 May, and taking its name from that city, on the renewal of politics, is not, I think, unconnected with all the work done over the years and completed by our committee. I must tell our rapporteur, and the Commission and the Council, that there has also been another result. With the simultaneous arrival of the new government in Italy, the fact that we have one more woman under-secretary is partly due to the pressure the women ministers who were in Rome put on our President-in-Office of the Council.

There is just one point I want to stress, a recurrent point in this report and in our debate, which can be summarized as follows: if democracy does not mean equality, it is not democracy. I recognize that this is a very important and serious statement, and it puts a responsibility on us, but I believe we must also explain what it means, at least I need to explain what it means to me. What do we mean by equal democracy, why are we always talking about a democratic deficit and why are we concerned about that deficit? Because of the issue of female power? Because we think that if more women were in government, we would be

better than the others? I think that may well be a legitimate aspiration, because in general we really deserve it, but I believe women like me, who have experienced politics and who represent the story of so many other women – not their personal stories – who are behind our choices not only in thought but in fact, are aware that a great danger is increasingly imminent: the danger of disaffection, disenchantment, that disenchantment which Mrs Crepaz mentioned just now in connection with the referendum. And so we highlight a dangerous gap: the democratic deficit lies not so much in the fact that fewer than 50% of those present are women, but in the fact that the general rise of women has not yet achieved real representation in the institutions. This gap has to be closed, and in my opinion this recommendation takes us along that road.

**Marsset Campos (GUE/NGL).** – (ES) Mr President, a basic principle of any democracy is that all citizens have an equal ability to exercise individual autonomy and to participate in collective decision-making. And we would all agree that a society cannot be described as democratic if application of this principle – which historically, more than any other, has embodied democratic legitimacy – is not socially and politically guaranteed. Nevertheless, we tolerate on a daily basis, quite naturally and without harbouring any doubts as to the democratic nature of our society, situations of exclusion from the decision-making process, situations which above all affect women, as the broadest sector of society.

Certainly, we could blame this exclusion on the slowness of habits to change, but we also have to recognize that there has been a lack of political will to increase the participation of women by establishing guarantees to ensure their proportional representation in political, economic and social institutions. That is why the Confederal Group of the European United Left-Nordic Green Left supports the views set out in the report by Mrs Crepaz, especially as regards the need for an integrated approach. We are bound to express our regret, however, at the cutback in funding for the Fourth Action Programme for Equal Opportunities, when ECU 50 million has been earmarked for the Citizens' Information programme, for example.

*(Applause)*

**van Dijk (V), chairman of the Committee on Women's Rights.** – (NL) Mr President, I have to say I find Mrs Crepaz's report an exceedingly good one; it seeks to make the Commission's recommendations a little more forceful and more precise and in this way it is helpful.

Quite honestly I do not agree with what my honourable friend said just now, namely that it is a question of convention and laziness that women are still so grossly underrepresented at levels where the decisions are taken – not only in parliaments, of course, but also in business and all manner of bodies where important decisions which influence social reality are taken. No, it is also a question of power. That has become increasingly clear to me since we as women, since the second wave of feminism, have achieved some of our aims. Women are increasingly reaching positions where the decisions are taken, but what do we then see happening? A very clear backlash. It is getting harder and harder to get fine words down on paper. There never used to be any problem making fine recommendations but now, when you see what the Council is doing with this Commission recommendation, with Parliament's comments, it scares

van Dijk

you rigid because the Council is making it plain that it wants nothing to do with any fine words which might in any way be binding on it. What is happening is this: our governments go to Beijing and proclaim their good intentions on the subject of women. When they come back a recommendation is then made in the European Union and the Council then says, yes, but this is going a bit too far, we have to bear in mind subsidiarity and we are already doing a whole lot of things and this is not on because we shall have to take measures again and we are not really inclined to do that. It is a question of power, and a fear that something will cost money, but many of the men currently taking the decisions are also afraid that they may lose that power and be pushed out by women. If women are to be given equal rights, men have to make room for them and that seems to be less than straightforward, because no sooner do we succeed in filling the spaces here and there when a backlash starts up. We have arrests as in the Kalanke case, we are forced to put up with all kinds of problems and in effect there is a closing of ranks to stop women from advancing any further. That is totally unacceptable to women. We must persist, and I think we must send the Council a clear warning today that it cannot treat our recommendation as it plans to, and as it already has done in the Council's working parties.

**Gröner (PSE).** – (DE) Mr President, ladies and gentlemen, in the fifteen Member States of the European Union, 190 million of the 370 million inhabitants are women. Women would therefore have to take on half of all political and social responsibilities in the European Union if we ever succeeded in making democracy a reality. But in no country does this state of affairs actually exist. There are only greater or lesser degrees of disadvantage for women, which have grown out of the patriarchal structure of centuries – nay, millennia – of male domination.

The Action Platform of the Fourth World Conference on Women in Beijing found that the situation of women is improving, but only very slowly. The proportion of women in the national parliaments of the Union varies considerably, from just 6% in France and Greece to 41% in Sweden, which occupies a very good position. Even the European Parliament, with only 27% women, occupies a leading position. But there are considerable differences from one group to another and from one national delegation to another. The trend is for more women to be represented in the groups on the left than in those on the right. The Group of the Party of European Socialists has set itself the objective of including women on an equal basis in all its decision-making processes, which means much more than simply occupying half of the parliamentary seats.

Equality and democracy between the sexes mean equal participation by women in control and supervisory bodies of all kinds, at top management levels in industry, the universities, administrative authorities, the media, the trades unions, the courts etc. With our group chairman, Pauline Green, and with our Bureau, which contains 60% women, we set a really convincing example in this respect.

In social terms, however, progress would proceed at snail's pace if we tried to carry on without some clear rules. The top positions would then continue to be occupied by men far into the 21st century. Let us just make a few comparisons within the Union. In places where there are quota arrangements, such as Scandinavia, women participate fully. In Germany we have observed some improvements

within the parties. In places where there are equal treatment laws – binding regulations with the quota system as a temporary bridge – the position of women is improving. Of course, there must also be binding target times as well. In periods of economic recession, when the battle for resources becomes more difficult, it goes without saying that governments will cut back on funding for women.

But in the Beijing Fourth Action Platform, the governments also gave an undertaking to put the 350 articles into practice, and the issue of women in decision-making positions was an important strategic objective in Beijing. We want to see some practical measures – as Mrs Crepaz sets out in her report – ranging from changes in the law, and the elimination of all sex discrimination, to a commitment to positive action.

The Fourth Action Programme for Equal Opportunities, which is concerned with mainstreaming, is a step in the right direction, but of course it will continue to be necessary to open up old wounds whenever the principle of equal opportunities is disregarded. It is therefore urgently necessary to adopt as secondary objectives the incorporation of equal opportunities into the Treaty on European Union at the Intergovernmental Conference in Turin, and the balanced representation of women and men in all the decision-making bodies of our institutions. Let us start by putting our own house in order. By that I mean that the European Court of Justice and the Court of Auditors too must finally signal their intentions on this issue, and women must also be appointed by the Council to decision-making positions in these institutions.

In Rome at the weekend, under the Italian presidency, the women ministers again put the pressure on. In the Crepaz report we emphasize the demand for women to be represented in all decision-making bodies. We do not want male domination, and we reject subordination. We want equality between the sexes.

**Laurila (PPE).** – (FI) Mr President, I should like to thank Mrs Crepaz for an excellent report.

I shall begin this intervention by talking about the experiences of my own country, Finland. All three presidents of the Finnish Parliament are women, and in general just under 40% of its members are women. The director of the Bank of Finland is a woman. At local government level, important representative bodies are chaired by women, and now the mayors of the three largest cities are women. How did we achieve all this? It was not with the aid of quotas, nor by unnatural means but quite naturally, namely by means of legislation which promoted participation by both sexes in education, working life and political decision-making.

Perhaps this trend originated in the 1500s and 1600s, when certain bishops compelled everyone to learn to read, both girls and boys. It was not possible to get married until both partners could read. That may have been the start of it. At all events, we now have a quota system which will be applied for the first time after the next municipal elections in October this year, and it will mean that women will have to be removed from some municipal bodies to make way for men.

All in all, I should like to stress that what is at stake is not only women's rights but equality in Europe. We should develop Europe into both a men's and a women's Europe.

**Laurila**

I would prefer the relevant committee to be called the 'Committee on Equality' rather than the 'Committee on Women's Rights'. In my own country the minister who is responsible, *inter alia*, for these matters is responsible for equality, not for women's rights, because political decision-making is a matter which concerns both sexes. But I do not deny that in some countries quotas are undoubtedly sorely needed and there is also a need for ministers for women's rights. In my own country they are no longer needed.

The starting point is really creating the right conditions to enable both sexes to study, work and participate in political decision-making. What matters is not that we have a law which lays down the percentages for the representation of each sex: it is, for example, that proper, high-quality school dinners should be provided for all pupils from the lower elementary stage until they leave school. Then neither parent need be at home during the day to make lunch for school-children. What matters is proper maternity care and time for mothers so that when the children are small they can devote themselves to these matters without having to worry about whether they will be able to keep their jobs. What matters is proper care of the elderly. I certainly do not mean that all old people should be forced into old people's homes: I mean that both sexes will be freed for political decision-making if they do not need to worry about how the older generation will manage at home during the day. All of these systems lead to equality, and only when they are in order in the various countries can we assume that both sexes will enjoy equal conditions.

This report contains much talk of the need for statistics and research. I fully support this. In the Interparliamentary Union (IPU) I myself at one time carried out surveys and gathered replies concerning political decision-making by women in 115 countries and their opportunities for it. I hope that the European Union will now likewise be able to exploit these surveys.

**Izquierdo Rojo (PSE).** – (ES) Mr President, our actions continue to be disappointing – because just look at where this report has been placed on the agenda: at the very end of the queue, on a Friday; and we must be grateful for the fact that it comes before the debate on trade with Cuba, Iran and Libya. I mean no disrespect to those countries, incidentally.

That is the great problem – our actions are disappointing. We are very good at talking: Europe's speech-making on equal opportunities for women is magnificent. Subsequently, however, our actions are disappointing, and that produces a lack of credibility. It is important for us to realize that this gap between our words and our deeds – not only on equal opportunities, but in general terms – is bringing Europe into disrepute. Because other countries will say: if they, who recognize the need for women to take part in decision-making, are not consistent in their actions, what can be expected of other cultures which traditionally have much more difficulty in understanding the issue of women's liberation? They do not believe in us in Europe, because we are inconsistent. Consequently, let us now turn our words into deeds.

**Van Miert, Member of the Commission.** – (NL) Mr President, ladies and gentlemen, I am happy to have this opportunity first of thanking the rapporteur, Mrs Crepaz, and complimenting her on this important piece of work. I

think I can also say, and with gratification, that the views and approaches of Parliament and Commission coincide on this very essential issue of democracy, namely the promotion of an equal share of women and men in the decision-making process. It is a goal which can only be achieved if all the European institutions not only acknowledge it but work towards it through concrete measures.

The report emphasizes a series of important points already included by the Commission in its Fourth Action Programme, such as the need to change structures and attitudes if progress is to be made towards equality for men and women.

For a long time now the Commission has recognized the importance of including equality in all forms of policy and it makes the need for equality in employment abundantly clear in its communication. It is important that the report points to the link which exists between this inclusion and a share for women in the decision-making process. Further progress in this direction will be achieved as a result of the Fourth Action Programme on equal opportunities for women and men.

By far the majority of your amendments, ladies and gentlemen, are consistent with the thrust of the Commission proposal and confirm earlier pronouncements. We especially agree with the amendments which reinforce the references to the importance of reconciling the pursuit of a career and family life, Amendment No 2, the close links between women's participation in the labour market and decision-making process, Amendment No 8, the need for publicity campaigns, Amendment No 19, monitoring and evaluation of measures, Amendment No 25 and furthermore the promotion of entrepreneurial ventures by women, Amendment No 31.

The Commission will be putting a revised text to the Council embodying the main European Parliament amendments in these areas. And the Commission believes that all the amendments from another group – those which refer to the Beijing platform for action, the importance of democracy based on equality, the need for programmes of positive action, the importance of a fair division of domestic tasks between women and men, the need for statistics and the portrayal of women in the media and advertising – whilst they are all important considerations, the Commission believes, and here we disagree slightly with Parliament, that these are already satisfactorily dealt with in the text of the Commission resolution.

Your amendments on the implementation of agreements, as a measure to promote equality and to further equality in respect of judicial functions, are areas of policy which the Fourth Action Programme names as areas for closer study. The Commission will thus be looking at these policy areas more closely in the context of this programme. So we think it is a little premature to include in the recommendation to Member States at this stage points on which conclusions will in any case be forthcoming as a result of these studies and further research.

In addition to the above the Commission might also take the initiative in talks on two new points raised in your report, namely the idea of appointing equal rights 'ombudspersons' and the possible establishment of a new gender contract. So these two ideas merit further consideration in the light of experience, particularly the experience of the new Member States.

**Van Miert**

Lastly, I should mention two of your amendments which are hard for the Commission to accept as things stand at present. Firstly the replacement of the word 'balanced' by the word 'equal' treatment. We think that is going a bit too far. A 50/50 split is not always possible. I hope you will agree that this is a fair comment. Then there is the request for the Commission to assess the divergent effects of the national electoral systems and propose alignments and reforms. I think you will agree with me that this is typically a matter for the Member States and that in the current talks one can hardly, in view of subsidiarity, expect the Commission to start meddling with the national electoral systems.

All in all, then, the Commission welcomes Parliament's interest in this subject, though we are sorry that it is raised now at the end of this Friday sitting. But that is a matter of Parliament's internal organization. In any event we welcome the continuation of our cooperation on a subject which will certainly command our joint attention for some time yet, and bearing in mind what Mrs Laurila said, namely that centuries ago the bishops insisted that men and women could read before they were allowed to marry, I hope that it will not take another three or four centuries before the equality we are all striving for becomes reality.

**van Dijk (V).** – (NL) Mr President, I am very grateful to Commissioner Van Miert for his answer, although of course we would have been happier if more amendments had been accepted, but I should like to ask him what the Commission plans to do if it transpires that the Council is not minded to accept the recommendation as proposed to it by the Commission. If the Council proposes to go for a heavily watered down form of recommendation, what will the European Commission do then? That is what I should like Commissioner Van Miert to tell us.

**Van Miert, Member of the Commission.** – (NL) As you say, Mrs van Dijk, I have agreed to a number of amendments on behalf of the Commission, in particular on behalf of my colleague Mr Flynn, and it is of course the Commission's intention to defend them before the Council. You are particularly familiar with the situation, I imagine, like the other Members of the House, and you know that there is little appetite amongst the Council delegations for going over these again, but I am confident that Commissioner Flynn will be fighting hard for them and I shall keep you informed of how successful his efforts are.

**Crepaz (PSE), rapporteur.** – (DE) Mr President, it is a matter of personal importance to me, that before the vote I should thank all the people involved, and the Committee on Women's Rights, as well as those who have worked with me on this, for their constructive cooperation. To the Commissioner, I should just like to recommend one thing: you are looking at the unanimous opinion of the Committee on Women's Rights. Do take this report seriously. Regard it as a demand, rather than merely a recommendation. Please understand it as a demand for the transformation of equal rights!

**President.** – The debate is closed.

We shall now proceed to the vote.

(Parliament adopted the legislative resolution)

**4. Trade with Cuba, Iran and Libya**

**President.** – The next item is the statement by the Commission on US measures concerning trade with Cuba, Iran and Libya followed by a debate.

**Van Miert, Member of the Commission.** – Mr President, the Commission, as you all know, has constantly expressed its opposition to trade legislation of an extraterritorial nature, and therefore welcomes very much the initiatives taken by several Members of Parliament to discuss the matter today. In this we are clearly at one with Parliament, which has expressed itself on numerous occasions on this subject. We naturally welcome Parliament's support for our stance.

Currently we are confronted with two very worrying specific cases in this field: the so-called Cuban Liberty and Democratic Solidarity Act, or Libertad Act, signed into law by President Clinton on 12 March last, and the pending legislation on Iran and Libya oil sanctions. As far as the Libertad Act is concerned, certain of its provisions are particularly worrying. While Title 1 confirms and strengthens the US embargo on Cuban products and, more particularly, sugar, Title 3 introduces the right to sue persons benefiting from expropriated properties in the US courts and Title 4 foresees the denial of entry of those same persons and their families into the US. So it goes very far.

Needless to say, these two titles contain some of the most worrying provisions of the Act and, if implemented, could lead to legal chaos for any businessman investing in or doing business with the US. Not only does the implementation of Title 3 extend the jurisdiction of the US courts, but in the end companies might end up paying the compensation that the US should have obtained from the Cuban Government.

The uncertainty created by Title 4 could prove an enormous discouragement, particularly for small and medium-sized business. Finally, it internationalizes the conflict that originally existed only between the US and Cuba and which should normally find a solution between those two countries.

The European Union has made numerous demarches including, at the highest political level, objecting to the provisions of the Libertad Act. On 3 May last the European Union formally requested bilateral consultations with the USA under GATT Article 23 and GATS Article 23 as well. Those consultations are currently expected to take place in early June. We are also monitoring closely, together with the Member States, the implementation of the Act in relation to all three pillars of the Treaty on European Union.

So today again we want to send an unambiguous message to the US authorities, and in particular to Congress, that we object to any legislation of an extraterritorial character and that we will not hesitate to take all the necessary steps to protect our interests.

Let me now turn to the US sanctions legislation concerning Iran and Libya. We are also threatened by unilateral US sanctions against our legitimate business relations with Iran and Libya as a result of draft legislation now pending in the US Congress. On 20 December last year the US Senate adopted a revised version of the Iran oil sanctions act of 1995 that shifted the focus from trade restrictions to foreign companies to foreign investment above US\$ 40m in the

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41. Regrets the lack of attention paid in the Annual Report to the issue of violence against women, given that gender-based violence reflects the inequality between women and men in society;

42. Welcomes the new Article 6A in the Amsterdam draft Treaty on combating discrimination based on gender, race or ethnicity; hopes that on this basis measures will be taken to combat racism towards migrant women;

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43. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States and the European social partners.

(b) A4-0251/97

**Resolution on the Commission Communication – Incorporating equal opportunities for women and men into all Community policies and activities – ‘mainstreaming’ (COM(96)0067 – C4-0148/96)**

*The European Parliament,*

- having regard to the Commission's Communication, COM(96)0067 – C4-0148/96,
  - having regard to the new provisions of the Amsterdam Draft Treaty: Articles 2, 3, 6a, 118, 119 and 5 (of the new Title on employment) of the Treaty establishing the European Community,
  - having regard to its resolution of 17 November 1995 on the proposal for a Council Decision on the Fourth Medium-Term Community Action Programme on equal opportunities for men and women (1996-2000) <sup>(1)</sup>,
  - having regard to the Beijing Declaration and Platform for Action adopted by the Fourth World Conference on Women: Action for Equality, Development and Peace, Beijing, 15 September 1995,
  - having regard to Council Regulation (EC) No 2081/93 amending Council Regulation (EEC) No 2052/88 on the tasks of the Structural Funds <sup>(2)</sup>,
  - having regard to the report of the Committee on Women's Rights and the opinions of the Committee on Employment and Social Affairs, the Committee on Regional Policy and the Committee on Institutional Affairs (A4-0251/97),
- A. whereas the Commission first introduced the concept and policy of ‘mainstreaming’ in the Third Action Programme for Equal Opportunities in 1990,
- B. whereas this policy was further developed as a strategy with concrete means in the Fourth Action Programme, which constituted a more positive policy approach rather than proposing measures to solve a problem,
- C. whereas the Commission presented its policy on ‘mainstreaming’ as its main contribution to the United Nations Fourth World Conference on Women in Beijing in 1995,
- D. whereas, pending the entry into force of the Amsterdam Treaty, Article 119 of the Treaty establishing the European Community is the only specific reference, with direct implications, to equal opportunities for men and women,

<sup>(1)</sup> OJ C 323, 4.12.1995, p. 167.

<sup>(2)</sup> OJ L 193, 31.7.1993, p. 5.

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- E. whereas six Directives and recently other agreements concluded under the Social Protocol have increased the areas of policy at European level in which equal opportunities and anti-discrimination have been important elements,
- F. whereas the implementation of any Community action on equal opportunities for men and women requires clear legal bases,
1. Welcomes the Commission's Communication on 'mainstreaming' as a huge step forward in recognising that women, who make up over half of the European population have so far not enjoyed, except perhaps in the letter but certainly not in reality, their full share of society's benefits;
  2. Notes the following changes made by the Amsterdam Draft Treaty:
    - the addition in Article 2 of the EC Treaty of equality between men and women to the tasks of the Community,
    - the addition of a new subparagraph to Article 3 of the EC Treaty, specifying that in all activities referred to in that article the Community has the aim of eliminating inequalities and promoting equality between men and women,
    - the insertion of a new Article 6a in the EC Treaty allowing the adoption of measures aimed at outlawing all discrimination, including gender-based discrimination,
    - the insertion of a new Title on employment, Article 5 of which provides a new legal basis for the adoption of incentive measures,
    - inclusion of the Social Protocol and, more specifically; Article 118(1), fifth indent (equality between men and women with regard to labour market opportunities and treatment at work) and Article 119 on equal pay for male and female workers;
  3. Notes that the incorporation of equal opportunities for men and women into all Community policies and activities should be pursued as a principle which now forms part of the Amsterdam Draft Treaty;
  4. Welcomes the insertion of a new non-discrimination clause in Article 6a of the Amsterdam Treaty, but deplores the fact that the procedure referred to requires unanimity in the Council and consultation only of the European Parliament;
  5. Stresses the fact that in the area of social and employment policy the new provisions of the Amsterdam Treaty require the codecision procedure for the application of the principle of equality of opportunity (Articles 118 and 119) and for the adoption of incentive measures in the field of employment (Article 5 of the new Title on employment);
  6. Takes the view that, in accordance with the concept of transparency and improved quality of Community legislation *vis-à-vis* citizens, a clear definition of the expression 'mainstreaming' (which has been adopted only in English) should be supplied, possibly in the form of 'policies for equality';
  7. Calls for an interinstitutional working party to be set up in order to make the objective of equality between men and women a concern in all Community activities;
  8. Agrees with the Commission that to put 'mainstreaming' into effect will require: abolition of century-old conceptions and prejudices concerning women's contribution to society, in particular in their professional activities;
  9. Is aware that the concept of mainstreaming is still unfamiliar to all but a small minority already working on equal opportunities between women and men;
  10. Realises therefore that 'mainstreaming' involves a most necessary awareness and information process, which will necessitate an active, perhaps even combative and permanent dialogue with decision-makers in all policy areas in order to achieve equal opportunities and equal rights;
  11. Believes, however, that the Commission and Member States should pursue a two-pronged approach promoting mainstreaming of gender and equal opportunities alongside positive action measures for women where they are still disadvantaged;

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12. Reminds competent authorities, whether at local, regional or national level, that European efforts, while important as a catalyst and in providing a model, remain nevertheless limited to areas of competence enshrined in the Treaties and derived legislation, and therefore calls on the Member States to implement a policy of mainstreaming in their local, regional and national policies;
13. Stresses that equal opportunities must necessarily start in the private and professional lives of citizens and warns against seeing women as those willing to pick up the pieces left over, be it on the labour market when crises hit, be it in private responsibilities for family life and its organisation, or in being viewed as a reserve to draw on when necessary or when space is available;
14. Calls on the European Commission to define assessment criteria and instruments for the promotion of equality between the sexes;
15. Notes that there is an economic need for greater participation in the workforce, particularly by women, to compensate for the expected ageing of the EU population; notes this must not result in a further increase in the double burden borne by women;
16. Warns that considerations of cultural values and traditions, rigid societal structures, or the demands of competitiveness must not be allowed to stand in the way of a proper follow up to 'mainstreaming';
17. Underlines that the priority area for women in which to obtain equal rights remains that of occupational and professional activities so as to achieve financial independence; experience shows blatantly that dependence results too easily in further disadvantage to the more vulnerable sections of society;
18. Regrets in this context that spouses who work in family businesses still do not enjoy full status in all Member States; urges that the Member States should rapidly take steps to remedy this situation and that they should, in anticipation of the introduction of such full status, in cooperation with women's organizations and associations of those working in the liberal professions, the self-employed and SMEs, organize campaigns to inform the women concerned and their spouses of their legal status and about any voluntary arrangements based on company law, marital property law and the laws of inheritance which might improve their legal situation;
19. Is therefore convinced that far more investments, financial investments included, must be made to improve considerably the availability of support structures (like care for dependents, means of communication including transport, educational and learning facilities in general) in order to enable women to play a more active role professionally and not least to enable women to reintegrate in the labour market when they have chosen or been forced to take a break in their careers;
20. Considers that, in order to break down the divisions in the labour market, it is just as important to encourage men to enter the caring and child-rearing sectors dominated by women as it is to encourage women in the areas of technology and science;
21. Notes that in order to reconcile family and working life there is a need for social services, such as care for children and the elderly, school meals and public transport;
22. Draws attention to the fact that the combination of family and professional life requires a genuine sharing of tasks; as well as increasing women's participation in employment, attention must equally be paid to men's involvement in work in the family, so that the responsibility for caring for others does not devolve exclusively on women and the authorities and policies on care also take account of men's personal responsibility;
23. Insists that substantial efforts must be made as regards education and training in order to increase the qualification of women and facilitate their access to employment; remains preoccupied at the insufficient learning and reeducation facilities specifically geared to women's needs with a view to facilitating reintegration into the labour market following career breaks, which women, to a much larger

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extent than men, have to accept for family reasons; proposes that the Community give priority to women's access to re-integration measures when deciding on financial support under structural funds and when deciding on criteria for funding;

24. Calls on the Commission to devote careful attention, as a matter of priority, to be assessed by means of specific indicators of mainstreaming policy, to the programming of the Social Fund, calling on the Member States to incorporate mainstreaming in their priorities;

25. Considers that structural policy measures and the eligibility criteria for all programmes should take account of women's particular interest areas, estimates concerning the attainment of quantity and quality objectives and efforts aimed at broadening the professional choices of women and dismantling the gender division of the labour market; and that studies and research should be carried out to assess the effects of applying mainstreaming;

26. Urges the Commission to set a good example by increasing women's participation in structural policy and by making recommendations to the Member States on increasing women's participation both at national and at regional level in the planning, adoption and assessment of projects supported by the structural funds;

27. Recognises that statistics for individual projects within the mainstream structural funds are held at Member States rather than Commission level and calls therefore for improved equal opportunities assessment to be built into all Member State monitoring reports;

28. Urges the Commission to arrange education on equality issues for those responsible for taking decisions on the structural funds at national level, in order to ensure that the mainstreaming principle is put into practice in the funds' operations;

29. Urges the Commission to study the reasons why women are not appropriately involved in the management and the implementation of EU structural policy, and to speed up the development of gender-sensitive indicators to assess the effect which projects have on equality between men and women;

30. Urges the Commission to tackle the problem of discrimination against women in scientific and technical disciplines, high-level intellectual work, and innovative professions — especially when using structural means designed for pilot actions, innovative development programmes and training;

31. Reiterates that women's positions and situation in society should be taken more into consideration when advancing policies to support the internal market, and not least policies to support EMU; recalls that women are more vulnerable than men to policies pursued in order to meet the convergence criteria for EMU, as women face a segregated labour market, horizontally as well as vertically;

32. Calls on the Commission to study ways in which fiscal measures and specific social security benefits could be used to help bring work in the family into the official economy;

33. Considers that the issue of equal pay should continue to be actively promoted — particularly by developing non-discriminatory work assessment procedures — and urges the Commission to adopt binding provisions on the matter if its recommendations have not already been put into effect;

34. Urges the Commission to speed up its measures to enable the family members of EU nationals to be granted an individual right of residence, following a reasonable residence period, where this is not covered by existing legislation;

35. Recalls further that reducing public deficits and striving for increased competitiveness hits women on the labour market to a higher degree than men; remedies for the negative effects of these policies shall not be sought in social policies but rather by integrating women properly into the labour market, with the aim of achieving equal opportunities and equal rights;

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36. Is satisfied that the Commission recognises that equal rights and equal opportunities are objectives to be strived for across the board and within the competences given to it; requests the Commission to remind Member States of their obligations in this area as it is recognised that the main bulk of work remains with Member States;
37. Expects the Commission, at the latest in time for the next annual report on equal opportunities, to set up a catalogue of indicators and criteria for formulating, implementing and evaluating equality objectives and results and stresses that the effectiveness of the implementation of policies for equality depends on the existence of statistics at all levels of its application;
38. Considers that statistics and data broken down by gender are an essential instrument in demonstrating the different impact of policy measures on women and men; hopes that the Commission will devote particular attention to this when establishing the forthcoming multiannual programme on statistical information;
39. Requests the Commission to set up proper coordination structures within its services responsible for implementing mainstreaming; proposes that one official in each relevant unit within directorates-general is appointed, who will be entitled to assess whether mainstreaming criteria have been met and to suggest improvements; reminds the Commission that a 'mainstreaming' remark was introduced by Parliament to a broad range of relevant budget lines during the budget procedure for 1997;
40. Considers it important that equal numbers of men and women should be elected to the Council and Commission preparatory working groups and committees of experts;
41. Urges the Commission to prepare a proposal concerning special education on equal opportunities for Community decision-makers and officials;
42. Urges the Commission to remove remaining obstacles to women's applications for posts at the Commission, such as for example age limits, which can be a form of covert discrimination, in particular against women who spend time raising children;
43. Expects the Commission to introduce the mainstreaming criterion or the gender perspective in all forthcoming legislative proposals in the future so as also to force Member States to take a position on equality policies;
44. Reminds the Commission that the integration of equal opportunities must be an important aspect in development cooperation agreements; considers that, in the context of strengthening 'partnership', it is essential that women in developing countries should play a larger role in the preparation, devising and monitoring of the measures to be carried out;
45. Calls on the Commission to draw up guidelines for the analysis of legislative proposals in order to ascertain their gender-specific impact, by analogy with the existing impact assessments in the spheres of business and the environment;
46. Reminds the Commission that mainstreaming should be an important element in the enlargement negotiations shortly to be initiated with countries in Central and Eastern Europe; recalls that equality policies, though existing in the letter, have hardly been taken into consideration in these countries during the recent years of structural change and upheaval;
47. Instructs its President to forward this resolution to the Council, Commission, and the governments and parliaments of the Member States.

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