



Meeting of the Advisory Committee on Equal Opportunities for Women and Men

08 December 2016

Draft Minutes

Welcome and introduction

The chair, Ms **Gortnar** (SL), opened the meeting and welcomed the participants.

The chair informed the audience that all the relevant documents for the meeting were to be found in the handed-out compendium.

1. Adoption of the draft agenda

The draft agenda was adopted.

2. Adoption of the draft minutes of the meeting of 21 May 2015

The draft minutes were adopted.

3. Information from the Commission on recent developments in gender equality in the EU

The chair welcomed the Commission's acting Equality Director, Ms **Marie-Hélène Boulanger**, and the acting Head of the Gender Equality Unit in DG JUST, Ms **Sarah-Jane King**, and invited them to give information on recent developments in the area of gender equality.

Information was provided for each of the following subjects:

1. Work-life balance
2. Equal Pay
3. EU-2020
4. Women on boards
5. Violence against women (VAW)
6. Commission on the Status of Women (CSW)
7. Other issues: Mutual Learning Programme

Questions and comments included:

On the subject of work-life balance, **Eurocadres** noted that men should also be able to take paid leave and suggested that time for parental leave should be lost unless shared between the parents. **UEAPME** found

that the Commission consultation focused too much on legislative aspects and that some of the legislative options were found to be counterproductive to increasing female labor market participation.

Sweden asked for clarification of what is meant by flexible working-time arrangements. Ms **Boulanger** addressed Sweden's question and clarified that flexible working-time arrangements exist in 3 forms: flexibility in location of work, flexibility in the length of working time and flexibility in the organisation of working time.

The **Council of Europe** provided a point of information regarding the European Social Charter, which has received 15 collective complaints for violations of equal pay. The next step will be the evaluation of the admissibility of these complaints. It is the first time complaints are received for non-compliance with the right of equal pay for work of equal value (Article 4 of the European Social Charter).

On the subject of EU 2020, the **Haut Conseil à l'Égalité (France)** referred to the Commission's country report and noted that in last year's report on France, emphasis had been placed on childcare issues. France wondered whether it would be possible to place more emphasis on wages and noted that this issue is currently more important than the question of childcare (at least in France). Ms **Böckermann** noted that the FR desks at the Commission are aware of the country-specific challenges regarding the issue of the gender pay gap.

ETUC added that, regarding country specific recommendations, many of the required reforms cannot be carried out in such a short amount of time, stressing the need to look at issues from a larger perspective. Regarding the work-life balance initiative, **Norway** asked for clarification on the relation between this initiative and the European Social Pillar. Ms **Bissieres** clarified that the European Social Pillar is an overarching initiative from the Commission. While there are several related initiatives, the procedures and processes are independent.

On the subject of violence against women (VAW), **Belgium** asked for further information regarding the results of the discussion of the FREMP group on the Istanbul Convention. **Sweden**, who is part of the FREMP negotiations, explained that a majority of delegations appeared to be in favor of broad ratification, but that there appeared to be some discussion among different countries regarding the question of exclusive competencies.

Eurocadres commented on Poland's recent intent to withdraw from the Istanbul Convention, viewing this as an attack on women's rights. Eurocadres added that they find it important for the EU to react and ratify the Convention, thereby forcing countries to ratify it de facto and making it difficult for Member States to withdraw. **The Council of Europe** noted that the number of ratifications to the Istanbul Conventions has not changed since the last Advisory Committee meeting, adding that the preparation of GREVIO evaluation reports is ongoing.

ETUC then provided a point of information: on the 25th of November ETUC launched a study on the link between domestic violence and work. The study focused on 11 countries and looked at how the workplace can bring security to women victims of violence, as well as on the issue of harassment at work.

On the subject of the Commission on the Status of Women (CSW), **UEAPME** noted that the this year's theme, 'women's economic empowerment in the changing world of work,' is extremely important, particularly for social partners; UEAPME wished to know whether there was a way for social partners to be involved in CSW

preparations. Ms **Van Nistelrooij** added that written input regarding social partner priorities and their view on important topics would be welcome.

Referring to the comments made by UEAPME, **ETUC** agreed with the importance of the theme of women's economic empowerment and noted that it would be interesting to also have this aspect integrated into the upcoming work-life balance package.

Portugal asked for further information regarding the timing of some CSW events. Ms **Van Nistelrooij** provided some information regarding these and added that additional details will be given in due time.

4. Information from current and future Presidencies

The chair informed the AC on the main Gender Equality activities organised by the **Slovak Presidency** (presentation was handed in writing by the Slovak Presidency):

- The meeting of the **High Level Group on Gender Mainstreaming** was hosted in Bratislava on 7th and 8th September 2016, with the aim of ensuring effective cooperation between Member States and the European Commission.
- **Council Conclusions** on indicators for monitoring the Beijing Platform and EIGE report: in cooperation with EIGE, the Slovak Presidency set out to review the implementation of the Beijing Platform for Action in the EU Member States in the Area of "Women and Poverty" (last covered in 2007 by Portugal). The report '*Poverty, gender and intersecting inequalities in the EU*' was prepared by EIGE and due attention was given to the negative effects that influence women's lives, their working conditions, and their place in society. Council conclusions are expected to be adopted by the Employment, Social Policy, Health and Consumer Affairs Council today, 08/12/2016.
- Balanced work and private life is a prerequisite for higher participation of women in the labour market as well as their economic independence; the **Presidency conference („Work-Life Balance in a Changing Society“)** held in Bratislava on 20-21 September 2016 was dedicated to the reconciliation of work, family and private life under the changing models of work organisation and new labour market related demands and trends. Some specific objectives of the conference included addressing the possibilities and existing trends in flexible forms of work and flexible forms of care arrangements; sharing care responsibilities between parents and society; and eventually caring for elderly and other dependents.
- The Working Party on Fundamental Rights, Citizens' Rights and Free Movement of Persons is currently in the process of discussing the proposal for a Council decision on the signing, on behalf of the European Union, of the **Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)**. After examination, the proposal will be forwarded to the Justice and Home Affairs Council.

The upcoming **Maltese Presidency** (1st semester 2017) gave a general outline of its upcoming activities:

- The Maltese Presidency is to adopt **Council conclusions** at March 2017's EPSCO meeting on the upscaling of skills (with particular reference to women in the labour market), and by addressing women and men in low income precarious work and who encounter difficulties re-entering the labour market.

- To ensure continued cooperation between Member States and the European Commission, the **High Level Group on Gender Mainstreaming** is to take place in Malta, 1st and 2nd February 2017.
- A **Presidency conference on Violence against Women** is to take place in Malta, 3rd February 2017. The conference aims to be a platform for sharing and exchanging information on current practices to prevent and protect victims of gender-based violence, while at the same time exploring practices adopted by various Member States in access to justice and services under the framework of the Victims' Rights Directive and the implementation of the Istanbul Convention.
- The Maltese Presidency is to initiate discussions in Council regarding the package of legislative and non-legislative initiatives to address Work-Life Balance once launched by the European Commission.
- At the global level, the Maltese Presidency will, in close cooperation with the European External Action Service (EEAS), ensure a strong EU commitment at the 61st session of the **UN Commission on the Status of Women (CSW)**.

The future **Estonian Presidency** (2nd semester 2017) is to give additional details on its Presidency activities at a later stage, but it has confirmed that it will be convening the **High Level Group** on Gender mainstreaming in Tallinn on the 7th and 8th of September 2017. Estonia will be working together with EIGE on a report on **gender segregation in education and the labour market**. The report will tackle STEM and also areas where there is a need to increase the participation of men (e.g. education, welfare) and will also put some emphasis on the link between segregation in education and the labour market to the gender pay gap.

5. Presentation of the opinions of the Advisory Committee

5.a) *Ad-hoc opinion on work-life balance*

Presentation of the Advisory Committee ad-hoc opinion on work-life balance by the chair of the AC, Ms **Gortnar**.

The opinion is on how to improve work-life balance for parents and caregivers and to reduce obstacles to their participation in the labour market.

Based on figures regarding the decreasing rate of female employment after childbirth and the low rates of uptake of paternity leave, **ETUC** argued for the need to open up and extend the maternity leave directive as well as for paternity leave to be individual, non-transferable and paid. ETUC also underlined that flexible work arrangements should be designed so that they do not lead women to assume more part-time work or make it more difficult for them to return to full-time work. ETUC urged the Commission to develop a good legislative framework for paid and extended maternity leave, paternity leave and carer's leave. In response, Ms **Bissieres** noted that flexible working arrangements should not lead to more part-time work and underlined that both men and women have a preference for full-time, flexible work.

EWL endorsed the comments made by ETUC and emphasized the accent on care, given the fact that austerity measures across Europe had in many cases resulted in disinvestment in care. EWL argued that pressure should be placed on the European Investment Bank to invest more resources in care infrastructure.

UEAPME endorsed this ad-hoc opinion in the sense that it proposes a comprehensive approach. UEAPME added that there are many solutions and pathways to work-life balance and that it is important to ensure that different measures do not counteract each other. UEAPME would like the opinion to stress the importance of measures that increase women's labor market participation, such as the existence of available and affordable childcare.

Malta shared the example of how they have tackled the issue of low female labor market participation through implementing free childcare for parents in work or in education, thus allowing more women to enter, remain and return to the labor market.

Sweden thanked the Commission for their work on this opinion and discussed footnote 19, relating to the equality bonus implemented by Sweden. This reform has been removed, since it appeared to provide very little desired results. Thus, the experience of Sweden has shown that economic incentive is not enough when it comes to assuming paternal leave; since then Sweden has added 1 non-transferable paternal leave month.

Norway supported the view of Sweden and added that one of the strongest proponents for compulsory paternity leave in Norway is the Norwegian Business Alliance, for both social and economic reasons. Given that the majority of university graduates are now women, companies and businesses have an interest in ensuring that this talent and resource pool returns to the workplace as soon as possible. **ETUC** nuanced Sweden's message and argued that economic factors do count and are motivating factors with respect to parental leave.

CEEP especially welcomed the emphasis on child and elderly care, but was concerned about some of the focus on further leave arrangements, particularly with respect to carers' leave. CEEP felt this might work contrary to the aim of encouraging female labor market participation.

Finland welcomed the Commission's plans to launch the initiative and proposed three comments: the need for the opinion to take into account alternative family structures, clarification on the meaning of compulsory rights in footnote 17, and emphasis on the provision of childcare. **Germany** supported Finland's notion regarding the need to incorporate a whole diversity of families. On this note, Ms **Bissieres** invited Finland to make the proposed change directly in the document.

The UK commented on the reference to corporate culture, stressing that there should be more emphasis on engaging male business leaders in the process.

ETUC asked for further clarification on what part of the parental leave it would be mandatory to take. ETUC noted that rules on parental leave are different in all EU countries and that in Italy the focus is on the rights of children. Ms **King** noted that the Commission has sought to provide a holistic approach, therefore looking at a range of factors such as childcare, paternity leave, carers' leave and flexible-work arrangements, in order to design a framework which allows people to have access to choice.

AC members will now have some more time to post their last comments before adoption of this opinion by written procedure.

5.b) Opinion on "Gender mainstreaming in refugee's reception and integration measures"

Presentation of the Advisory Committee adopted opinion on "Gender mainstreaming in refugee's reception and integration measures" by the chair of the Working Group (WG), Mr **Rinckenbach** from the French *Ministère des affaires sociales et de la santé* and *Ministère des familles, de l'enfance et des droit des femmes*.

Regarding the mention of vulnerable applicants with special needs, **Sweden** raised the question of whether women and children with disabilities were included in that group. Mr **Rinckenbach** recalled that the opinion focused on the status of refugee within the meaning of the Geneva Convention. The opinion takes into account how to take care of women that have suffered from mental, physical and sexual violence.

EWL congratulated the Advisory Committee on this opinion and was very happy to see the insertion of a gender perspective with respect to the asylum and migration procedure. With respect to trafficking in human beings, EWL would be interested in further enriching the corresponding paragraph.

Sweden supported the idea of continuing to share practices in this area in the future.

5.c) Opinion on "Combatting female genital mutilation (FGM) and other harmful practices"

Presentation of the Advisory Committee opinion on "Combatting female genital mutilation (FGM) and other harmful practices" by the chair of the Working Group (WG), Ms **Marques** from the Portuguese Commission for Citizenship and Gender Equality. **ETUC** thanked the working group for their work on the opinion and underlined the sensitive nature of FGM practice.

Both **Sweden** and **EWL** asked for further clarifications regarding the upcoming online tool on FGM. Ms **Van Nistelrooij** explained that this FGM online tool is currently being developed and co-financed via the Rights, Equality and Citizenship Programme, and it will be a place where relevant professionals can find information and conduct risk assessments regarding FGM. Mr **Albuquerque** added that this web-based knowledge platform on FGM will gather easily accessible, gender sensitive information and indeed provide support, via several distinct e-learning modules, to different professionals (health professionals, asylum/migration officers, legal professionals, child protection officers, the police, judiciary, social workers, media, academics, educators, students etc.). He explained that it is the product of a multi-national consortium involving several different organisations and that the tool will be available as early as February 2017. The official launching of the online tool is to happen during the Maltese conference on violence against women (3 February 2017).

The Advisory Committee is currently consolidating the final comments received from more than 10 delegations on this opinion. AC members will then be given some extra-time to post their last comments before adoption by written procedure.

6. Discussion and adoption of the 2017 Work Programme

Ms **Ribeiro** and Ms **Van Nistelrooij** presented the proposed themes for opinions to be prepared in 2017. A note on this had been circulated to all members and observers prior to the meeting.

The Advisory Committee agreed to prepare the following two opinions in 2017:

- 1- Gender balance in decision-making in politics: challenges and ways forward**
- 2- Closing the gender pay gap (GPG)**

Several members have already stepped forward and volunteered to take part in the working groups; more are expected to follow after liaising with their respective services/hierarchy.

7. Any other business (AOB)

According to Article 6 of the Commission Decision of 16 June 2008 relating to the setting-up of the Advisory Committee (AC), a chair and two vice-chairs have to be confirmed for 2017.

Jacqueline Niavarani/Austria (1st vice-chair in 2016) is to become chair of the AC in 2017. Alicia Fernandez Perez/Spain is to become 1st vice-chair. The AC also decided to elect Michele Palma/Italy as 2nd vice-chair for 2017.

Both Spain and Portugal thanked the Commission for their work and explicitly asked for a speedier process regarding the appointment of the new Equality Director and of the new Gender Equality Head of Unit in DG Justice and Consumers.

The next AC meeting will in principle take place on the **2nd of June 2017**. The chair thanked the Advisory Committee for the constructive meeting and closed the session.

Annex: List of attendees

<i>Surname</i>	<i>First name</i>	<i>Organisation</i>
Albuquerque	Daniel	European Commission
Blancard	Patricia	Eurocadres (CFDT Cadres)
Bourdin	Marie-Annick	High Council for Gender Equality, France
Breidlid	Jacqueline	EFTA
Boeckermann	Gesa	European Commission
Boulanger	Marie-Hélène	European Commission
Davoine	Lucie	European Commission
de Boer	Arnold	UEAOME
Dutta	Piyali	<i>Bundesrat, Germany</i>
Emanuel-Brattberg	Josefin	Division for Gender Equality/Ministry of Health and Social Affairs/Sweden
Fernandez Pérez	Mercedes Alicia	Spain
Frisell Ellburg	Ann	Sweden and Equality Ombudsman
Gaile	Agnese	Ministry of Welfare of Latvia
Gallagher	Ruth	Irish Human Rights and Equality Commission
Gortnar	Marusa	Slovenia
Helfferich	Barbara	ETUC
Heraclides	Andreas	United Kingdom
Hoeve e/v Koning	Willemien	Copa Women's Committee
Hurley	John	Ireland
Ivarsson	Kristin	CEEP
Jarrett	Emilie	European Commission
Joly	Carine	Belgium
Kamperhoff	Mark	Germany
Kern	Alena	UN Women
King	Sarah-Jane	European Commission
Laiviera	Renee	National Commission for the Promotion of Equality, Malta

Lasen Diaz	Carolina	The Council of Europe
Marques	Andreia	Portugal/Commission for Citizenship and Gender Equality
Maycock	Joanna	European Women's Lobby
McAteer	Mari-Elina	Finland
Mineikaitė	Aurelija	Ministry of Social Security and Labour, Lithuania
Moldovan	Dan	Romania/ The National Agency for Equal Opportunities between women and men
Muliulis	Vytis	Office of the Equal Opportunities Ombudsperson
Murphy	Therese	European Institute for Gender Equality
Niavarani	Jacqueline	Austria
Papageorgiou	Georgia	General Secretariat for Gender Equality-Ministry of Interior
Pape	Pierrette	European Women's Lobby
Rinckenbach	Alexis	Ministère des familles, de l'enfance et des droits des femmes - France
Ringhofer	Karine	
Ruscito	Rosanna	ETUC
Sares	Anita	CTE - Commission for Equality in Labour and Employment - Portugal
Schumacher	Dagmar	UN Women
Sørlien	Kåre Petter	Ministry of Children and Equality, Norway
van Nistelrooij	Anne	European Commission
Warmedam	Sjoerd	Netherlands
Wickler	isabelle	Luxemburg / Ministry for Equal opportunities
Yordanova	Ekaterina	ETUC Women's Committee