

Women of Europe

women's day

Editorial

The turn of the century is full of promise! Within the next few years, at least two new developments in EU law will come into force strengthening the principle of equal opportunities. Last December the Council adopted a directive concerning the burden of proof in sex discrimination cases, as well as agreeing that the principle of non-discrimination for part-time workers be transposed into EU law. Both decisions signal a heightened political consciousness concerning equal opportunities but let's be realistic, much remains to be done. For this reason it is vital that the current momentum is sustained and built upon.

In the short term, the UK Presidency, whose task it is to guide the 15 Member States through the decisions of the next few months, has chosen the fight against unemployment as one of its central aims. Thanks to the guidelines agreed at the Luxembourg Summit last November, equality of opportunity between women and men is assured a place at the heart of any new measures proposed. It remains to be seen to what extent this political volition will be translated into tangible differences for women looking for work and those seeking to reconcile work and family life. However, European governments have at least committed themselves to putting these factors on the agenda.

Another topic firmly on the political agenda is the situation of women in Afghanistan. The women of Kabul have been chosen as the focus and symbol of this year's International Women's Day on March 8th, for they represent the most tangible example of women whose rights are being violated. Prior to the Taliban regime taking control, Afghan women enjoyed an emancipated lifestyle and were active in all areas of public life. However, almost overnight their status changed and they have now been excluded from public life, allowed neither to go out alone or to speak in public, and have been reduced to relying on male relatives and humanitarian aid for survival.

Women of Kabul are by no means the only example of women whose rights are currently being violated, although their plight is particularly shocking in its severity. My thoughts turn to the women in Algeria and the many thousands of women throughout the world, whose circumstances transcend geography, race and religion and who are struggling to maintain their dignity and to gain - or regain - basic human rights in the face of oppression or economic difficulties. ●

Ana Paula Laissy.

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Head of Section - Information for Women

A Flower for the Women of Kabul

The postcard below is part of a campaign *A Flower for the Women of Kabul*, instigated by the European Parliament and supported by Emma Bonino, the European Commissioner responsible for humanitarian affairs. This year's International Women's Day on 8 March will be dedicated to the women of Kabul, whose rights have been systematically violated since the Taliban Islamic regime took control of the city in September 1996.

The plan to put the spotlight on the plight of women in Kabul was set in motion by Commissioner Bonino on her return from a visit to EU-funded humanitarian projects in Afghanistan in September 1997. Whilst visiting Kabul's only hospital open to women, she was arrested and held in detention for over three hours by the Taliban religious forces. Women can only seek treatment at hospitals and clinics that have separate wards and female staff and, at the time of her visit, this was the only such place available, despite the fact that it had few beds and no water or electricity. After international pressure, more hospitals have now been made available for women.

On her return, Emma Bonino backed the European Parliament's call for International Women's Day to be used as a platform to mobilise international public opinion on the flagrant denial of rights of the women of Kabul.

The European Parliament Committee on Women's Rights reiterated its support for this proposal. A special task force has now been created within ECHO (European Community Humanitarian Office) to raise public awareness about the humanitarian

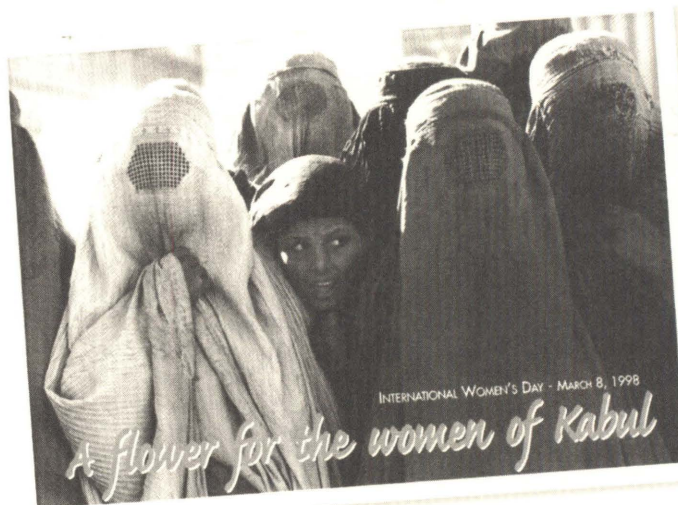
crisis in Afghanistan and to support the campaign which will culminate on 8 March. Organising committees have also been set up in the Member States.

The situation of Afghan women

Before the Taliban regime took power (it now controls two-thirds of the country), Afghan women, especially those living in the main cities, were actively involved at all levels of public life as students, professionals (teachers, midwives, doctors), civil servants and members of Parliament.

However, since the arrival of the Taliban regime, women have been banned from work and education. They have to wear the all-concealing cloaks called *chadari* and are not allowed go out alone or speak in public.

According to ECHO, tens of thousands of women in Kabul, denied the right to earn a living, now rely on humanitarian aid for survival. But even here there are difficulties because this aid cannot be delivered to them directly due to restrictions on contacts with women. This is causing serious concern among NGOs and international relief organisations working on the ground.



Campaign postcard International Women's Day - March 8, 1998

Photo: Courtesy AP Photo/Santiago Lyon ©

racism

Survey results show racism in Europe to be high



European Commissioner Emma Bonino

The need for continuing action to combat racism at EU level was reinforced following the publication of an EU-wide survey of over 16,000 people which revealed that one in three European Union citizens openly described themselves as “quite racist” or “very racist”. This Eurobarometer survey was presented by the European Commission at the closing conference of the 1997 European Year Against Racism held in Luxembourg in December 1997. As part of the Year, a total of 3.2 million ECU was awarded to 177 anti-racist projects.

The survey’s “shocking statistics”, said Pdraig Flynn, the European Commissioner responsible for social affairs, confirm the need for continued EU action. As the next step, he said, the Commission will be launching a new action plan to combat racism.

In a declaration issued the same week, the EU Council of Ministers also stated their support for continued action to combat racism and xenophobia in order “to achieve the ideal of a Union founded on respect for other people and on tolerance”. Education was identified as important so as to gain “from earliest childhood” a “greater understanding of and respect for other people”.

The Member States with the lowest number of people who considered themselves as “very racist” were Spain and Ireland (4% each), Portugal (3%) and Luxembourg and Sweden (2% each).

Dissatisfaction with their life circumstances, fear of unemployment, insecurity about the future and low confidence in the way public authorities and the political establishment worked in their country were the main characteristics of those who put themselves at the top of the racist scale. There were no significant differences between women and men respondents, or between cities and rural areas, despite the lower presence of minorities in rural communities.

The survey illustrates the complexity of the phenomenon of racism, with feelings of racism co-existing alongside strong beliefs in the democratic system and respect for fundamental and social rights and freedoms. A majority of respondents agreed society should be inclusive and offer equal rights to all citizens, including immigrants and members of minority groups. ●

The situation has been compared by ECHO officials to apartheid in South Africa before the reforms there. “Women and girls are victims of a regime that segregates them by law. We face apartheid based on gender by which Afghan women are deprived of their right to choose how to live. (...) They are victims of an oppressive, repressive regime.”

Human Rights = Women’s Rights

The campaign coincides with the 50th anniversary of the United Nations Universal Declaration of Human Rights signed in 1948. This declaration guarantees human rights and lays down the principle of equal rights for women and men. The United Nations Convention on the Elimination of all forms of Discrimination against Women (CEDAW) which followed, restated that the human rights of women and the girl-child are an inalienable, integral and indivisible part of universal human rights. More recently, the Vienna and Beijing Declarations, upheld by the EU and Member States, reiterated this.

The women of Kabul symbolise an “extreme example of discrimination,” according to ECHO. They are a “metaphor for all those places in which internationally recognised rights are being violated”. ●

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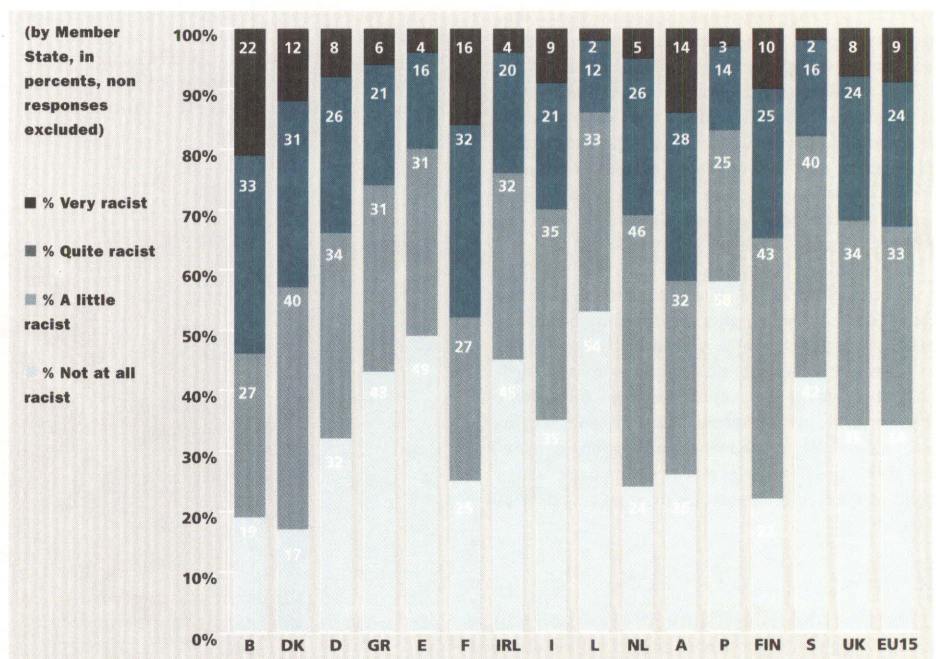
A special website has been set up for International Women’s Day 1998:

<http://europa.eu.int/womensday>

The reach of racism

The three Member States that topped the racist scale were Belgium, France and Austria with 22% of Belgians, 16% of French and 14% of Austrians openly stating they were “very racist”. When the “quite racist” responses were added to the “very racist” ones, the total reached for these three countries was 55%, 48% and 42%, respectively.

Degree of racism expressed



Eurobarometer 47.1 - Spring 1997

council

Rounding off the old year, ringing in the new

The last weeks of 1997 saw the adoption of two pieces of EU legislation with implications for working women. The first is a directive designed to adjust the burden of proof in sex discrimination cases. The second enshrines in EU law the June 1997 agreement between European employer and trade union organisations guaranteeing equal treatment for part-time workers. The December Luxembourg Summit of EU heads of state gave the go ahead for the opening of negotiations for the enlargement of the Union. This will be one of the main priorities of the UK government during its six-month Presidency of the EU (January to June 1998) along with commitments to promote jobs.

New rules make equality action easier

Taking employers to court for alleged discrimination based on a person's sex will be made easier as from 1 January 2001, the date on which the new EU directive on the burden of proof, agreed by EU Social Affairs Ministers in December, comes into effect.

Under the new law, once a person can establish facts from which a court can presume that there has been direct or indirect discrimination, the burden will fall on the employer to prove that there has been no breach of the principle of equal treatment between women and men.

With the adoption of this directive, the concept of indirect discrimination is also defined for the first time in EU legislation. This is said to exist when "an apparently neutral provision, criterion or practice disadvantages a substantially higher proportion of the members of one sex unless that provision, criterion or practice is appropriate and necessary and can be justified by objective factors unrelated to sex".

MEP Fiorella Ghilardotti (PSE, Italy), who drew up the European Parliament's report and many of the amendments on the proposed law, criticised the new directive. Speaking to the *Women of Europe Newsletter*, she said it stood, the new directive did not add to existing EU case law in the field. She fears the definition given of indirect discrimination will make it easier for employers to use "economic reasons" to justify discriminatory practices and predicted that the directive will be quickly overtaken by European Court of Justice (ECJ) case law or be a cause for further litigation.

In a joint statement, the *European Women's Lobby* and the *European Trade Union Confederation* were also critical of the new law for failing to give a stronger definition of indirect discrimination.

Rights of part-time workers in law

EU Social Affairs Ministers also approved a Commission proposal to transpose into

EU law the agreement reached last year between the European employer and trade union organisations establishing the principle of non-discrimination for part-time workers, the majority of whom are women.

The agreement aims to ensure that part-time workers are treated on an equal footing with their full-time colleagues in terms of pay, holiday and sickness benefits and have the same access to company organised schemes. Member States were given two years to transpose the provisions of the directive into national legislation or into collective agreements.

UK falls in line

At the meeting, the first steps were taken to introduce into the UK a number of social laws that currently apply to the other Member States. The first such provision concerns the 1997 parental leave directive. By spring this year, it is expected that similar extensions will be agreed concerning the burden of proof and the part-time work directives. The UK was previously excluded from the provisions of these directives because of the opt-out clause it had negotiated for itself from the Maastricht Treaty's social protocol. This protocol was incorporated in the 1997 Amsterdam Treaty following the change of government in the UK.

Luxembourg makes history

According to the conclusions of the Luxembourg Presidency, the bi-annual summit of EU heads of state, held in Luxembourg in December, marked a moment of "historic significance for the future of the Union and of Europe as a whole". There, a decision was taken to officially launch the process of enlargement of the European Union so as to

embrace five Central and Eastern European countries and Cyprus.

EU leaders also approved the Commission's plan called Agenda 2000 (see *Newsletter No 74*) dealing with the future development of the Union's policies and its financial framework to meet the challenges of the 21st century and of enlargement.

A declaration was adopted to mark the 50th anniversary of the Universal Declaration of Human Rights - 1998 has been declared International Human Rights Year.

Britain takes the helm

The UK took over the six-month rotating Presidency of the EU in January with a promise "to show the people of Europe that the Union is working for them in practical ways". It said it hopes to do this by fighting unemployment and crime and contributing to a healthier environment and a better quality of life.

An informal meeting of ministers responsible for women's affairs is scheduled for May to look at women's employment and how EU policies can facilitate combining work and family responsibilities.

The UK is focusing its efforts on young people throughout its Presidency. Its logo reflects this emphasis, consisting of 15 stars, designed by children from across the EU, each representing one of the EU Member States. ●



The logo can be seen in more detail on the UK Presidency website:
<http://presid.fco.gov.uk>

More babies and divorce, fewer marriages

Over four million babies were born in the European Union in 1996 compared to just under four million in 1995, according to a report by Eurostat ¹, the EU statistics office. After years of decline, due mainly to postponed motherhood and increasing childlessness, the EU's total fertility rate (average number of live births per woman) stopped falling in 1996. In that year, 1.44 babies per woman were recorded against 1.43 in 1995, the lowest in the post-war period. Eurostat also revealed that life expectancy reached an all-time high of 80.5 years for women and 74 years for men.

In a separate report ², Eurostat noted an EU-wide decline in the number of marriages from nearly eight per 1,000 inhabitants in the early 1970s to just 5.1 per 1,000 in 1995. The biggest falls were in Ireland (7.3 to 4.4), Finland (7.9 to 4.6), the Netherlands (8.7 to 5.3) and France (7.8 to 4.4). Divorce was also at a record high. Of Europeans married in 1960, 14% ended in divorce, rising to 22% for those who married in the 1970s and 27% in the 1980s. Marriages are most at risk in Belgium and Sweden where more than half of couples divorce and most stable in Italy where divorce affects less than one in 10 couples. The report warned that traditional statistics on marriage and divorce are an increasingly inadequate measure of social trends because more women and men are living together and not marrying and are therefore not covered by these statistics. ●

1 Eurostat Statistics in focus, Population and social conditions

No 10/97, Decline in births halted in 1996 - Principal demographic trends in 1996

2 Eurostat Statistics in focus, Population and social conditions

No 14/97, About one marriage in four in the EU ends in divorce

Sakharov Prize awarded to Algerian journalist

Algerian journalist and human rights campaigner, Salima Ghezali, was awarded the 1997 European Parliament Sakharov Prize for Freedom of Thought. Salima Ghezali has continually criticised both the Algerian government and Islamic parties and groups for their abuses of freedom of expression and human and women's rights. She has called for a proper investigation into the assassinations of scores of Algerian journalists and she herself has been arrested on various occasions because of her articles. The Sakharov Prize for Freedom of Thought was created by the European Parliament in 1985 as a tribute to Andrei Sakharov. Previous woman prizewinners include Aung San Suu Kyi (1990), the Mothers of the Plaza del Mayo (1992), Taslima Nasreen (1994) and Leyla Zana (1995). ●

Court defends part-time worker's rights

In a recent ruling, the European Court of Justice backed the case of part-time worker Brigitte Kording against the city of Bremen's finance department. Brigitte Kording wanted to become an independent tax consultant and asked her employer for a reference stating she was exempt from the entrance exam because of her years of experience. Her employer agreed that she met the criteria for entrance into the profession but argued that the fact she had worked part-time meant she had not fulfilled the minimum 15 full years required for exemption. In its judgement, the Court said this provision put part-time workers in a less favourable position than their full-time counterparts. As 92.4% of civil servants working part-time in Bremen's finance department were women, the rule was tantamount to discrimination and was contrary to the 1976 equal treatment directive. ●

C-100/95

Brigitte Kording v Senator für Finanzen

A copy of this ruling can be downloaded from the European Court of Justice's internet site:

<http://www.curia.eu.int>

Integrating gender in development cooperation

Even when "they share bed and board", women and men in developing countries "still inhabit different worlds," according to MEP Karin Junker (PSE, Germany), reporting on a Commission proposal for a Council Regulation on integrating gender into development cooperation. Although she welcomed the proposal as "an important step in the right direction" she said it did not go far enough. The Commission should take steps to ensure the principle of mainstreaming is fully incorporated into all its

development cooperation activities and agreements, she said. In its resolution, Parliament supported her call for the creation of a senior-level steering group to fix performance objectives, advise on implementation and monitor progress. It also wanted EU funds to be used to strengthen legal and administrative provisions in developing countries so as to ensure women and men have equal rights. Major gaps between women and men particularly concerned access to resources and services as well as participation in the decision-making processes in political, economic and social life. ●

Guide for working women on the move

Femmes vers l'emploi is a guide aiming to facilitate the professional mobility of women seeking to move to or work in the four Member States of Spain, France, Greece and Italy. The guide is published by the CNIDFF, the French national centre for information and documentation for women and families, with the support of the EU Employment Initiative. It provides practical information on residency conditions, language learning, access to training, job-seeking, resources and the institutional set up in each of the countries. It also contains factual information on free movement within the EU, measures to support mobility and equal opportunities and the conditions required to obtain unemployment benefits in these four Member States. ●

Femmes vers l'emploi is available free of charge from:

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Salima Ghezali receiving the Sakharov Prize

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