

EUROPEAN PARLIAMENT

Working Documents

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DOCUMENT 1-101/82

Report

drawn up on behalf of the Committee of Inquiry
into the situation of women in Europe

on the proposal from the Commission of the
European Communities to the Council (Doc. 1-927/81 -
COM(81) 758 final) for a draft resolution concerning
a new Community action programme on the promotion
of equal opportunities for women

Rapporteur: Mrs M.-C. VAYSSADE

On 23 December 1981 the Council of the European Communities decided to request the European Parliament for an opinion on the proposal from the Commission of the European Communities to the Council for a draft Council resolution concerning a new Community action programme on the promotion of equal opportunities for women¹.

On 8 January 1982 the Secretary-General of the Council informed the President of the European Parliament of this request for an opinion.

At the sitting of Thursday, 21 January 1982, the President of the European Parliament referred this proposal to the Committee of Inquiry into the situation of women in Europe as the committee responsible and to the Committee on Budgets for an opinion².

At its meeting of 28 and 29 January 1982 the committee proposed that Mrs Marie-Claude VAYSSADE should be appointed rapporteur on this action programme and endorsed this decision at its meeting of 18 and 19 March 1982. At its meeting of 28 and 29 January 1982 the committee also decided to ask the Committee on Social Affairs and Employment and the Committee on Agriculture for their opinions.

The committee considered the draft report drawn up by Mrs VAYSSADE at its meetings of 23/24 February, 18/19 March and 29/30 March 1982 and adopted it unanimously at its meeting of 29/30 March 1982.

The following took part in the vote: Mrs Cinciari Rodano, chairman; Mrs Vayssade, vice-chairman and rapporteur; Mrs Lenz, vice-chairman; Mrs Krouwel-Vlam (deputizing for Mrs Van den Heuvel), Mrs Spaak, Mrs Squarcialupi (deputizing for Mrs Le Roux), Mrs Pantazi (deputizing for Mrs Lizin), Miss De Valera, Mrs Wieczorek-Zeul and Mrs Pruvot (deputizing for Mrs Martin).

The opinion of the Committee on Budgets will be presented orally in plenary sitting. The Committee on Agriculture informed the Committee of Inquiry that it was not able to deliver an opinion by the requested date and the Committee on Social Affairs and Employment has not replied to the Committee of Inquiry's request for an opinion.

¹ OJ No. C 22, 29.1.1982 and Doc.

² OJ No. C 40, 15.2.1982

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The Committee of Inquiry into the situation of women in Europe hereby submits to the European Parliament the following amendments and motion for a resolution together with explanatory statement:

Text proposed by the Commission
of the European Communities

Amendments of the Committee
of Inquiry

Draft Council resolution
concerning a new Community action
programme on the promotion of
equal opportunities for women

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaties
establishing the European Communities,

Having regard to the draft Resolution
of the Commission,

Having regard to the opinion of the
European Parliament,

Having regard to the opinion of the
Economic and Social Committee,

Having regard to the social pro-
visions in the Treaty establishing
the European Economic Community,
in particular Articles 117, 118
and 119, together with the pro-
visions of Articles 100 and 235,

Unchanged

Whereas the Directives adopted by
the Council concerning equal treat-
ment between men and women together
with the actions in particular of
the European Social Fund have
played a dynamic role in improving
the situation of women,

Unchanged

Whereas, despite past efforts at
Community and national level,
inequalities in employment still
persist in practice and may well
be exacerbated in the present
crisis conditions,

To read as follows:

Whereas de-facto inequalities persist
particularly in employment and
are exacerbated in the present
crisis conditions

Whereas, therefore, that Community
action should be intensified with
a view, on the one hand, to streng-
thening the individual rights of
working women and, on the other
hand, to the achievement of equal
opportunities in practice, in par-
ticular by means of positive action
programmes,

Unchanged

Text proposed by the Commission
of the European Communities

. Undertakes to support the implementation of the lines of action defined by the Commission in its Communication entitled 'a new Community Action Programme on the Promotion of Equal Opportunities for women'.

Invites the Member States to take the necessary measures at national level, whether by adopting appropriate laws, regulations or administrative provisions or through policies or programmes supported by the necessary resources for their full implementation.

Emphasizes in this regard the importance of strengthening or setting up national bodies for the promotion of women's employment and equal opportunities.

Confirms also the need to develop action to increase public awareness and information measures which may support the change in attitudes about the sharing of occupational, family and social responsibilities.

Amendments of the Committee
of Inquiry

1. Undertakes to support the implementation of the lines of action defined by the Commission in its Communication entitled 'a new Community Action Programme on the Promotion of Equal Opportunities for women'; requests the Commission to submit, in the very near future, the various legal implementing measures recommended in its programme and to create a legal instrument requiring the Member States, during the transitional period of application of the directives, and in particular the social security directive, to refrain from taking any measure liable to jeopardize the implementation of the principle of non-discrimination.

Unchanged

3. Emphasizes in this regard the importance of strengthening or setting up national bodies for the promotion of women's employment and equal opportunities, and wishes to see the various women's associations fairly represented on these bodies;

4. Undertakes to support the development of action to increase public awareness and information measures which may foster changes in attitudes about the sharing of occupational, family and social responsibilities, and to urge the Member States to provide the Commission with all the data it requires to draw up its information action programme.

5. Reaffirms the need to promote a more equal representation of women at different levels of responsibility and considers that the public service should set an example in this respect, particularly when nominations are made to bodies attached to the Commission.
6. Declares itself ready to take account of the equal opportunities dimension in the drawing up and implementation of Community policies.
7. Undertakes to consider favourably, in the relevant budgetary procedures, the provision of the financial resources necessary for the implementation of the actions described in the Communication.
8. Invites Member States to submit a first report to the Commission by 1 January 1985 on progress accomplished at national level, and notes the undertaking of the Commission to submit an initial overview of the implementation of the new programme before the end of 1985.

Unchanged

6. Realizes that equality of opportunity cannot be achieved solely on the basis of a special programme, and undertakes to take greater account of this problem in formulating and implementing the various Community policies, and to integrate it fully in the various programmes and in the carrying-out of Community policies.
7. Undertakes to ensure that in the budgetary procedures relevant to the action programme, the extra staff and funds necessary for its implementation are actually made available.
8. Invites Member States to submit a first report to the Commission by 1 September 1983 on progress accomplished at national level, and requests the Commission to submit to it an interim report by 1 January 1984 on the implementation of the new programme.

MOTION FOR A 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 Treaties establishing the European Communities and the directives concerning women¹ adopted pursuant to those Treaties,
 - having regard to its resolution of 11 February 1981²,
 - having regard to the new Community action programme on the promotion of equal opportunities for women drawn up by the Commission³,
 - having regard to the proposal from the Commission to the Council (COM(81)758 final)⁴,
 - having been consulted by the Council (Doc. 1-927/81),
 - 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 of the European Communities in drawing up a new Community action programme on the promotion of equal opportunities for women 1982-1985, 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;

¹ OJ No. L 45, 19.2.1975 - OJ No. L 39, 14.2.1976 - OJ No. L 6, 10.1.1979

² OJ No. C 50, 9.3.1981

³ COM(81) 758 final - Doc. 1-927/81

⁴ OJ No. C 22, 29.1.1982, p. 7

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 workers¹, 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 which take into account the health of women in the context of general preventive medicine;
 - 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;

- 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 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 greater use being made of the measures proposed in paragraphs 26 and 52 of the European Parliament's resolution of 11 February 1981;
7. Welcomes the Commission's decision (82/43/EEC) setting up an Advisory Committee on Equal Opportunities for men and women;¹
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;

¹L.20, 28.1.1982

9. Recalls paragraph 58, subparagraph 1, of its resolution of 11.2.1981 which provides for a new parliamentary debate to be held on the basis of a progress report showing the extent to which the resolution of 11.2.1981 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 draft Council resolution concerning a new action programme subject to the amendments adopted;
11. requests the Council to adopt these amendments;
12. Instructs its President to forward this resolution and the report of its committee to the Council, the Commission and the Member States.

EXPLANATORY STATEMENTGeneral comments

The new Community action programme on the promotion of equal opportunities for women (1982-1985), drawn up by the Commission of the European Communities, represents an important first step in response to the recommendations made by the European Parliament in its resolution of 11 February 1981 on the position of women in the European Community. The programme is designed to strengthen the Community's pioneering role in the improvement of the position of women in the Member States and indeed to preserve what has already been achieved in the Community. Moreover, it follows on a series of measures undertaken since the important Council resolution of 21 January 1974 on the social action programme, whose aim was

'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, (...) to ensure that the family responsibilities of all concerned may be reconciled with their job aspirations'.

The Commission has submitted this programme at an extremely significant time. It is set against a background of economic and social difficulties in which governments have little inclination to undertake specific measures to help women. The form in which the programme is presented is very effective, particularly the distinction between the measures in section A aimed at achieving equal treatment by strengthening the rights of the individual (actions 1 to 8) and those in section B aimed at achieving equal opportunities in practice, above all by means of positive action programmes (actions 9 to 16).

Since the European Parliament has recently set up a committee of inquiry into the situation of women in Europe, whose work is just beginning, it is difficult, at a time when the inquiry is still under way and without prejudicing its outcome, fully to assess all the measures proposed by the Commission to help women.

However, a number of general comments may be made in the light of the work carried out by the ad hoc committee between 1979 and February 1981.

(a) Firstly, although the scope of the action programme is much smaller than that covered by the European Parliament resolution of 11 February 1981, most of the proposed measures correspond to the list of demands made by the European Parliament.

(b) Secondly, whereas the Commission clearly indicates the objectives of the action programme, as regards their implementation much of the initiative is left to the Member States. Although this is a procedure already used by the Commission in its 1975 memorandum, past experience, the current difficult economic situation and the Commission's lack of influence over the Member States' activities suggest that this method is unlikely to be effective.

To deal with this problem the Commission has attached to its programme a draft resolution to be adopted by the Council with a view to obtaining the latter's support for the action programme and hence a commitment by the Member States to take the necessary measures.

(c) Thirdly, both the measures to be taken by the Commission itself and those to be taken by the Member States are still very general and it is impossible fully to assess what effect they might have.

(d) Fourthly, various important sectors are dealt with inadequately. Health problems are treated only in passing, firstly in connection with pregnancy and motherhood (action 8) and then in the section on protective legislation (action 3). As regards education, the Commission makes scarcely any proposals in this field, leaving it almost entirely to the Member States.

(e) Fifthly, as regards vocational training, the measures contained in action 10 of the programme are excellent, and it would seem appropriate to request the Commission rapidly to implement vocational training measures which enable solutions to be found to the very serious problems of female unemployment.

(f) Sixthly, at a time when the ESF is being reviewed, the programme hardly mentions either present or future action by this Fund to help women and no appropriations are provided for in the financial sheet contained in Annex IV. The ESF has nevertheless played a substantial role in Community action to help women and it has assisted many women to undertake various types of training with a view to starting or resuming work. This omission is to be regretted. Moreover, in general terms the programme seems to be rather isolated and is not fully integrated either in Community policies or in the important reviews of the ERDF and the ESF now under way.

(g) Seventhly, the introduction of a programme of positive action is particularly welcome, since this is essential to back up the legal measures.

(h) Eighthly, without describing the actions in detail, the Commission should be requested, when developing action 2, to analyze in particular the situation in the United Kingdom, since 80% of the cases concerning equal treatment are brought by British legal bodies. Moreover, having regard to the Court's case law, it is a matter of urgency to extend the scope of the Third Directive to include the age of retirement, which may at present be excluded.

(i) Ninthly, the implementation of this programme will obviously require an increase in the staff of the two Commission departments responsible for women's affairs and the appropriations provided for in Annex IV must be considered as an absolute minimum.

(j) Tenthly, none of the actions envisaged is accompanied by a proposal for immediate implementation, whereas in 1975 the Commission attached to its memorandum on equal treatment a proposal for a directive on equal treatment which in itself constituted a full-scale programme that has not yet been fully implemented by the Member States.

(k) Finally, the Commission should, in the very near future, submit the various legal implementing measures recommended in its programme and should create a legal instrument obliging the Member States, during the transitional period of implementation of the directives, especially the directive on social security, to refrain from taking any measures liable to undermine the application of the principle of non-discrimination.