

EUROPEAN PARLIAMENT



COMMITTEE ON WOMEN'S RIGHTS AND EQUAL OPPORTUNITIES **- The Chairperson -**

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GENDER EQUALITY IN THE EU CANDIDATE COUNTRIES

Copenhagen, Women's Council, 15 September 2002

Right from its outset¹ the Committee for Women's Rights and Equal Opportunities of the European Parliament has taken a constructive stance towards an enlargement process aiming at furthering the integration of the continent by peaceful means. Gender equality is a cornerstone of this project.

We have followed negotiations with candidate countries with the *ambition to seize this opportunity to widen the geographical and substantial scope of the European gender equality provisions, as well as with fears to see our dearly obtained conquests put on a standstill as inappropriate for new member states*. As the final phase of the negotiations is coming to an end under Danish Presidency, our expectations have increased along with the successive reports on the state of negotiations, numerous contacts with women from candidate countries and the appointment of a Convention on the Future of Europe. Our fears have not totally disappeared but the more we discuss between women of the East and from the west, the more we trust our common ability to overcome obstacles and promote understanding on our similarities and differences.

¹ Reminder of most important dates of the enlargement process :

Dec.1993 Copenhagen European Council (basic criteria for accession which future member states should meet)

Dec.1997 Luxembourg summit (open negotiations with 6 applicant countries)

March 1998 opening of negotiations with Hungary, Poland, Estonia, Czech Republic, Slovenia, Cyprus

Dec.1999 Helsinki summit (open negotiations with Romania, Slovak republic, Latvia, Lithuania, Bulgaria, Malta in Feb. 2000). + Candidate status for Turkey

I welcome this opportunity to *"highlight the importance of mainstreaming gender equality as a central parameter in the negotiations"*, as is mentioned in your invitation to this conference. Wishful thinking? Should mainstreaming of gender equality effectively become a central concern of negotiators?

Around this provocative question, I will seize this opportunity to inform you of the latest positions and discussions in the European Parliament Committee for the Rights of Women and Equal Opportunities.

At the beginning of this week, we held a very rich and instructive public hearing in Brussels with experts from the candidate countries. «Is enlargement also for women?» was the question asked to participants and we successively discussed the legislation, the socio-economic situation of women in candidate countries and the question of the next European elections. This hearing as well as the many discussions we had when debating our recent report on the state of enlargement negotiations, form the substance of the message which I wish to share with you today.

This message is the following:

Enlargement is paradoxically a risky opportunity for women east and west: It can turn as a booster for the mainstreaming of gender equality, if we increase our mutual understanding of commonalities and differences and insist jointly on the visibility of women and on gender issues.

It may turn sour, for women and for men, if resistance to change and the « marketisation » of women in transitional societies gain ground in reshaping gender relations bearing the risk of a tremendous backlash against the EU.

I will develop this message in two parts:

Part I - Where we are: A clear picture in a blurred context

Part II – Where we are going: Equality acquis, equality reality and equality agenda.

And will conclude on how the new issues for the equality agenda can shape our common future.

PART I: A clear picture in a blurred context

"The Brussels EU authorities do not send out a clear message on the serious character of the criterion of observance of the principle of equality". These sentences which formed the conclusion of the report of one of the experts invited to our public hearing of 10 Sept. served as a catalyst for the debate we had on legislation. The information we receive from the Commission as well as from candidate countries tends to look at the bright side: the political commitment exist that the directives (on equal pay, equal treatment at work, social security, maternity leave, the reversal of the burden of proof and parental leave) will be adopted at the latest at the date of accession;

We have ourselves in the Committee of Women's Rights and Equal Opportunities reaffirmed on many occasions and most recently in the opinion on enlargement of 22 April 2002 prepared by Lone Dybkjaer, that *"the adoption of the "community acquis" in the area of gender equality is a condition sine qua non for accession and that the necessary institution building or reinforcement of institutional or administrative capacity in this area is a vital prerequisite to the full implementation of the acquis"*.

But what do we know about the effects of this legislation on the situation of women in candidate countries?

Learning lessons from the experience in our own EU member states, it has been recognised that efforts beyond the adoption of legislation are essential if *gender equality is to be promoted and inequalities eliminated* (Art. 3 Treaty of Amsterdam). Financial assistance (co financing) is offered through various EU and Phare channels to develop a « national machinery » or any form of effective administrative capacity to set up implementation measures, to train judges and lawyers to Community legislation, to inform women of their rights, to obtain commitments from social partners, to set instructions to labour inspectors, etc. at the request of candidate countries. But do the candidate governments apply for assistance in this field?

Do the EU authorities monitor that a decent proportion of the funds available is devoted to assist the implementation of gender equality acquis?

We know that Slovenia received in 1999, 200.000 Euros to support the office for women policy and women networks, that Hungary in 2001 received 2,9 million Euros to promote integration of economically inactive women in the workforce, the Czech republic received 700.000 Euros for

the improvement of the public institutional mechanism for enforcing and monitoring equal treatment for women and men, in 2002, eight candidate countries had decided to participate in the gender equality program 2001-5; and for the period 1998-2000, seven small projects presented by three countries for a total amount of 325.000 euros had been financed. According to my own calculations, the total amount of money for projects on gender equality under Phare and pre accession funds come to a total of 4.1 million Euro². An amount that seems very small out of a Phare annual budget of more than 1600 millions not accounting for pre accession funds.

The amount of funds allocated to gender projects and institutions to promote equality and the transposition and implementation of equality legislation will, in the coming months, be high on our committees priorities on enlargement. We very much welcome, in this respect, the useful monitoring work made by legal experts and NGOs³.

The third issue of priority concern to us, as accession agreements have not been finally approved, is the low proportion of women in decision-making positions and prospects for the participation of women in the European elections.

Last Tuesday in Brussels, our Slovenian expert on the issue of decision making was prognosticating less than 13% of women for the 7 seats of Slovenian MEPs (i.e. one women) in 2004: « women are organised outside parties » and, we know it only too well, the fewer seats, the lowest proportion of women.

Is this typical of the situation in other enlargement countries? We know of good practices and efforts made by groups of women i.e.: the initiatives taken by the group of 15 in Lithuania or the quota women in Latvia. In the European Union, considerable progress has been made during the 90ties: in one decade, we won 11 percentage points in decision making positions in the

² This is the addition of the amounts mentioned by the Commission in its answer to the oral question O 0025/02 by Anna Karamanou (June plenary)

³ Two examples here: one is the OPEN SOCIETY INSTITUTE , based in Romania, which has launched a EU accession monitoring program and produced a brochure with an overview report on 7 candidate countries; the other one is more in the information field (Kinga Lohman, the director of Karat was invited to speak on the Friday in Copenhagen) the KARAT coalition produces together with NEWW Polska by weekly news updates on "Gender and economic justice in the EU accession process"

European parliament 19 to 30%), 15 in the European Commission (10 to 25%) and 12 in the member states governments. Beyond the measures requested in Lone Dybkjaer report (networking, training, etc.) I may suggest a common objective: to insist on a common electoral system and incite political parties to ensure gender balance in the European Parliament.

Part II: Where we are going: equality acquis, equality reality and equality agenda

Beyond the passing of legislation, mechanisms and financial assistance to help with implementation, another of the experts invited last week drew our attention to an important point drawn from the lessons of feminist theory:

"Laws are not implemented and institutions are not built in a vacuum but in social, economic and cultural settings of a certain kind, producing very different effects depending on the background; institution building has to take into account the culture in which it operates as the main determinant of the outcome".

Where gender equality has progressively built a capital of natural adhesion amongst a wider class of women in the West, through the positive value of "conquest" (women's rights are the results of a difficult pursuit by women), it is often said that one major obstacle to achieving real equality between women and men in post communist countries is rooted in the belief that gender equality had already been achieved during communism and was then imposed.

While this belief is not verified by facts (despite the definite assets for gender equality of the existence of child care facilities in communist regimes, working conditions and access to employment was mostly unequal) it is still prevalent with older women whose behaviour will transmit a natural defiance towards equality.

The alternative to this defiance in post communist regimes has so far been, what Dr. Marina Blagojevic calls, the «Marketisation of womanhood» or the «woman on sale» regressive model of gender relations which could be competing with the "women's and men's partnership" desired model for enlargement.

How and when could these "underlying determinants" be debated? How are they likely to evolve? I am personally convinced that such debates should take place and I will make sure to include such discussions again in the busy agenda of our committee.

But I will try here to give you a brief overview of the most original elements of the analysis of Dr. Blagojevic on a *feminist post communist discourse and knowledge*: The "underlying determinants" resumed in the concept of "gender regime", are what is shaping people's reality. This concept which she uses in her research is worth dwelling on for a few minutes as it is, in my view, an analytical tool which can help the political world to shape positions nearer to the concerns of people.

What is a gender regime?

The definition that was given during the public hearing last Tuesday is the following:

Gender regime is to be understood "*as relatively structured relationships among men and women, masculinity and femininity, in both institutional and non-institutional environment, on the level of discourse and practice*". What seems to me important for decision-makers to always have in mind is that "*this structuration is being realised in different gender roles, gender identities and gender representations including different gender performances*"

What is the relevance of this concept to enlargement and the equality acquis?

- 1- it contains important determinants of the **acceptance or the rejection of the rules and norms in legislation** and as such it dictates how effective or "symbolic" implementation measures can be. Isn't it an important parameter for public decision-makers that have to decide where to best allocate public money? : ex, should EU assistance to accession countries be spent on the training of judges or on monitoring gender regimes?
- 2- the complex process of change of gender regimes which is at work in transitional countries has a strong impact on the reactions of individuals (women and men) to the **acceptance of "the other"** be it of a different sex, race, religion, nationality. Isn't a question on which politicians should have more knowledge?
- 3- the historical experience of communism and transition has created a **similar fluctuation of gender regimes throughout the region**, allowing a common analytical framework.

Is equality legislation likely to be effective?

In a context where the position of men is influenced by a world-wide implosion of patriarchy, their implicit or explicit hostility to equality legislation is internalised also by women and creates a resistance to change of both sexes.

At this stage, I leave it to you to think further about these analytical elements and to draw your conclusions from this gender perspective of the **equality acquis and the equality reality**. My

own conclusion is that the **fight for a greater visibility of women and gender issues and debates between eastern and western women (networks of elected persons, academics, NGOs activists, unionists, professionals, employers, etc. on gender regimes** (a similar exercise should be conducted by men but this is not under our control!) are two **keys**, not only to improve the condition of women but to avoid post enlargement population backlashes against the European Union and the values of democracy we stand for.

Conclusion

Have I highlighted the importance of mainstreaming gender equality as a central parameter in the negotiations? Certainly my goal has been to indicate the depth of implications that the issues of gender equality bear on the European union project and on its most important endeavour at the moment: its enlargement almost to the European continent. But we should not stop here; we will soon have to work together, women of the east and of the west.

Our most important priority at the moment, together with Enlargement, is to strengthen the legal basis for equality and the visibility of gender issues in the new Treaty.

As you know, a Convention on the Future of Europe has been appointed to make recommendations for a new Treaty to the Intergovernmental Conference of 2004. The very low proportion of women in the Convention has been a clear indication that gender equality does not come naturally but has to be fought for with the tools of democracy. The European Union gender equality agenda has progressively been widened and deepened under the influence of events as well as people and NGOs. The present legal base is now too narrow to properly tackle issues which are at the heart of the European agenda, i.e. violence against women and children, trafficking, gender balance in the decision making process.

At a time when the cultural shifts of an unknown depth are taking place in Eastern Europe, the Convention is seen by our Committee as a unique opportunity to stabilise gender equality more firmly in the next EU constitutional treaty as well as to express our views on European policies.

We are preparing our second public meeting on "gendering the convention", on the 2nd of October. As parliamentarians, we hope to be able to agree on a common message to the heads of states and governments, when we will meet in the Folketing in this beautiful town, at the end of

November with delegations of the parliaments of Europe and candidate countries dealing with equal opportunities.

I wish success to the Danish Presidency.