



August 2000

EWL Position Paper on integration a gender dimension in the proposed measures to implement the anti-discrimination clause (art. 13 of the EC Treaty)

In general terms, the European Women's Lobby welcomes the proposed Community Action Programme to combat discrimination and directive establishing a general framework directive for equal treatment in employment and occupation. However, the EWL regrets that, despite its demands formulated several times, no clear gender dimension is integrated in the measures.

Integrating a gender dimension in the general European Anti-discrimination strategy and taking into account the issue of double / multiple discrimination faced by women

Among disabled people, older people and migrants people, to name just a few of the groups covered by article 13 of the Amsterdam Treaty, the discrimination that women face is different from those faced by men.

Gender discrimination is of a structural nature affecting half of the population and not only a minority of people. Women are very often exposed to double or multiple discrimination, first as women and secondly due to their ethnic origin, their religion or belief, their disability, their age and/or their sexual orientation.

The problem of double/multiple discriminations requires therefore targeted measures – e.g. specific actions are needed to tackle the discrimination faced by a migrant woman in comparison with the discrimination faced by a migrant man. Therefore, any measure aiming at tackling discrimination on a given ground should integrate the gender dimension, i.e. take into consideration the specific needs and problems of women.

On the Community Action Programme to Combat Discrimination

1. Integrating a gender dimension in the Programme

The European Women's Lobby understands that the "Programme should deal with all grounds of discrimination with the exception of sex, which is dealt with by specific Community action" (recital 4). However the Lobby can approve such an exception on the

EWL- LEF, 18 rue Hydraulique, B-1210 Bruxelles

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Tel. +32 2 217 90 20 – Fax: +32 2 219 84 51 - e-mail: ewl@womenlobby.org

Website: <http://www.womenlobby.org>



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condition that it is made clear that a gender dimension is also integrated into the activities undertaken under the action Programme to combat discrimination.

The EWL welcomes the references to gender discrimination in the draft framework programme (in the explanatory memorandum, in the recital 4 and in the annex), in particular in the annex (1) "Areas of action", stating: "In all its activities, the programme will respect the principle of gender mainstreaming".

However, the EWL regrets that there is no clear reference to gender mainstreaming and multiple discrimination in the core text of the action programme. The elaboration of a comprehensive community legal instrument to fight discrimination, as wished by the Commission, cannot be realised without the inclusion of strong provisions on gender mainstreaming. In addition, the methods and indicators to be used to integrate gender should be clearly explained.

In view of these considerations, the European Women's Lobby proposes the following amendments to the draft Community Action Programme to combat Discrimination:

Add the following recital after recital (4) and renumber accordingly:

"Whereas it is necessary to integrate a gender perspective at all levels in the implementation of the Community Action Programme to combat Discrimination; whereas, discrimination on the ground of sex is of a particular structural nature, as it historically affects women who constitute more than half of the European population; whereas women are likely to suffer from different forms of discrimination at the same time, on grounds of race, ethnicity, disability, sexual orientation, age, religion, and belief, which sum up to the basic discrimination on the ground of sex; whereas the integration of a gender dimension in the programme will therefore enable a better prevention of double or multiple discriminations faced by women"

Article 2, principles, insert a paragraph (3):

"In designing, implementing and following up the activities under the programme, a gender perspective will be integrated in order to prevent and eradicate multiple discriminations that many women face".

Annex, I Areas of action, last sentence, amend as follows:

EWL- LEF, 18 rue Hydraulique, B-1210 Bruxelles

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“In all its activities, the programme will respect the principle of gender mainstreaming, ensuring that specific attention is given to multiple discrimination faced by women and therefore that specific actions directed at women of the different discriminated categories are taken”.

2. Funding of NGOs

The European Women's Lobby (EWL) is concerned by the allocation of core funding to a very limited number of NGOs and the absence of opportunities for small groups working on a local level to benefit from the programme. It is indeed necessary to fund both large organizations, but also to allow small projects to be managed by local or national NGOs.

The EWL also recommends the involvement of NGOs at all stages of the implementation of the Programme, recognising hence their crucial role in the fight against discrimination as representatives of the civil society.

The EWL underlines the need to develop a permanent and formal dialogue with representatives of NGOs at European level on the design, implementation and follow-up of the programme as well as the inclusion in the programme of small local NGOs with first-hand experience.

On the Directive establishing a General framework for equal treatment in employment and occupation

The Explanatory Memorandum of the Proposal for a Council Directive establishing a General Framework for Equal Treatment in Employment and Occupation states that discrimination on the ground of sex will not be covered by the Directive, as there is already a legislation on equal treatment between women and men in the areas of employment and occupation. The memorandum nevertheless, recognises that discrimination on the grounds of either race/ethnic origin, disability, age, religion/belief or sexual orientation may affect women and men differently. As a result, it states that necessity to apply a gender mainstreaming approach as a logical consequence of Articles 2 and 3 of the Treaty.

However, no specific provision concerning the integration of gender has been included in the core text of the draft directive. The EWL asks therefore for the integration of the principle of gender mainstreaming in the draft directive in order to tackle the issue of double/multiple discrimination that many women face as explained above



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In view of these considerations, the European Women's Lobby proposes the following amendments to the draft directive:

Add the following recital after recital (3) and renumber accordingly:

“Whereas women constitute half of the population, whereas discrimination on the ground of sex is of a particular structural nature; whereas women are likely to suffer from different forms of discrimination, on grounds of race, ethnicity, disability, sexual orientation, age, religion, and belief, which sum up to the basic discrimination on the ground of sex; whereas the integration of a gender dimension in the directive will enable a better prevention of double or multiple discriminations faced by women”

Article 2, concept of discrimination, insert a paragraph (5):

“In implementing the directive, Member States will ensure the integration of a gender perspective in order to prevent and eradicate double or multiple discriminations that many women face”.

As regards implementation of the directive, (Article 15) , Member States are asked to send all information necessary for the Commission in order for it to draw up a report within two years of the entry into force of the directive.

The EWL asks for a provision, to be included in article 15 of the draft directive, obliging Member States to integrate in their report to the Commission, detailed information on the implementation of measures fighting and taking into account multiple discrimination faced by women in employment and occupation.

Links to related sites

- **[Website Fundamental rights and anti-discrimination of the European Commission, Social Affairs](#)**

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