



**Statement on behalf of the
European Union and its Member States**

**At the
UNECE
Beijing + 20 Regional Review Meeting
Geneva, 6-7 November 2014**

Governance and gender justice

Item 8

Geneva, 7th November 2014

EU STATEMENT
UNECE Beijing+20

Item 8: Governance and gender justice
Position of the European Union and its Member States

Chair,

I have the honour to speak on behalf of the European Union and its Member States.

The following countries align themselves with this declaration¹: Turkey, the former Yugoslav Republic of Macedonia, Montenegro, Iceland, Serbia, Albania, Bosnia and Herzegovina, Ukraine, the Republic of Moldova and Armenia.

We would like to focus on the importance of legislation as basis for actions to promote gender equality and to share with you the EU experience in that respect.

Legislation is a driving force of gender equality in the EU and has helped to anchor gender equality as a key element of policy making in the EU and in its Member States.

The principle of equal treatment between women and men has developed from an isolated provision on equal pay in the Treaty of Rome, to a very important and far reaching acquis in the area of gender equality– a feature that sets the European Union to the fore internationally.

Gender equality is an EU value enshrined in the EU Treaty and a fundamental principle recognised in Charter of fundamental rights of the European Union.

The EU gender equality acquis has greatly developed and covers employment and training, social security and pensions, access to goods and services, professional, private and family life. Compliance with the acquis is a condition for accession to the EU.

¹ Turkey is a Candidate country; the Candidate countries the former Yugoslav Republic of Macedonia, Montenegro, Serbia and Albania as well as potential candidate country Bosnia and Herzegovina continue to be part of the Stabilisation and Association Process; Candidate Country Iceland continues to be a member of the EFTA and of the European Economic Area.

The existing legislation, the EU Directives, have laid the legal ground for radical changes in national legislation, attitudes and practices, while the Court by its case-law helped to clarify the concepts of equality.

So far the legislation has brought about new concepts in gender equality in the Member States with far reaching consequences, such as a prohibition of any direct discrimination, the introduction of the concept of indirect discrimination that considerably enlarges the number of potential cases of gender-based discrimination, the application of the equal pay principle to occupational social security schemes, the reversal of the burden of proof and clear provisions on the remedies applicable in cases of discrimination, the prohibition of discrimination in the provision of goods and services, the prohibition of harassment on the grounds of gender and of sexual harassment, to give only a few examples. EU legislation on maternity leave and parental leave has introduced common minimum standards across Europe in this important area.

National Equality Bodies have been set up in the EU Member States and provide concrete help to victims of discrimination, for instance information on available legal remedies and financial support for legal proceedings, advice and other assistance. The European Institute for Gender Equality, an independent EU agency established in Vilnius, aims at supporting the EU institutions and the EU member states in promoting gender equality and gender mainstreaming.

EU Member States are taking concrete actions to accelerate substantial gender equality, to use and further develop the indicators of effectiveness of institutional mechanisms and to regularly review progress in the critical areas identified in the Beijing Platform for Action.

Following the UN World conference on women in Beijing and the promotion of the dual principle of specific measures and gender mainstreaming, the EU Treaty has also been modernised to require that in all its activities, the EU shall promote equality and seek to eliminate gender inequalities. This is the basis for gender mainstreaming in the EU

Based on these strong Treaty provisions, the EU developed a specific gender equality policy mix made not only of legislation, but also of policy measures, funding and strong governance.

In conclusion, rights to gender equality and non-discrimination must be provided for in enforceable legislation, fully implemented and monitored by states, which have a responsibility to take action to prevent and condemn discrimination in all its forms. Victims of discrimination

must have easy and effective access to legal remedies and to the justice system as well as to related support services. The effectiveness of the institutional mechanisms must be measurable by means of clear indicators. An important lesson learned since Beijing, 20 years ago, is that legislation is needed not only to eliminate gender inequality but also to promote gender equality in all aspects of life.

The EU experience shows that the concrete implementation of legislation can be a challenge, access to justice can be limited and citizens might be discouraged to assert their rights and to bring discrimination cases to court. In that respect, we have the following questions for the panel: how can we ensure full compliance with and monitoring of gender equality legislation, and are members of the public, employers, employees, social partners, NGOs and equality bodies sufficiently sensitized and equipped to assume their roles as promoters and defenders of gender equality?

Thank you Chair.