

# The ups and downs of European gender equality policy

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## ABSTRACT

In 2003, equal opportunities policy in the European Union suffered both ups and downs. New opportunities came in the guise of the hotly contested new directive on gender equality outside the field of employment, in the invitation to present the first of an annual report on equality between women and men to the Spring Council, in the consolidation of gender mainstreaming within the second round of the National Action Plans on social inclusion and in the new commitments to 'substantial reductions by 2010' in gender gaps in employment, unemployment and pay that were included in the new employment guidelines in 2003. These new guidelines presented, however, a major challenge to gender equality as the new phase of the European Employment Strategy dispensed with the four pillars, and therefore the equal opportunities pillar. Instead gender equality became just one of 10 new guidelines. In December the launch of the Employment Taskforce report appeared to push employment policy back more to a 'full employment with flexibility' approach and away from concerns with job quality. The focus was therefore more on the integration of women into employment rather than on closing the equality gap.

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Gender equality in employment has become an established part of the European policy agenda. Few reports or speeches on employment issues make no reference to gender issues, a major change from the situation just a decade ago when there was no discussion of gender issues even in lengthy analyses, such as the Delors white paper on growth, competitiveness and employment. However, the frequent references to gender issues and in particular to the female employment rate target—set by the Lisbon summit as 60 per cent by 2010—does not mean that commitments to the pursuit of real gender equality are strong or indeed that the gender equality issues in employment policy are well understood. The continued fragility—some may say superficiality—of the commitments to gender equality increases their vulnerability to

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change in the European policy context. Such changes are not always negative and indeed the past year has thrown up a number of both new challenges and new opportunities and the combined impact of these on the strength and the form of future gender equality policy is still unclear.

The new opportunities have come in the form of a new proposed directive on gender equality outside the field of employment, the production of the first annual report on equality between women and men for the Spring Council, the consolidation of gender mainstreaming (GM) in the social inclusion process, and the new commitments to 'substantial reductions by 2010' in gender gaps in employment, unemployment and pay. The challenges to gender equality during 2003 have come in the form of, first, the adoption of new employment guidelines for the European Employment Strategy (EES). These saw the disappearance of the gender equality pillar and reduced visibility to the commitment to GM. Second, the launch of the Employment Taskforce report appeared to push employment policy back more to a full employment with flexibility approach and away from concerns with job quality. Third, the tabling of the new gender equality directive sparked such a furore in the media that there may be the risk of a backlash against gender equality measures. When plans for this directive were leaked in early summer, the opposition, particularly in the British press (see *Financial Times*, 2003a) but also elsewhere, led in the first instance to the postponement of plans to launch the directive and cast doubt over the likelihood of its adoption. On the immediate horizon sits the new challenge of the entry of the accession states with their complex problems in all areas of employment policy including gender equality.

To look at this chequered pattern of challenges and opportunities in more detail, we discuss first the challenges within the EES, including the new guidelines on employment and the Employment Taskforce report; second the developments within the social inclusion process; and third the developments within gender equality policy, including the new Spring Council report, the consolidation of the equality legislation and the launch of the new directive on gender equality outside of employment.

## **GENDER EQUALITY AND THE NEW PHASE OF THE EMPLOYMENT STRATEGY**

### **The new guidelines**

In the autumn of 2003, the first National Action Plans on employment (NAPemps) were reproduced according to the new guidelines agreed in June of that year, following on from an intensive review of the first five-year phase. The most significant changes introduced in the second phase include:

- A streamlining of the EES with other key policy coordination processes including the Broader Economic Policy Guidelines (BEPG) and the Internal Market Strategy.
- The adoption of three overarching and interrelated objectives—of full employment, quality and productivity at work and social cohesion and inclusion—and the disappearance of the four pillars—employability, entrepreneurship, adaptability and equal opportunities that provided the building blocks for the first phase.
- The adoption of simplified and more limited guidelines—10 in comparison to the 18 of the previous phase—referred to as the 10 commandments in the proposal

for guidelines put forward by the Commission to the European Council (CEC, 2003a).<sup>1</sup> One of these 10 guidelines relates to equality between women and men and requires both the continuation of GM of employment policies and the development of gender-specific policies aimed at closing gender gaps and promoting the reconciliation of work and family life.

This radical restructuring of the employment strategy is clearly likely to have implications for the visibility of, and the commitment to, equal opportunities policies. In particular, the loss of the equal opportunities pillar and its replacement by only one out of 10 guidelines must be an immediate cause for concern. These concerns are compounded by the removal of the detail within the guidelines as to what GM actually involves. However, some aspects of the new approach, at least as specified in the guidelines, could be considered to have positive potential effects for gender equality. Table 1 provides an overview of the potential positive and potential negative impacts of the new strategy on gender equality. The most positive developments can be considered to be, first, the new commitments to 'substantial reductions' in gender gaps, with a particular emphasis on the gender pay gap. Targets have proved extremely important in focusing attention on female employment rates and child care (see below) so that the requirement to plan for substantial reductions in gender gaps—even if not a fully quantified target—could in principle provide a new impetus to equality initiatives. The second main positive development is the adoption of the three overarching objectives of full employment, job quality and social inclusion. The specification of job quality and social inclusion provides a broad perspective on employment policy to include not only access to employment but also issues of employment quality and access to resources. The focus on women's employment within the EES to date has been primarily on the employment rate target, with little or no attention paid either to job quality or to the importance of women's employment for social inclusion. There are also a number of developments within the policy guidelines—particularly a stronger focus on the inactive, on avoiding inactivity traps, on work life balance and on extending training and lifelong learning that could be of benefit to a gender equality perspective.

However, what matters in practice is how these new approaches are both perceived in the member states and how these are acted upon in policy formation and implementation. A particular concern here is the reduced visibility of equal opportunities as it becomes one guideline out of 10 instead of one pillar out of four. The content of guideline 6 on equal opportunities has much in common with the now abandoned fourth pillar but there is still a risk that the lower visibility combined with the reduced detail—particularly on GM, its concept and meanings—will lead member states to the view that they need to pay less attention to this dimension. As we outline in Table 1, the previous guideline included a number of key definitions of GM—such as the need to include evaluations and indicators of gender equality under each guideline and the need for dialogue with gender equality bodies—as well as examples of what is meant by GM as applied to the key dimensions of the EES including activation and prevention strategies, tax and benefit reform strategies and the promotion of

<sup>1</sup> The 10 new guidelines cover active labour market policy, job creation and entrepreneurship, adaptability and mobility in the labour market, human capital and lifelong learning, labour supply and active ageing, gender equality, discrimination against people at a disadvantage, make work pay, transformation of undeclared work and regional employment disparities.

*Table 1: The new employment guidelines: new opportunities and new risks*

Potential positive impacts	Potential negative impacts
<p>The three overarching objectives (full employment, quality and productivity at work and social cohesion and inclusion) provide a broad framework for addressing gender equality issues—by addressing access to employment, quality of work and access to resources.</p> <p>New requirement to seek substantial reductions in gender gaps in employment, unemployment and pay by 2010.</p> <p>The commitment to gender mainstreaming (GM) and specific equal opportunities policies is still maintained: guideline 6 recommends an integrated approach combining GM and specific policy actions; GM is mentioned in paragraph 8; equal opportunities and gender equality are identified as ‘vital for making progress towards the three objectives’ (full employment, quality and productivity at work, social cohesion and inclusion); and equal opportunities is included as an area where social partners should report on their significant contribution.</p> <p>The streamlining of the European Employment Strategy (EES) with the Broader Economic Policy Guidelines (BEPG) provides in principle the opportunity for extending GM to the BEPG. This has happened to a limited extent through the inclusion of the gender pay gap as a structural indicator for the BEPG.</p>	<p>Loss of equal opportunities pillar (one pillar out of four) and replacement by one guideline (one guideline out of 10).</p> <p>The new targets have no specific quantitative dimension.</p> <p>GM may be less visible: references to GM are now limited to one phrase in paragraph 8 (introduction) and to guideline 6. In addition, the detailed specific information outlined in previous guidelines is absent—that gender mainstreaming required the application across all the four pillars and involved ‘developing and reinforcing consultative systems with gender equality bodies; applying procedures for gender impact assessment under each guideline; and developing indicators to measure progress in gender equality in relation to each guideline’.</p> <p>The streamlining with the BEPG also involves dangers. For example, in the communication from the Commission announcing the streamlining of the two processes there were two separate reports on the BEPG and the EES; the BEPG report suggested that there was a need for wages ‘to better reflect productivity, so that low-skilled workers avoid being priced out of jobs’ (CEC, 2003a: 2) while the Commission proposals for the EES called for halving of the gender pay gap in member states by 2010. The final EES guidelines are a compromise between these two approaches, with the commitment to reduction made less specific and the qualification included in paragraph 16 to not call ‘into question the principle of wage differentiation according to productivity and labour market situation’.</p>

Some guidelines have included new perspectives that are potentially important for gender equality/GM. Examples include:

- guideline 1 on active and preventative measures: the focus on the inactive as well as the unemployed;
- guideline 3 on promoting change, adaptability and mobility: the fostering of corporate social responsibility, promoting a better balance between work and private life, promoting access in particular for low-skill workers to training;
- guideline 4 on the development of human capital and lifelong learning: target for participation in lifelong learning expressed as a share of working-age population, not just those in work; and
- guideline 8 on making work pay: focus on eliminating unemployment, poverty and inactivity traps.

Specific actions for gender equality include a particular focus on 'a substantial reduction' in the gender pay gap by 2010 'with a view to its elimination' and the adoption of a 'multifaceted approach'; the Barcelona European Council's child care targets are included as a target in guideline 6.

Specific GM examples previously included under guideline 16 have disappeared. These included the view that it was important that:

- women should be represented in active labour market policies according to their share in unemployment;
  - tax and benefit systems that impact negatively on women's participation should be reviewed;
  - particular attention should be paid to ensuring the application of the principle of equal pay for work of equal or equivalent value;
  - attention should be paid to removing obstacles to women's involvement in self-employment or setting up businesses;
  - that men and women should both be able to benefit positively from flexible forms of work organisation on a voluntary basis and without loss of job quality; and
  - to ensure access for women to education, continuing training and lifelong learning and in particular to IT training and qualifications for IT careers.
- Continuing vagueness of commitments under specific actions; for example, action to change men's behaviour is mentioned but only in unspecific terms through 'encouraging the sharing of family and professional responsibilities'.

entrepreneurship, adaptability and lifelong learning. It also included a reminder that 'particular attention should be paid to ensuring the application of the principle of equal pay for work of equal or equivalent value'. One issue is whether the collective memory of the member states is sufficient for these key principles to be carried forward to the other guidelines without concrete examples being provided as to what is expected under each guideline by the continued commitment to GM.

The streamlining of the EES with the BEPG provides in principle an opportunity to extend GM into the core macroeconomic management of the European economy. This opportunity also brings with it dangers—and specifically the first-order danger that employment issues will be dominated by macroeconomic issues and the second-order danger that the more economic approach to employment issues that might result would conflict with the broader equality and social inclusion agenda of the employment strategy. The new guidelines already provide concrete evidence of this second danger in relation to the policy of reducing the gender pay gap. The actual equality guideline—that is guideline 6—provides a clear message to member states that they should seek substantial reductions in the gender pay gap by 2010 with a view to its elimination. A multifaceted approach is recommended, implicitly involving action not only on the supply-side characteristics of women—such as education and training—but more importantly on the structure and organisation of the demand side of the economy. The guideline calls for action on segregation, on job grading and payment systems and on awareness raising and transparency. If one compares this message with paragraph 16 in the preamble, a more mixed message on the commitment to close the gender pay gap emerges. In contrast, paragraph 16 implies there are dangers in questioning the structure of wages, particularly in calling for upward revisions of pay for low wage workers as this may contradict the need to keep wages in line with productivity and market conditions. This paragraph follows the approach taken in documents relating to the BEPG but was not present in the Commission's document that initially launched the new structure of the EES (CEC, 2003a). A confused message is therefore sent to the member states; on the one hand they are urged to take action to close the gender pay gap but it is unlikely that a significant reduction in the gender pay gap can be achieved without action to reduce the incidence of low pay for women as calculations by the European Commission—and published in *Employment in Europe 2003*—have shown that 32 per cent of women earn less than 75 per cent of the average gross hourly wage in EU member states compared to only 18 per cent of men. Furthermore, it is not made clear that as a matter of law there is a clear right to equal pay for work of equal value, within the employee's own employment, that is not conditional on the labour market situation. This example highlights the risk that streamlining might also mean a watering down of equality commitments.

We therefore need to move on from a consideration of the new strategy in principle to the actual implementation of the strategy as revealed in the 2003 NAPemps.

### **Gender equality and gender mainstreaming in the 2003 National Action Plans on employment**

While there was potential for both positive and negative impacts from the new guidelines on the visibility and the focus of gender equality within the National Action Plans for 2003, a review of these plans by the Expert Group on Gender and Employ-

ment (EGGE) suggests that the negative impact dominates (see Table 2).<sup>2</sup> Only the experts for Sweden, Finland, Luxembourg and Greece report continued progress. In contrast, in several countries—Spain, Austria, Portugal, UK, Denmark—there are signs of a retreat from progress that was evident in either 2001 or 2002. In Germany and France improvements can be detected on some fronts but these are counterbalanced by deterioration on others. Little change is observed in Belgium, Ireland, Italy and the Netherlands but from a position of limited development of GM in previous NAPemps, at least for Ireland and the Netherlands.

Indeed if we turn to 'levels' of GM, the experts for the UK, the Netherlands and Spain report almost no evidence of GM. At the other end of the spectrum only Sweden, and to a lesser extent Finland, report GM throughout the NAPemp. Luxembourg has adopted GM in six of the guidelines while Greece and Belgium have developed GM within the full employment aspects of the strategy and France with respect to social dialogue. A precise comparison of the level of GM is difficult beyond mapping the spectrum from little or no reference to evidence of some GM throughout the plan. It should be noted, however, that even in the most positive case, Sweden, the presence of GM appears to be a rather mechanical exercise, focused primarily at the statistical analysis of gender effects rather than starting with an analysis of differences in interests by gender. It is far from the transformatory approach envisaged as a possible outcome of GM.

If we look at the new scope for GM offered by the new structure of the EES, we find a particularly disappointing record of the failure by almost all member states to seize the opportunities to develop a stronger and more coherent gender equality approach. The first failure is found in the approach to the overarching themes; in practice the primary focus remained on full employment with limited attention paid to the job quality aspects of the strategy and with almost no linkage made between the themes of job quality and gender equality. Social inclusion was largely dealt with by reference to the social inclusion National Action Plans, even though these often, as we discuss below, had a limited gender equality focus. In short the opportunities to develop a broad and integrated approach to employment and gender equality were not seized. Similarly there were major opportunities 'missed' within the new guidelines to inject a gender perspective that would have both promoted gender equality and provided a more accurate analysis of the policy issues that needed to be addressed. This was particularly the case in the discussion of 'active ageing' under guideline 5, where there was almost no analysis by gender and a presumption that the main cause of the low employment rate for older workers was early retirement and that any rise in the employment rate was because of action to reduce early exit. A more sophisticated analysis of these problems would, in many countries, have revealed that it was

<sup>2</sup> See Meulders and O'Dorchai (2003a), Emerek (2003a), Maier (2003a), Karamessini (2003a), Moltó and Valiente (2003a), Silvera (2003a), Barry (2003a), Villa (2003a), Plasman and Sissoko (2003a), Plantenga (2003), Mairhuber (2003a), Gonzalez (2003a), Lehto (2003a), Gonas (2003a), Rubery (2003a). The EGGE group acts as an advisory expert group to the Equal Opportunities Unit within DG Employment. It consists of an independent expert from each member state (Danièle Meulders—Belgium, Ruth Emerek—Denmark, Friederike Maier—Germany, Maria-Luisa Moltó—Spain, Rachel Silvera—France, Maria Karamessini—Greece, Ursula Barry—Ireland, Paola Villa—Italy, Robert Plasman—Luxembourg, Janneke Plantenga—the Netherlands, Ingrid Mairhuber—Austria, Maria do Pilar González—Portugal, Anna-Majja Lehto—Finland, Lena Gonäs—Sweden, Jill Rubery—UK) and is coordinated by Jill Rubery, together with colleagues at the European Work and Employment Research Centre, UMIST (Damian Grimshaw, Colette Fagan, Mark Smith and Hugo Figueiredo). The expert group is financed by the European Commission but the views expressed here are those of the authors alone and do not necessarily represent the views of the European Commission nor of the other experts.

Table 2: *Gender mainstreaming (GM) in the National Action Plans on employment (NAPemps) 2003*

Member state	Level of GM	Change since 2002
Belgium	Good on full employment, weaker elsewhere	Little change
Denmark	Very limited and primarily confined to guideline 6; main exception is the public employment service	2003 similar to 2002 but both a step back from 2001 where there was more concern with real equality rather than simply formal equality
Germany	No GM of general policy debate but some involvement of social partners	Greater involvement by social partners and more concern with child care but new political debate requires more GM but still absent
Greece	Good on full employment, weak elsewhere	Steady expansion since 1998 maintained
Spain	GM hardly exists	Similar to previous NAPemps; if anything, less visible in 2003
France	Limited GM of guidelines but GM present in new collective agreements	Less visible than in the past particularly with respect to active labour market policies, but positive developments in equal pay, collective bargaining, etc.
Ireland	Very limited GM	Limited change. Continuation of improvements to child care but cutbacks in programmes for inactive women
Italy	Very limited GM (it is occasionally claimed that policies are positive for female employment; gender equality issues are not considered)	No change from previous NAPemp (if anything, less visible than in the past)
Luxembourg	GM in six guidelines; focus on wage equality, decision making and training	Some evidence of continued progress in GM but still lacking a systematic follow-up and assessment of the proposed measures

Netherlands	Very limited GM	No change from previous NAPemps
Austria	Very limited mainstreaming; claims that policies are positive for gender equality not substantiated	Deterioration compared to previous NAPemps—less visibility of GM in other guidelines, new policies claimed to be for gender equality but having negative effects
Portugal	Limited attention to GM	Loss of visibility since previous NAPemp
Finland	Key problems of gender equality identified and GM present but limited in the NAPemp	Improvements in so far as policies related to fixed-term contracts and gender pay gap presented as main issues
Sweden	GM evident throughout NAPemp particularly in statistics but gender interests still not adequately defined	Progress in presentation of gender issues in all guidelines
UK	No mention of GM	Removal of all mention of GM even though already weak; only major improvement is child care policies plus self-employment framework

Source: Rubery *et al.* (2003b) and national reports.

the employment rate for women that was holding down the employment rate for older workers and that was also responsible for most of the improvement over time in this rate. For women, however, the problem of low employment was often not really retirement but the tendency of not returning to the labour market after having children.

While this represented perhaps the most visible failure of GM, given the focus on the older workers' employment rate, there were many other areas where a gender perspective would have added significantly to the analysis. For example, attention to gender differences would have illuminated the discussion of guideline 7 to 'promote the integration of and combat the discrimination against people at a disadvantage in the labour market'. Recent Organisation for Economic Cooperation and Development (OECD, 2003) and European Commission reports (CEC, 2003b) have revealed that a large part of the low employment rate for immigrant groups compared to nationals or EU nationals can be attributed to lower employment rates for women.

Guideline 8, which focuses on 'make work pay', required member states to address the problems not just of 'unemployment traps'—that is where benefits trap people in unemployment because of high clawback rates—but also of 'inactivity traps'. However, to the extent that inactivity traps were addressed, this issue was looked at from the perspective of either a single householder or the main breadwinner in a household and the inactivity traps faced by women within two-person households were not by and large addressed. This allowed member states such as the UK to evade the issue, highlighted in the 2003 OECD Employment Outlook, that policies such as employment-conditional benefits, supposedly aimed at making work pay, might have the opposite impact on some groups, particularly women in couple households:

in both the United Kingdom and the United States, tax credits appear to be an effective means of encouraging entry or a return to employment by lone parents families and households where no-one works. But there is also evidence of the perverse effect that is expected among two-earner households with regard to the labour supply of spouses [OECD, 2003: 118].

Countries such as Germany, which retain tax systems that discriminate against second income earners, also failed to consider in detail the inactivity traps that were created by these policies. Similar gaps in the analysis appeared under guideline 9 in relation to transforming undeclared work into legal work where women's involvement in the informal economy was largely ignored and guideline 10 where the analysis of regional disparities was almost entirely gender blind, despite strong differences in gender gaps between and among regions.

In other guidelines the lack of a gender perspective severely restricted the gender equality dimension to the policy approach. Under guideline 1 on active and preventative measures for the unemployed and inactive, the new emphasis on the inactive should in principle have led to a widening of opportunities for women to participate in such schemes as women predominate among the inactive who would like to work. However, in practice most focus on the inactive was on those who are claiming benefits on grounds of disability, not on the inactive who are dependent on household members—that is, mainly women. Furthermore, the omission from the guidelines of the notion that women should be represented in active labour market policies according to their share of the unemployed seemed in some countries—like France—to be associated with a decline in attention paid to women's involvement in active labour market policies. Also in Germany, although the commitment to women's fair representation was maintained, there was no evidence of any policy measures being taken to address the continued failure to achieve this objective. Policies under guideline 3

on promoting adaptability in the labour market also failed to incorporate a gender dimension to issues related to working conditions and working arrangements, except with respect to work life balance. Part-time work was almost universally considered to be a policy that promoted gender equality, without any direct consideration of the associated working conditions or the danger of promoting occupational segregation.

### **The gender equality guideline**

#### *The infrastructure for gender mainstreaming*

The discussion of gender equality and GM in the 2003 NAPemps is almost entirely confined to the specific guideline on gender equality—guideline 6—except for the few examples cited above. It is here that the requirement to gender mainstream all policies is specified but this has not resulted in a gender approach through the document. Moreover, now that this requirement is just stated without examples of what this entails, there is little evidence of progress in either developing the policy infrastructure for GM or instruments—such as statistical analysis by gender or policy evaluation by gender. Indeed from the evidence provided within the NAPemps, compared to previous NAPemps there seems to have been a major slowdown in the development of new institutional mechanisms for GM (see Rubery *et al.*, 2001). Whether this reflects reality in the member states or the new format of the guidelines where there is no specific mention of processes of GM or the need for gender-specific monitoring and evaluation is not clear.

Certainly GM in general has become much less visible. For example, in the UK NAPemp the term GM does not appear. Some examples of new mainstreaming initiatives can be identified but these are not necessarily in any way directly related to the EES, although in some cases their impact may be to strengthen GM in the employment strategy. For example, in Belgium the establishment of the new Institute for the Equality of Women and Men was probably linked to the passing of Directive 2002/73/EC amending the equal treatment act and requiring the setting up of independent equality bodies. Nevertheless, it has strengthened the capacity for GM in Belgium. In Luxembourg, the establishment of the Ministry for Female Promotion—possibly also under the same impetus—has also promoted the GM tool, as each measure in the NAPemp now needs to have its approval. In Spain where there has been little GM in general, a new law (30/2003) was passed in October 2003 that requires gender assessment of all new laws, rules, regulations, standing orders, etc.<sup>3</sup> In the declaration outlining the intentions of this new law it is clear that this measure has been introduced in response both to the mandate of the 1995 Beijing conference to integrate the gender perspective in all policies and to the European Union's commitments to GM. France has a new charter for equality, which requires all main actors to take responsibility for promoting equality. This charter complements the beginnings of the implementation of the 2001 law requiring collective bargaining on occupational equality. This implementation is leading to new initiatives in France to

<sup>3</sup> Law 30/2003 of 13 October 2003 on measures to incorporate the evaluation of the gender impact on all legal norms elaborated by the government modifies only two articles of the previous Law 50/1997. Article 22, section 2, incorporates the requirement to accompany any law project with a report on the gender impact of the specific measures established in the law as well as an economic report of the cost of these measures. Article 24.1(b) incorporates a new paragraph that requires a report on the gender impact assessment of all rules, regulations, standing orders, etc. Moreover, in the declaration of intentions reference is made to the mandate of the Fourth World Conference on Women (Beijing, 1995) to integrate the gender perspective in all policies, and to EU policy on GM.

develop intersectoral bargaining related to gender equality. Portugal and Ireland also have new national equality plans or action plans. However, there are also examples of reversals in GM: for example, in Ireland, a new national agreement covering the period 2003–05 was agreed between the social partners in March 2003, primarily covering pay policy but also including broader social policy. Conflict during the negotiations for the agreement over the allocation of resources to social inclusion and equality led to the withdrawal of much of the NGO sector from the agreement, including the National Women's Council.

#### *Targets and policies to close gender gaps*

The most innovative element in the new guideline 6 is the requirement for member states to pursue policies to achieve substantial reductions in gender gaps in employment, unemployment and pay by 2010. Table 3 summarises the responses by member states to this development by reference to the setting of specific national targets in relation to the closure of gender gaps. Six countries have set themselves specific targets for either closing the gender employment gap (Portugal) or for raising the female employment rate, with implicit implications for the gender employment gap (France, Netherlands, Austria, Italy, Greece). In addition, Belgium has made a clear commitment to reduce the gap, even if it has not set a quantitative target. Although Italy has set a specific target for raising the female employment rate (to 46 per cent by 2005), this has not involved the development of a policy programme. The policy measures considered tend to be general (such as the law on the reform of the labour market) and involve no specific measures. The UK has set a target employment rate of lone parents, the vast majority of whom are women but no other gender targets have been set for specific groups like older workers or immigrant workers.

Even fewer member states—Portugal, Greece and France—have reacted to the requirement to close gender gaps in unemployment rates by setting a national target. In the case of France this is expressed as a target to reduce the number of women in long-term unemployment by 5 per cent. Greece has continued its quota of 60 per cent for female involvement in active labour market measures but fails to mention it in the NAPemp. Belgium has made a clearly stated commitment to reduce the gap but has no specific target while Sweden has been taking action to reduce the unemployment rate for part-timers with expected positive impacts for women.

When it comes to targets to close the gender pay gap, the number of member states with an explicit target falls to just two—Greece and France. Greece aims to eliminate it by 2008 while France aims to reduce the gap by one-third by 2010. The only other member states to make any commitment to a target are Portugal—where the target is for a gradual reduction with a view to elimination, a more vague commitment than its specific targets on gender gaps in employment and unemployment—and Belgium where the new Institute for the Equality of Women and Men has made an explicit commitment to reduce the gender pay gap, even if there is again no quantitative target. The UK has explicitly stated that it does not intend to adopt a quantitative target for 'this complex and multidimensional problem'.

One problem with using the adoption of targets as an indicator of the likely success of the policy approach is that there is little correlation between the adoption of a target and the development of an appropriate policy programme. Thus the Netherlands and Austria appear to have no specific policies to back up their employment rate targets. Portugal has a rather general programme of action to cut all three gender gaps but the plan is lacking in specifics. France is relying on its national charter on

Table 3: Specific targets related to closing gender gaps

Member state	Targets on gender gap in employment	Targets on gender gap in unemployment	Targets on gender pay gap
Belgium	Commitment to reduction	Commitment to reduction	Commitment to reduction
Greece	Employment growth of 2% per annum for women and 1.5% overall up to 2010 (no specific commitment to reduce gender gap)	Reduce female unemployment rate to under 10% by 2006 and 8% by 2008	Eliminate by 2008
France	60% female employment rate by 2006 (three percentage point increase)	Reduce number of female long-term unemployed by 5%	Reduction of one-third by 2010
Italy	46% female employment rate by 2005 (four percentage points increase)		
Netherlands	65% female employment rate by 2010 (excluding jobs of 12 hours or less)		
Austria	65% female employment rate by 2005		
Portugal	By 2005/6 reduction by one-third of gender gap in 2001	By 2005/6 reduction by one-third of gender gap in 2001	Gradual decrease with view to elimination
Sweden		Action to reduce unemployment rate for part-timers	
UK	70% employment rate for lone parents by 2010		

Source: Rubery *et al.* (2003b) and national reports.

equality and on its launch of intersectoral bargaining on equality to achieve its employment rate target. Greece seems to have the most integrated programme involving measures to help the unemployed into employment and self-employment and promote women's employment within the workplace. One reason for the low take-up of the challenge to close the gender employment gap seems in some member states to be a confusion—deliberate or otherwise—between the employment rate targets set by Lisbon and Stockholm councils and the gender employment gap. For example, the UK dismisses the need to address the gender employment gap—running at 12.7 per

cent in 2002—on the grounds that it had already met the Stockholm and Lisbon employment rate targets for women's employment of 57 per cent by 2005 and 60 per cent by 2010. Furthermore, no member state has addressed directly the gender gaps in full-time equivalents even though this was accepted as a context indicator of gender equality for the previous stage of the EES.

A similar picture emerges with respect to targets to cut unemployment rate gaps where there is no clearly linked policy agenda in Portugal or France, although again Greece does at least appear to have an integrated policy approach. France, which has a more realistic target of reducing the gap by one-third by 2010, also intends to use the 2001 law on equality bargaining as the main basis for moving forward. However, this leaves the initiative primarily in the hands of the social partners and there is so far little available evidence of whether progress is actually being made within collective bargaining in this area.

The specification that member states should adopt a multifaceted approach to reducing the gender pay gap has not been fully implemented. Instead we find that member states have tended to emphasise only a small number of policy approaches and have, by and large, adopted rather soft and vague measures in this area. The most concrete policies include extensions of pay reviews (Germany, Ireland, UK); new initiatives involving social partners (France, Sweden); new instruments or guidance re-implementing equal pay (Netherlands, Denmark); the conversion of fixed-term to permanent contracts (Finland in public sector where women dominate fixed-term contract staff); new projects to reduce gender segregation (Sweden, Ireland, Denmark, France); development of gender-neutral job classification (Belgium, Spain, Netherlands) and voluntary equality plans (UK, Portugal). Many of these announced policies are continuations of past policies but even so are often still only pilot projects or policies where there has been little or no evaluation of the results—for example, we do not know the outcomes of the civil service equality reviews in the UK, even though they should have been completed by April 2003.

### *Reconciliation of work and family*

The new employment guidelines have incorporated the specific commitments to improvements in child care set at the 2002 Barcelona summit. Developments in child care were already one of the success stories of recent years and the latest round of NAPemps suggests that this momentum towards greater provision is continuing. However, some problems remain, particularly the fact that the Barcelona targets for coverage of one-third for children under three and 90 per cent above three do not set down minimum time periods for child care or provide a means of measuring affordability. While there is some evidence of continued initiatives in the child care area, there is very much less evidence of attention being paid to care facilities for other dependants. The exception here is Greece where a new home care infrastructure is being put in place for the elderly, mentally ill and disabled. In Denmark there is a new initiative that allows someone who provides care to an adult to apply to be employed by the social community. This provides carers with the possibility of continuity of employment record but could provide an indirect trap for women if they felt under pressure to take up this opportunity (see also Ungerson and Yeandle, 2004). In general a number of policy initiatives are creating the potential for reinforcing gender roles, even if they are often presented as favourable to equal opportunities. These include the more flexible leave schemes in Denmark that might reinforce

women's role as carers; the extension of the French APE home care subsidy to parents with their first child for six months, a scheme which has been associated with a reduction in women's participation following the extension from the third child to the second child in the 1990s; the Austrian child care allowance scheme that has improved the financial security of women when they become mothers but reduced their attachment to the labour market. More positive measures could be considered to include new rights (although already announced in earlier NAPemps) to request to work part-time for parents in both the UK and Austria, the right to work part-time in Germany and improvements to security for those on parental leave in Sweden and Finland.

### **The Employment Taskforce report**

The Employment Taskforce was set up in 2003 under the chairmanship of Wim Kok (ex-Prime Minister of the Netherlands) to consider the reasons and the possible remedies for underachievement with respect to the employment objectives—particularly the employment rate objectives as specified within the EES. When the report of the Taskforce was launched in December 2003 in Berlin, it focused on four main issues—the need for adaptability, the need for attracting more workers into the labour market, the need for more investment in human capital and the adaptation of the governance structures in the labour market (see CEC, 2003c). In practice the approach was similar to that adopted in the employment strategy, except for a reduced emphasis on job quality (as opposed to workforce quality through human capital investment) and a corresponding increased emphasis on the promotion of low-wage employment and atypical contracts (part-time and fixed-term) as the means to maximise job growth. It therefore quite accurately reflected the approach taken by many of the member states in their action plans, where job quality issues, and indeed gender equality issues, were neglected.

The report explicitly recognised that increased women's employment is a means of achieving a higher employment rate, through attracting more workers into the labour market, but contradictions between a quantitative, flexibility approach and the twin objectives of more effective investment in human capital and further pursuit of gender equality were not identified (Rubery, 2004). In its promotion of part-time work, the report explicitly argues that this is a 'key ingredient for increasing participation in the labour market, notably among women' (p. 31), an assumption that ignores the findings of studies demonstrating that the relationship is ambiguous (O'Reilly and Fagan, 1998). Indeed, despite several studies that demonstrate empirically the weak links between flexible, adaptable labour markets and job growth (Glyn and Salverda, 2000; Schmitt and Wadsworth, 2002), the report makes the strong claim that member states ought to implement reforms that increase part-time work, facilitate the use of fixed-term contracts (through a stronger role for temporary work agencies) and reduce employment protection (periods of notice, dismissal costs, etc.)—referred to as 'more attractive contractual arrangements'.

Its recommendations are particularly problematic in the approach taken to the promotion of low-wage employment, as Salverda (2004) pointed out in his talk on low-wage employment at the launch of the Taskforce report where he argued that many of the recommendations of the report 'partly miss the point' by focusing on labour costs rather than product demand. Based on comparative research into labour

market structures between the US and Europe (Gregory *et al.*, 2000), Salverda argued that the recommendations were contradictory and going in the wrong direction. Advocacy of the growth of part-time work 'may conflict with the promotion of employment of the low-skilled. Increasingly, low-skilled employment seems available on a part-time basis only, making it harder for the low skilled to make a living out of these jobs. Also it does not seem evident to advocate part-time employment for countries with a high rate of *full-time* female employment such as Portugal. The furthering of female part-time employment will enhance their concentration in low pay and stimulate overeducation in relation to the jobs. In the US, by contrast, all of high-wage employment growth in recent decades has gone to women' (Salverda, 2004). The report only addresses the issue of low pay in the context of benefit traps; in the name of establishing 'employment-friendly wages', it recommends member states to use employment-conditional benefits to complement low wages and better targeting of benefits so that 'it clearly pays off to earn—even a low wage' (CEC, 2003c: 34).

In practice, the Taskforce report reveals the fragility of the commitment to the promotion of job quality within the EES and the associated tendency to see the advocacy of part-time work as a means to simultaneously meet gender equality and flexibility objectives without adequate consideration of the implications of this type of employment for both job quality and gender equality. These problems are intensified by the decision of the Council to focus all recommendations with respect to the 2003 NAPemps around the themes of the Employment Taskforce report.

### **Future prospects for gender equality within the EES**

Three main issues arise out of this review of the current situation with respect to the position of gender equality within the EES. The first issue is the danger of the disappearance of GM initiatives with the removal of the detailed examples of what this requires from the new guidelines. More needs to be done to remind member states on a regular basis of what this commitment entails. A particularly important related concern is whether the process of moving gender equality from one of four pillars to one of 10 guidelines will reduce the likelihood of member states receiving recommendations from the Council of Ministers on gender equality and GM with respect to their National Action Plans. The second issue is the weak commitment to job quality, on the basis of the approaches taken in the NAPemps and the Employment Taskforce report and the failure at the member state level to understand and commit to a linkage between equal opportunities policy and improvements in job quality. The third issue is the importance of quantitative targets in driving the agenda of the employment strategy. In the area of gender equality it is the female employment rate targets and the child care targets that have kept equal opportunities on the employment agenda. These targets need to be redefined and developed for further progress to be made—for example to include minimum time and affordability criteria for child care targets and a change to the method of counting very short hours jobs for employment rate targets. The new targets for substantial reductions in gender gaps could provide a further impetus towards gender equality policies but this will only occur if there is evidence of monitoring of member states with respect to their adoption of targets and their achievement with respect to cutting gender gaps.

**GENDER EQUALITY AND THE SOCIAL INCLUSION PROCESS<sup>4</sup>**

While the EES is the most devolved of the open method of coordination processes, there are a number of other processes that have either started or, as in the case of social inclusion, have already reached their second round. In line with the commitment to GM in the EES, the social inclusion process has required member states to gender mainstream their action plans, but there is no specific guideline on gender equality within the social inclusion process, comparable to guideline 6 of the NAPemps. In the assessment of the first round of the National Action Plans on Social Inclusion (NAPincs) in 2001, the Joint Report on Social Inclusion took the view that they 'give most member states a unique opportunity to combine in an integrated approach, the fight against poverty and social exclusion and the promotion of equality between men and women'. Member states proved less than enthusiastic in seizing this opportunity and although 'all member states mention some gender issues, very few mainstream equality between men and women consistently across their Plans'. However, most importantly for this report 'several Member States indicate that they will enhance GM during the next 2 years'. The development of the guidelines for the 2003 NAPincs called for the development of a GM perspective throughout the plans but the assessment of the 2003 NAPincs, by both the EGGE (Rubery *et al.*, 2003b) and by the Commission in its draft Joint Report on Social Inclusion (CEC, 2003d), found rather limited evidence of progress.

Indeed there is only one real example among the member states of consistent GM—that is from Sweden—and here there was little change between the two action plans for 2002 and 2003. The lack of attention to gender issues or gender equality objectives in either the identified challenges or the specific targets is revealed in Table 4. There was evidence of improvement in the extent of gender disaggregation of statistics in a number of cases but these disaggregations are still by and large not used either to explore the problems of social inclusion or to monitor the effectiveness of policies by gender (CEC, 2003d). Moreover, even when gender issues were introduced into the plans, the focus was often on how to use gender equality to pursue other objectives—such as the elimination of child poverty—with little reference to the pursuit of gender equality as an objective in its own right. The most developed areas of gender-related policy are linked to the employment strategy (employment and reconciliation/child care) or to specific gender issues such as domestic violence or trafficking. Gender is in fact almost never mentioned with respect to health or housing and rarely in education. Most importantly there is very little attention paid to gender deficits in access to resources and measures to overcome these. Indeed there is a problem with the gender-disaggregated statistics that are used to measure poverty as these are calculated in the absence of other information on the basis of equal sharing of resources within households. This approach may not only underestimate women's higher risks of poverty if they have less than equal access to family resources but also fails to highlight the economic dependence of women, which creates a high risk of poverty if the family support system breaks down because of widowhood, divorce or even redundancy. These effects are implied by the rising gender gap in poverty rates with age (see Table 5), as a high share of women in old age are in single-person

<sup>4</sup> This section draws on the evaluation of the Social Inclusion Naps done by the EGGE group. See Meulders and O'Dorchai (2003b), Emerek (2003b), Maier (2003b), Karamessini (2003b), Moltó and Valiente (2003b), Silvera (2003b), Barry (2003b), Villa (2003b), Plasman and Sissoko (2003b), Plantenga and Remery (2003), Mairhuber (2003b), Gonzalez (2003b), Lehto (2003b), Gonas (2003b), Rubery (2003b).

Table 4: *The identification of gender in challenges and targets*

Member state	Gender in challenges/policy priorities	Gender in targets
Belgium	No specific gender issues among the identified challenges and no specific gender analyses carried out.	No mention of gender in the targets except indirectly through targets regarding child care availability (33% rate of coverage in 2010 for children aged 0–3 following European Union targets).
Denmark	No gender perspective in challenges but recognition of need for gender approach in reintegration of vulnerable groups.	No targets disaggregated by gender.
Germany	None regarding employment participation. Family-friendly priority central to prevent poverty and social exclusion. Single mothers targeted in training and local community programmes.	Only a minority of targets disaggregated. None regarding employment participation. Gender included in targets for IT training and access to the internet. No details of targets for vulnerable groups.
Greece	No clear gender dimension in the identification of major policy challenges. Only access to employment as strategic objective and women identified as one of prime target groups.	None of the key targets is disaggregated by gender but meeting the child care needs of all working mothers by 2008 as one of the targets.
Spain	Three objectives with relevance to gender: intensifying measures: to combine work and family responsibilities; to enhance equal opportunity between women and men; and against domestic violence.	No targets disaggregated by gender.
France	Paternity leave, child care, single-parent poverty, underemployment, anti-discrimination of immigrants, against violence, assessment of living conditions of disabled.	Gender in measures of unemployment, number of single-parent households, long-term unemployed—but not in measures of poverty, old-age pensions, health, housing.
Ireland	Examples include supporting female returners, family-friendly policies, child care and breast screening.	Lacks gender-specific targets in most areas (except employment rates).

Italy	No clear strategy. Policies to promote equal opportunities are highlighted as one of the priorities, but are not integrated into the other policy priorities.	The only quantitative target is the employment rate, which is disaggregated by gender.
Luxembourg	No clear gender dimension in major policy challenges but reconciliation between work and family life as one of the main fields of action with priority given to the improvement of public child care.	No targets disaggregated by gender.
Netherlands	Some groups of women identified as at particular risk of poverty (single and older women from ethnic minorities, single parents). Specific objective to expand support services for women needing refuge and to tackle domestic violence.	No targets disaggregated by gender.
Austria	The challenges mentioned are not gender mainstreamed; the only gender issue mentioned is improving employment opportunities for mothers.	Three out of 12 targets mention gender closing gaps for socially disadvantaged, including minimum pension to benefit women specifically; improved reconciliation; gender analysis in all sections of the National Action Plans on Social Inclusion (NAPincs).
Portugal	GM and recognising the importance of gender issues are identified as a 'key challenge'. Gender equality referred as part of 'Main Orientations' and 'Strategic Axes'. Priority, however, to the area of reconciliation of work and family life.	Gender mainly absent from targets following general problems of data coverage.

Table 4: *Continued*

Member state	Gender in challenges/policy priorities	Gender in targets
Finland	The main challenges are not gender mainstreamed even though all have an obvious gender dimension: for example, growth in single-parent households, growth in pension population and unemployment among growing immigrant population. There is a commitment to draw up an action programme on equal opportunities.	No targets disaggregated by gender.
Sweden	Analysis of challenges done from a gender perspective, but lacking, however, in detail.	Various targets to reduce number of 'men and women' at risk of economic vulnerability by 2010. Gender therefore considered as part of target. Targets of reducing dependency on social assistance and halving number of sick days between 2002 and 2008 will have gendered effects but not discussed in gender terms.
UK	There is a separate discussion of gender in chapter 1 of the NAPines, which includes drawing the link between gender poverty and child poverty, but gender is not mainstreamed through the other sections. Commitment to closing gender income gap.	There is no mention of gender in the targets, although it is implicit in those relating to tackling teenage pregnancy, lone parenthood and the expansion of child care. Some notable targets (e.g. domestic violence) are missing.

Source: Rubery *et al.* (2003b) and national reports.

Table 5: At risk of poverty rate for individuals aged 16 years and over by age group and gender<sup>a</sup>, 2001 (%)

	Total			16–24 years			25–49 years			50–64 years			65 years and over		
	Total	Men	Women	Total	Men	Women	Total	Men	Women	Total	Men	Women	Total	Men	Women
	B	14	12	15	12	11	12	10	8	11	12	10	13	26	24
DK	12	10	14	20	16	25	7	7	6	5	4	5	29	25	33
D	11	9	12	16	17	15	9	7	11	10	10	9	12	9	14
EL	21	19	22	19	18	21	14	14	15	21	19	22	33	30	35
E	18	16	19	20	19	21	15	14	16	17	15	18	22	20	24
F	15	14	16	21	21	21	12	11	13	13	12	13	19	17	21
IRL	20	18	22	12	10	15	17	17	18	16	18	14	44	35	51
I	18	17	19	25	25	25	18	17	19	16	15	16	17	16	19
L	11	11	11	20	22	17	11	10	11	9	9	10	7	7	8
NL	10	10	10	22	24	21	10	10	10	7	6	7	4	5	3
A	12	9	15	11	7	14	8	7	9	9	8	11	24	14	30
P	18	18	19	18	21	15	15	15	15	16	15	16	30	28	31
FIN	13	10	15	23	19	28	7	8	7	9	7	10	23	12	31
S	11	10	11	23	22	24	10	11	10	5	6	4	9	5	12
UK	15	13	18	20	18	21	12	10	14	11	10	12	24	19	28
EU-15 <sup>b</sup>	15	13	16	19	19	20	12	11	14	12	12	13	19	16	21

<sup>a</sup>Gender breakdown is based on assumption of equal sharing of resources within household.

<sup>b</sup>The EU-15 average is calculated as a population-weighted average of the available value.

Source: CEC (2003d) based on Eurostat, ECHP UDB version November 2003 (EC calculations).

households. Calculations by the EGGE group have also demonstrated that there is a much larger risk of poverty for women than for men in single households both in prime age and old age (Rubery *et al.*, 2003b).

There is a particular lack of any gender analysis of the overall strategic approach towards social inclusion. Member states make reference to modifications of policies—for example in respect to pensions or reconciliation policies—that may have a positive gender impact (for example pension credits for periods of child care or rights to extended leave) but do not provide an overall assessment of the policy approach, which may be intensifying the tendency for pensions to be dependent on long continuous careers or extended leave may be being used as an alternative to meeting demands for child care. There is very little willingness to test out the claims that policies are promoting gender equality by reference to gender outcomes or to develop evaluations or simulations of the policy approaches adopted. There may, for example, be more scope for identifying ‘best practice’ for gender equality at the level of the whole strategic approach to social protection than in specific narrow schemes within a particular welfare state system. Even when policy programmes are likely to have positive gender equality outcomes, member states often appear uninterested in identifying these as examples of best practice or select these policies on other criteria and fail to mention their gender equality impacts. One reason for this gender blindness is that the preparation of the report seems to have been carried out in most member states without much involvement from stakeholders with an interest in gender equality issues. In short the institutional mechanisms for GM have been only weakly developed although seven member states have at least established some mechanisms for incorporating gender issues into policy programmes. In the three Nordic member states this is done through a general requirement on all public authorities to promote gender equality while in some member states there are either partnerships (Ireland, Denmark and Luxembourg) or consultation (Spain and Portugal) arrangements between gender and poverty departments.

## **EXTENDING GENDER EQUALITY POLICY**

So far we have been concerned with the incorporation of gender equality into the employment and social inclusion process. However, it is important to remember the EU’s larger role in promoting gender equality as a goal in its own right, through legislation on equal treatment and other initiatives. This commitment to gender equality has been underpinned by the first call for a report on equality between women and men from the Commission to the 2004 Spring Council following an invitation to produce such a report from the 2003 Spring Council. This report identifies six main challenges in the area of equality of opportunity, including implementing and improving equal treatment legislation, eliminating the gender pay gap and gender gaps in employment and unemployment, reconciling work and family life, promoting balanced participation of women and men in decision making, putting GM into practice and preventing and combating violence and trafficking in women. For each challenge the report either highlights the presence of various new initiatives, or makes proposals for further action (CEC, 2004).

In the area of legislation, there is the transposition of the equality directives to the acceding countries, the current proposal to simplify and clarify the existing equality legislation through consolidating the legislation in a new directive and most radically

of all, the proposal for a new directive based on article 13 'on the access to, and supply of, goods and services'. This is billed as representing the first step towards taking equality issues outside of the labour market. However, some of the implications of the new directive will be felt within the labour market. For example, this directive could call into question the current derogation from equal treatment that applies to occupational pensions that are based on defined contributions rather than defined benefit systems, where pension benefits have to be equal by gender. Occupational pensions are deemed to be part of pay as far as the principle of equal pay is concerned but there is one derogation in existing legislation on occupational pensions that allows for differential gender-based calculations of annuity rates for these types of pensions. This is a critical issue for gender equality if there is a widespread move towards more privatised and defined contribution-based pension schemes, although several member states have their own legislation that requires the annuities to be sold on a gender-neutral basis (as is also the case in the USA). The new directive would extend the principle of non-sex-based actuarial risk to insurance in general and it is the insurance industry that is making the strongest protests against this new proposed directive (see Financial Times, 2003b). In the conclusion there are specific calls to ensure the implementation of legislation in the member states, including the new member states, and to adopt the proposal for this new directive.

The other challenges identified by the Commission Equality report include many points that relate to the existing approach of the employment and social inclusion strategy but there are differences in emphasis and more concrete proposals made, particularly in the conclusions. The 'reconciling work and family life' discussion pays more attention to the need for participation by fathers and calls for more attention to affordability and quality of child care than is found in the specific employment and social policy guidelines. The need for care facilities for older people is also highlighted. There are extended proposals to improve indicators and monitoring with respect to decision making, GM and in the area of violence, and there are also suggestions that this new annual report could be used to monitor progress, particularly in GM. In decision making there is a specific proposal in the conclusion to focus on a better gender balance in the European parliamentary elections. The need to ensure GM of the structural funds and the European research strategy, in addition to all the main policy areas at both the European and the national level is highlighted.

The initiation of this annual report on equality of women and men to the Spring Council perhaps allows this review to end on a more optimistic note than would be consistent with the main thrust of the argument so far developed. Such a report could provide an extremely useful way of ensuring that gender equality is still pursued as an objective in its own right and not simply as a means of better ensuring the delivery of the employment and social inclusion targets. Moreover, if the suggestion of using the report to monitor GM is taken up, it could help to keep this important policy tool on the political agenda of the member states.

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