



The EU legal framework on gender equality

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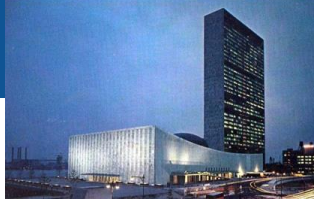
Outline

A - International Law

- *United Nations*
- *International Labour Organisation*
- *Council of Europe*

B - European Union Law

- *The EU Treaties and the EU Charter of Fundamental Rights*
- *The EU Directives on equal treatment for men and women*



- **United Nations**

1948 - Universal Declaration of Human Rights (UDHR) – Paris
1966 - International Covenant on Economic, Social and Cultural Rights (ICESCR)
1966 - International Covenant on Civil and Political Rights (ICCPR)
1975 - Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)

- **International Labour Organisation**

Convention no. 100 on Equal Remuneration, 1951
Convention no. 111 on Discrimination in Employment and Occupation, 1958
Convention no. 156 on Workers with Family Responsibilities, 1981
Convention no. 183 on Maternity Protection, 2000



- **Council of Europe**

- **European Convention on Human Rights (1950)**

Article 14

"The enjoyment of the rights set forth in this Convention shall be secured without discrimination on any ground such as sex, ..."

- **The European Social Charter (1961)**

- **Convention on Combating Violence against Women and Domestic Violence (Istanbul Convention, 2011)**



B – European Union law

- The EU Treaties

Article 2 Treaty on European Union

The Union is founded on the values common to the Member States, such as = W/M

Article 3(3) TEU

The Union shall combat discrimination and shall promote equality women / men

Article 157 TFEU

Equal pay for men and women must be ensured

The Union may adopt legislation on equality between men and women in employment and occupation



- Charter of Fundamental Rights of the EU

Article 23

Equality between women and men must be ensured in all areas

Article 51

1. The provisions of the Charter are addressed to EU institutions and to the Member States only when they are implementing Union law.

2. The Charter does not establish any new power or task for the Union



EU Directives on equal treatment for men and women

- At work

1) Directive 2006/54 - in employment and occupation (recast)

- covers access to employment, promotion, working conditions (dismissal, pay, etc.), vocational training, membership in worker / employer organisations, social security (occupational) schemes
- prohibits direct discrimination, indirect discrimination and harassment
- simplifies and updates several previous Directives
- incorporates case law of the Court of Justice of the EU



- The Directives at work

2) Directive 92/85 on health and safety at work of pregnant workers and workers who have recently given birth or are breastfeeding (maternity leave directive)

**3) Directive 2010/18 implementing the revised Framework Agreement on parental leave
and
Directive 2019/1158 on work-life balance for parents and carers**

4) Directive 2010/41 on equal treatment between men and women engaged in a self-employed activity

The Directives beyond work

5) Directive 79/7 on equal treatment in (statutory) social security schemes

6) Directive 2000/113 on equal treatment in access to and the supply of goods and services



In practice ...

- Gender pay gap

women earn **less 16%**
than men per hour (2017)

- Pension pay gap

Womens' pensions are
35.7 % lower than men (2017)



Eurobarometer 2017

*69% of people
believe women are paid less
than men per hour of work*



*For 90% it is unacceptable for a woman
to be paid less than a man for the same job*



... and the future ?



Almada Negreiros

(1893 – 1970)

*"When I was born, the phrases
that will save humanity had
been all written,
one thing was missing - saving
humanity."*



