



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

from :	Permanent Representatives Committee (Part I)
to :	Council (EPSCO)
No prev.doc.:	9215/09 SOC 287
Subject :	Equal opportunities for women and men: active and dignified ageing = Draft Council Conclusions

Delegations will find in the Annex draft Council Conclusions on "Equal opportunities for women and men: active and dignified ageing" on which the Committee of Permanent Representatives confirmed its agreement at its meeting on 27 May 2009.

The accompanying report prepared by the Czech Presidency is to be found in doc. 9215/09 ADD 1.

The EPSCO Council is invited to adopt the draft Council Conclusions as set out in the Annex.

DRAFT COUNCIL CONCLUSIONS

on

Equal opportunities for women and men: active and dignified ageing

THE COUNCIL OF THE EUROPEAN UNION

1. RECOGNISING:

- (a) that gender equality is a fundamental principle of the European Union enshrined in the EC Treaty and one of the objectives and tasks of the Community and that mainstreaming equality between women and men in all its activities represents a specific mission for the Community;
- (b) the dual approach of the EU in the area of gender equality, which is based on both specific measures and gender mainstreaming, i.e. the promotion of gender equality in all policy areas and activities;
- (c) that gender equality policies are essential instruments for ensuring economic growth, prosperity and competitiveness, especially in the context of the Lisbon Strategy for growth and employment;
- (d) that throughout the EU, older women and men face serious challenges as they seek to live active lives and to age with dignity. Such challenges relate to a number of cross-cutting issues, such as longer working lives, the demand for an increasingly mobile, highly qualified and flexible labour force in the context of global competition and the current economic crisis, and the fact that retraining opportunities may not always be available;

the persistence of gender stereotypes which, compounded by discrimination faced by older people in the labour market, particularly reduce the employment opportunities of older women; women's greater vulnerability in the labour market, due also to the impact of career breaks or taking time out of employment to engage in caring responsibilities on women's pension entitlements, which, together with the persisting gender pay gap, exposes women to a higher risk of poverty in old age as compared with men; and the risk of violence faced by women, including older women; as well as older people's increased reliance on healthcare and long-term care provisions, the associated financial burdens, and the aggravation of the problem of care-giving responsibilities falling mainly on women;

2. CONSIDERING:

the Vienna International Plan of Action on Ageing, which was endorsed by the UN General Assembly in 1982¹; the United Nations Principles for Older Persons, which were adopted by the UN General Assembly on 16 December 1991²; the Montreal Declaration on the Rights and Duties of Older People, which was adopted at the 4th Global Conference of the IFA in Montreal on 5-9 September 1999; the Madrid International Plan of Action on Ageing, adopted at the Second World Assembly on Ageing on 8-12 April 2002; the Regional Implementation Strategy for the Madrid International Plan of Action on Ageing, adopted at the Ministerial Conference on Ageing in Berlin on 11-13 September 2002; and the Ministerial Declaration adopted at the UNECE Ministerial Conference on Ageing that took place in León, Spain, on 6-8 November 2007;

3. RECALLING:

- (a) that according to Article 13 of the EC Treaty, the Council may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation, without prejudice to the other provisions of the Treaty and within the limits of the powers conferred by it upon the Community;

¹ Resolution 37/51.

² Resolution 46/91.

- (b) that Article 20 of Directive 2006/54/EC³ and Article 12 of Directive 2004/113/EC⁴ require the Member States to designate and make the necessary arrangements for an independent body or bodies for the promotion, analysis, monitoring and support of equal treatment of all persons without discrimination on grounds of sex;
- (c) that the Lisbon European Council of 23-24 March 2000 recognised the importance of furthering all aspects of equal opportunities, including reducing occupational segregation and making it easier to reconcile working life and family life;
- (d) the Resolution of the Council and of the Ministers for Employment and Social Policy, meeting within the Council, on the balanced participation of women and men in family and working life (2000)⁵, which declares that it is necessary to promote measures to improve the quality of life for all, in active solidarity between men and women *vis-à-vis* both future and older generations; and the Resolution of the Council and the Representatives of the Governments of the Member States, meeting within the Council, on the Opportunities and challenges of demographic change in Europe: the contribution of older people to economic and social development (2007)⁶, which recalls that mobilising the full potential of older people is a key response to demographic change;

³ Council Directive 2006/54/EC of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast), OJ L 204, 26.7.2006, p. 23–36.

⁴ Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services, OJ L 373, 21.12.2004, p. 37-43.

⁵ OJ C 218, 31.7.2000 p. 5.

⁶ Doc. 6216/4/07 REV 4.

- (e) the Council Conclusions on the Review of the implementation by the Member States and the EU institutions of the Beijing Platform for Action regarding Women's Health⁷ (2006), which stress that the recognition of the gender dimension in health is an essential part of EU health policies and recognise that the EU needs to take into account a specific gender perspective while identifying the various barriers to access to, and use of, healthcare; the Council Conclusions on the Review of the implementation by the Member States and the EU institutions of the Beijing Platform for Action regarding Indicators in respect of Women and Poverty⁸ (2007), which recognise that women are more affected than men by persistent and extreme poverty; and the Council Conclusions on the Review of the implementation by the Member States and the EU institutions of the Beijing Platform for Action regarding indicators in respect of the Reconciliation of work and family life (2008), which call on the Member States and the Commission to further improve the collection, analysis and distribution of accurate, relevant and comparable European data in areas such as dependent elderly people, call on the Member States to step up progress towards meeting the needs of families who have to take on responsibility for dependants, and call on the European Commission to continue to support the development of care structures for dependent persons including by making use of the Structural Funds⁹;
- (f) the commitment of the Member States to create and strengthen governmental bodies and other national structures, with a view to integrating a gender perspective into legislation and public policies and to generating age and sex-disaggregated data and information for planning and evaluation, as laid down in the Beijing Platform for Action;

⁷ <http://register.consilium.europa.eu/pdf/en/06/st09/st09468.en06.pdf>

⁸ <http://register.consilium.europa.eu/pdf/en/07/st13/st13947.en07.pdf>

⁹ <http://register.consilium.europa.eu/pdf/en/08/st17/st17474.en08.pdf>

- (g) that the Guidelines for employment policies adopted for the period 2008-10¹⁰ call on the Member States to promote a lifecycle approach to work, including through support for working conditions conducive to active ageing and improved occupational health and adequate incentives to work and discouragement of early retirement, and through better reconciliation of work and private life and resolute action to increase female participation and reduce gender gaps in employment, unemployment and pay¹¹. The Guidelines also call for the expansion and improvement of investment in human capital through, *inter alia*, enhancing lifelong participation in continuous and workplace training throughout the life-cycle, especially for the low-skilled and older workers¹²;
- (h) the commitment of the Member States to achieve an average employment rate of at least 60% for women and of 50% for older workers (55 to 64) by 2010¹³, and to redress the gender imbalance on the labour market in the context of the Lisbon Strategy;
- (i) that the promotion of equality between women and men is an overarching common objective of the Open Method of Coordination for social protection and social inclusion and that a gender perspective should be mainstreamed in all actions and policies presented by the Member States in their National Reports on Strategies for social protection and social inclusion;
- (j) the annual report on equality between women and men prepared by the Commission in collaboration with the EU Member States, which sets out developments towards gender equality and orientations for the gender mainstreaming of policy areas, and is forwarded to the Spring European Council, in line with the request from the Brussels European Council of 20-21 March 2003; the report for 2009¹⁴ stresses that "to confront the economic downturn it will be more important than ever to invest in human capital and social infrastructure, enabling both women and men to use their full potential";

¹⁰ COUNCIL DECISION 2008/618/EC of 15 July 2008 on guidelines for the employment policies of the Member States. OJ L 198, 26.7.2008, p. 47.

¹¹ Guideline 18.

¹² Guideline 23.

¹³ Employment Guideline 17.

¹⁴ Doc. 7017/09.

- (k) the Commission's Roadmap for equality between women and men (2006-2010)¹⁵ which sets out a list of priority areas, including equal economic independence for women and men; the reconciliation of work, family and private life; the equal participation of women and men in decision-making; the eradication of gender-based violence; and the elimination of gender stereotypes in society;
- (l) the Communication from the Commission to the Council and the European Parliament on "The demographic future of Europe – from challenge to opportunity", which calls for a constructive response to the demographic challenge¹⁶ and announces the launch of the European Demography Forum and of the Group of Experts on demographic issues¹⁷;
- (m) the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on "Promoting solidarity between the generations", which stresses the importance of promoting employment and equal opportunities in public policies in support of family life in the context of demographic ageing¹⁸;
4. WELCOMES the steps taken by the Member States towards ensuring equal conditions in health care for older women and men, including measures to combat any discriminatory practices concerning the access to and supply of services, in line with Directive 2004/113/EC; and ENCOURAGES the Member States to further step up their efforts to adopt a gender mainstreaming strategy in health policies and to ensure equality of access to affordable health care and long-term care for both women and men, especially the elderly, and for those who face multiple disadvantages;

¹⁵ COM(2006) 92 final.

¹⁶ COM(2006) 571 final.

¹⁷ Commission Decision 2007/397/EC of 8 June 2007 setting up an expert group on demographic issues. OJ L 150, 12.6.2007, p. 5.

¹⁸ COM(2007) 244 final.

5. WELCOMES the efforts of the Member States aimed at supporting and developing retraining programmes suitable for older unemployed women and men who are capable of work, taking into account their various needs and abilities and ENCOURAGES them to make the broadest possible use of the potential of older men and women and to reduce their risk of poverty, especially that of women;
6. WELCOMES the efforts of the Member States aimed at supporting lifelong learning and adapting their educational systems to changing economic, social and demographic conditions, as well as to the various needs, abilities and interests of men and women, thus promoting the full integration and participation of older persons in social life; and ENCOURAGES the Member States to promote the use of new information technologies by older people;
7. WELCOMES the efforts of the Member States to support the business activities of women and to promote equality between women and men in this area, including through support for women who start new businesses and during the first years of such activities;
8. ENCOURAGES
 - (a) the Member States, in cooperation with the social partners, to adopt appropriate policies to reconcile work, family and private life, to promote the equal sharing of responsibilities between women and men in the family, and to accelerate progress towards the achievement of an average employment rate of at least 60% for women and of 50% for older workers (55 to 64) by 2010¹⁹;
 - (b) the Member States to reinforce the use of the Commission's "Manual for gender mainstreaming employment, social inclusion and social protection policies"²⁰ when preparing their National Reform Programmes and National Strategy Reports for Social Inclusion and Social Protection;

¹⁹ Guideline 17.

²⁰ http://ec.europa.eu/employment_social/publications/booklets/equality/pdf/ke8108293_en.pdf

- (c) the Member States to facilitate the provision of quality care services including home care for older persons, taking into account the different needs of older women and men; to improve the recognition of the value of the work undertaken by professional caregivers; to support families providing care to older persons; and to promote equality between men and women in the sharing of care responsibilities;
9. RECOMMENDS that the Member States integrate the issue of ageing into all relevant policies, with a view to meeting the demographic challenge, and thereby create the conditions for the active life and dignified ageing of women and men, including those who face multiple disadvantages;
10. UNDERLINES the importance of the efforts made by the Member States to increase legal awareness among older women and men, which is an essential prerequisite for the practical realisation of equal access to the law and to legal protection, as well as the importance of awareness-raising measures at national and EU level in policy areas that have a specific impact on older people, including volunteering, intergenerational solidarity, active ageing and the protection of the dignity of older persons;
11. STRESSES the urgent need for effective measures by the Member States to promote the principle of equal pay for equal work or work of equal value for women and men, which will also help to close the pension gap and to reduce the higher risk of poverty faced by women;
12. URGES the Member States to take appropriate action, as necessary, to combat the discrimination that older women and men face in the labour market and to implement existing legislation effectively, in particular Directive 2000/78/EC²¹, and to fight any form of gender-based violence against women;

²¹ Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation, OJ L 303, 2.12.2000, p. 16.

13. CALLS ON

- (a) the Member States, in cooperation with the social partners, to promote active ageing policies for older workers, taking account of the different situations of women and men, in particular by integrating appropriate measures in their National Reform Programmes and in their National Reports on Strategies for Social Inclusion and Social Protection;
- (b) the Member States to encourage and support employers in their efforts to recruit and retain older workers in employment and to create the necessary conditions for their success as workers as well as for their self-fulfilment, including by overcoming gender stereotypes, and by promoting the reconciliation of work, family and private life for both women and men on an equal footing;
- (c) the Member States to take women's higher exposure to the risk of poverty, especially in old age, into account, especially when reforming their pension systems; in doing so, the Member States are encouraged to ensure that pension systems take into account the situation of women and men who interrupt their careers due to caring obligations, and to avoid creating new dependency traps;
- (d) the Member States to take measures to enable older women and men to assume a variety of roles in communities, public life and decision-making;
- (e) the Member States to take measures to address the needs of older persons, including older women living alone, in order to reduce their isolation and to promote their independence, equality, participation and security;

14. RECOMMENDS that the Member States and the European Commission continue to support the active involvement of civil society, including women's and other NGOs, and of the social partners, in the effort to promote and enhance the security, health, and full participation of older women and men in all aspects of community life;

15. CALLS ON the Member States and the Commission, with the participation of the European Institute for Gender Equality, to ensure that all relevant official statistics related to individuals are collected, compiled, analysed and presented in a form disaggregated by sex and age, in order to shed light on problems and issues related to both women and men and to the promotion of gender equality at all ages.
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