



Brussels, 25 March 2011

European Women's Lobby Statement ahead of the Hungarian EU Presidency's thematic week 'Europe for Families, Families for Europe,' 28 March - 1 April 2011: Inclusive family policies that advance equality between women and men

The European Women's Lobby (EWL), the largest coalition of women's organisations in the European Union (EU), notes that families have become a focus of EU level policy in the context of demographic challenges.¹ In spring 2011, the Hungarian EU Presidency invites Member States and stakeholders to discuss families and population issues, and proposes that a European Year should be dedicated to families. Ahead of the Presidency's thematic week "Europe for Families, Families for Europe – Population issues and Policies Awareness Week", and in view of the informal meeting of Ministers responsible for Demography and Family issues of 31 March - 01 April 2011, the EWL looks forward to working with the current and forthcoming EU Presidencies and the European institutions on family issues.

The EWL is concerned with some aspects of the EU-level debates about family policies and demography. While these debates focus on the issue of reconciliation of work, family, and private life, fundamental to advancing equality between women and men, the women's rights / gender equality perspective is mostly absent from these debates. The EWL also regrets that the strong link made between family policies and birth rates may lead to a narrow definition of family and family well-being.

However, the EWL believes that the current EU-level interest in families has the potential to start a comprehensive discussion about removing inequalities within families and between different forms of families, and about increasing the well-being of all women and men living in family and partnership arrangements, and invites the EU and the Member States to explore this potential.

To broaden the European debate about families, the EWL calls for inclusive family policies aiming at equality between women and men, and proposes that the following issues be placed at the heart of the European family policy agenda:

1. The well-being of individuals within families and of families as a whole must be addressed from a broad perspective where equality between women and men and **ending inequalities within all families** are both cornerstones and outcomes;
2. Family policies must **take the diversity of families into account** to avoid discriminating against lone-parent families, same-sex families, families based on various cohabitation patterns, and families from migrant background, and **avoid imposing a definition of family that excludes certain types of families**;
3. Only **policies to reconcile work and private life that advance equality between women and men** will succeed in answering demographic challenges and in achieving the aims of the Europe 2020 Strategy;
4. Policies that aim to increase the well-being of families must **address violence against women in all family settings**.

¹ This interest has been expressed at the EU level through the launch of European Alliance for Families in 2007 based on the proposal of the



Only a broad approach to family policies can increase the well-being of European women, men, girls and boys in their family arrangements, support all generations and solidarity between them, and enable individuals to choose partners and legal arrangements and whether or not to have children, without being discriminated against and with the support of public policies. Adapted employment policies, gender equality policies, sexual health policies, education policies, migration policies, policies to tackle violence against women, tax policies, family and marriage law, reconciliation leave legislation, and availability of affordable public care services for children and other dependants are all needed to this end.

1. Make equality between women and men the cornerstone of family policies

Equality between women and men is an integral part of the well-being of families, but at the moment, **removing gender inequalities within families has not received enough attention in debates about family policies**. Unequal power relations between women and men - embedded in patriarchy - are still inherent in family structures, and the behaviours of women and men, girls and boys in families are shaped by gender roles and not by individual choices and for the benefit of all family members. Often, family-related policies, including employment, social protection, and taxation policies, continue to be based on the male breadwinner model, and work-life balance policies are still mainly targeted at women, reinforcing rather than dismantling stereotypes and gender inequalities in the labour market and at home.

The EWL calls for gender-equal family policies that promote the economic independence of women, remove inequalities between women and men in paid and unpaid work, and challenge cultural stereotypes that are unnatural hindrances to the well-being of families and of individuals within families.

Gender-equal family policies contest the idea that families are closed private entities and unified economic agents, and bring to light the reality of the lives of women, men, girls and boys within the diversity of family structures, **removing dependency relationships between family members**. Such an approach requires, among other things, removing family-based taxation systems, individualising rights to social security, social housing, migration and residence status, and putting in place poverty indicators based on individuals rather than on households. Specific attention must be paid to the situation of minority women, such as Roma women, in their families.

Equality between women and men must also be fully integrated into the equation between family policies and birth rates that is made at EU-level as well as by the Hungarian EU Presidency. The EWL recalls that there is strong evidence that birth rates are highest in those EU Member States that have implemented global policies to promote equality between women and men, where women and men are considered equally as workers and carers, and where attitudes to gender equality are the most advanced. **Policies aimed at increasing birth rates must also respect women's sexual and reproductive rights**, including the right to control their sexuality and choose the number and spacing of children in a free, responsible and informed way. This includes the right to safe and legal abortion.

2. Acknowledge the diversity of families and stop discrimination

The EWL is concerned **that discussions of family policies with the aim of increasing birth rates risk producing a narrow definition of living arrangements that are counted as "families"**. While governments, social partners, employers, and other stakeholders are encouraged to put in place legislation, policies and practices that enable women to have more children and women and men to reconcile work, private and family life, not enough



attention is paid to the specific problems and discrimination faced by families that do not fit the narrow definition of a heterosexual nuclear family of European origin.

Policies and legislation must **acknowledge the increasing diversity of family relationships and parenting arrangements**. The traditional conception of nuclear family is challenged as the number of single-parent families, families based on same-sex unions, under-aged mothers, families of persons with disabilities, new patterns of family configurations not necessarily linked to emotional relationships, and migrant families are on the rise in the EU. A failure to acknowledge this diversity amounts to discrimination on various grounds including sex, sexual orientation, gender identity, and disability and has a detrimental effect for people living in the EU and their families. Also the **needs of families with dependent elderly and intergenerational issues** as a whole must be addressed.

In the EU, there is a distinct lack of policy initiatives in support of **one-parent families** that account for 4.3% of all European households.² Almost 90% of these families are headed by women and many of them face a higher risk of poverty as access to employment is particularly difficult for single parents due to the lack of affordable adapted care services. **Single women** are also denied access to assisted reproduction in many Member States.³ In most EU Member States, **same sex couples** are still struggling to be recognised as families in law and social policy, and do not have equal rights in terms of partnership and parenting, including in terms of marriage, adoption and/or medically assisted reproduction, access to statutory leave and other rights related to maternity and paternity.

The right of migrants to family life and the rights of migrant women within families are far from being a realised in the European Union. The EWL is increasingly worried that more and heavier conditions are attached to the family reunification rights of immigrants in Europe. Conditions linked to income and housing for example put migrant women at a direct disadvantage because they are often low earners and employed in jobs that are considered to require low skills such as domestic work. This results in migrant women having fewer chances in qualifying for reunification with their family members. The lack of a gender equality perspective in existing family reunification policies is also alarming. The common practice of tying residence permits and rights to the fortunes of a primary migrant and of not guaranteeing the autonomous status of spouses, even in situations of domestic violence, reinforces gender inequalities and women's dependent status within migrant families.⁴

3. Ensure that reconciliation policies advance equality between women and men

When **reconciliation policies are discussed as family policies or as ways to increase fertility rates without an explicit gender equality perspective, they may perpetuate gender stereotypes and inequalities** that have led women to shoulder the main responsibility and costs of unpaid care work. This is the case for example when part-time work is proposed as a solution for reconciling work and family life. If targeted at women only, such a proposal

² Eurostat 2009

³ France, for example, excludes women who do not conform to the norms of dominant society from the right to access to medical assistance in certain domains, in particular in medically assisted reproduction (woman has to declare that she has a husband or a partner who gives his agreement for this type of medical assistance.)

⁴ According to MIPEX III only four countries, namely Belgium, Norway, the UK and Sweden, have in their legislation the possibility of granting an autonomous status to spouses in case of domestic violence (<http://www.mipex.eu/>). However, many barriers remain even in these countries: in the UK for example, the 'no recourse to public funds' rule means that, in practice, women do not have the choice of living independently as they are not entitled to support such as housing or other welfare benefits open to nationals and those with 'settled' status.



strengthens existing gender-segregated working patterns that contribute to the gender pay gap and undermine women's economic independence.⁵

While the number of women in labour markets is unprecedented, more progress is needed to reach the Europe 2020 target of 75% employment. In addition, women continue to be the main care-givers to children and other dependent family members, and are more than ever facing the double burden of paid and unpaid work. In order to increase women's employment rate and improve the quality of their work on one hand, and ensure women's ability to choose to have children on the other, reconciliation policies must address inequalities between women and men in paid and unpaid work and promote the equal sharing of the responsibilities and costs for children and for care for all dependents between women, men, and society as a whole. In other words, they have to be gender equal.

Efficient reconciliation policies that advance equality between women and men must be guided by the following principles:

- Recognise and fully take into account that care work currently impacts women in a disproportionate way;
- Improve the economic independence and protection of women and men who care for others;
- Encourage men's equal participation in care-work and in other non-paid work and consider women and men equally as carers and earners;
- Create publicly-financed accessible, affordable and good quality care services for all dependents.

Improving the legislation on maternity, paternity and parental leave is important both to secure the economic independence of those who care, and to encourage men's equal participation in care and guarantee their individual right to parenthood.

The **adoption of the Maternity Leave Directive as proposed by the European Parliament**, which substantially increases European minimum standards for maternity and paternity leave provisions, including improved protection against discrimination, an increase of maternity leave provisions from 14 weeks to 20 weeks and the introduction of two weeks leave for new fathers, both fully paid, is a crucial first step that must be taken by the Council. Any delay undermines further deliberations on reconciliation policies and family well-being, and compromises the aim to facilitate women's choice to have children. Both the EU and the Member States must also take further action to guarantee decent income during parental leave, and eliminate the unequal uptake of parental leave between women and men. Also, other forms of paid care-related leave must be introduced. All legislation must take into account different forms of families and remove any discrimination against single-parent families, or families arriving from a third country, same-sex or non-married families, for example by removing any obstacle faced by partners or other appointed family members to take leave.

The EWL recalls that the renewed European Pact for Gender Equality 2011-2020 reaffirms the Barcelona childcare targets and urges Member States also to improve the provision of care facilities for other dependants, and calls on governments to show strong political will to provide the necessary resources.

Affordable, accessible, and high-quality publicly-funded care services based on the rights and needs of children, the elderly and others who are been taken care of are crucial to give women and men real choices about how to share child-rearing and other care responsibilities. The provision of care services **must not be seen as an expense**

⁵ 32% of women in Europe already work part-time in comparison to 8% of men. In most EU member states part time work is concentrated on sectors with low pay and low career opportunities. Eurofound 2011: Part-time work in Europe – European Company Survey 2009



to be cut under financial constraints, but as an investment for the future. The development of a care economy by strengthening the predominantly female care sector through increased wages, improved infrastructure and training provides a holistic response to the demographic challenge *and* a means to reach the targets of the Europe 2020 strategy related to employment and poverty not only by improving reconciliation of work and family life but also by creating new quality jobs for women and men. Taking into account the growing number of migrant women employed in the care sector, the legislation must make sure that the rights of migrant women who work in this sector are protected whatever their legal status and that care work needs are not covered through the exploitation of migrant female labour.

4. Address violence against women in all family settings

EU-level interest in family policies and family well-being until now has neglected the crucial question of violence against women, to which women are exposed in all areas of their lives, including at home and within the family. It is estimated that every fifth woman in Europe is subjected to male domestic violence at some point in her life⁶ and that seven women die every day from male domestic violence in Europe.⁷ **Violence against women in family settings is not a private matter; it is a human rights issue that has to be addressed with public policies and that must therefore be made visible when family policies and family well-being are discussed at the EU level.**

It is necessary to acknowledge that domestic violence is mainly male violence against women. 95% of all acts of violence taking place within the home are male violence against women,⁸ and the gender-specific root causes of violence against women, namely the structural power imbalances between women and men, must be made visible. Violence occurring in the family takes several forms: physical and mental aggression; emotional and psychological abuse; rape and sexual abuse; incest; rape of a spouse (marital rape); crimes committed in the so-called name of honour; female genital and sexual mutilation; forced or early marriage; prostitution; economic and financial abuse and pressure; stalking; violation of women's sexual and reproductive rights and health; etc.⁹

Male domestic violence against women is linked to the broader framework of violence against women that is a crosscutting issue relevant to a range of policy fields and national or international institutions, including family policies. **The EWL calls on the EU and its Member States to set up evidence-based, comprehensive and coordinated policies which include a wide range of actions**, going from legally-binding instruments to awareness-raising activities, taking action on all fronts (prevention, protection, prosecution, provision, partnership) and addressing all facets of violence against women, and allotted sufficient and sustainable human and financial resources. Family well-being will not be attained while women and girls continue to suffer or fear male violence against them in the very settings which should ensure peace and security: families.

⁶ European Women's Lobby, 'Unveiling the hidden data on domestic violence in the EU', 1999

⁷ Psytel, Estimation de la mortalité liée aux violences conjugales en Europe, Programme Daphne III

⁸ <http://www.violences.fr/>

⁹ More information in EWL position paper 'Towards a Europe free from all forms of male violence against women', <http://www.womenlobby.org/spip.php?article934>