THE FUTURE OF EUROPE AND THE PARITY DEMOCRACY

Europe is currently facing new and important challenges. At the Nice Summit, the Council proclaimed a Charter of Fundamental Rights and embarked upon a process of constitutionalisation to reform the foundations of the European Union, so as to adapt it to the current necessities and expansion to the central and eastern European States. Also, with its White Paper on "Governance" the Commission has also initiated a process of discussion and reform recognizing the need to bring the Union closer to its citizens, engaging them in the design and execution of community policies. The response to the terrorist attacks of the 11 of September in New York and the fight against terrorism have highlighted the need to strike the balance between two of the essential axes of all systems of Rule of Law, freedom and security.

Above all, the European Union must reinforce the values which have presided over its political construction and have penetrated its body of law, amongst which equality between women and men is considered a fundamental instrument of coexistence and legitimacy of a system based on democracy, the Rule of Law and the guarantee of the basic rights. It is even more important that these values must be reinforced now, at a time when these need to be made visible so as to establish criteria of justice in the face of fundamentalisms of all types. In the light of this situation, Europe must be more vigilant than ever in the line of possible aggressions whilst at the same time strengthening the guarantees of freedom and equality.

We are also awaiting the Declaration of Laëken which will encompass, among other decisions, the creation of a Convention for the process of constitutionalisation of the European Union, following in the footsteps of the Convention which paved the way to the Charter of the Fundamental Rights. In this new landmark, the experience of the Convention of the Charter is crucial in reminding us of the fact that there was scant presence of women and that in the Charter equality was not dealt with from the legal perspective, in the way set out by the community “acquis” already consolidated in this respect.

For these reasons, the Women Citizens of Europe Network (RCE) calls the attention of the Community Institutions, especially the European Parliament, the Commission and the Council, so that, in the White Paper on “Governance”, as well as in the decisions to be taken in the development of the process of constitutionalisation derived from the Nice Summit, including the creation of the new Convention, equality between women and men be given the dimension it deserves in compliance with Community norms and action programs.

In this sense:

WHEREAS Articles 2 and 3, 13, 137 and 141 of the Treaty of the European Community (modified by the Treaty of Amsterdam) provide the legal basis, allow for positive action and horizontal action measures regarding gender-related issues, so as to continue to fight against inequality in all political arenas.
WHEREAS under-representation of women in the decision-making institutions implies a
democratic deficit which is incompatible with a true democracy.

WHEREAS parity democracy means not only an increased participation by women in decision-
making processes, but also the recognition of a social transformation reflected in political affairs,
which has changed the social contract which assigned different roles depending on gender and
which has been in force for centuries.

WHEREAS the establishment of parity democracy has become a structural element, necessary as an
instrument and as an objective, to increase the degree of legitimacy of political decision-making
processes.

WHEREAS not only the European Union but also other international organisations such as the
United Nations, the European Council, the Inter-Parliamentary Union, believe it is fundamental to
establish positive action measures that lead to true equality, including representation in political
institutions.

WHEREAS practically all European Union Member States have for many years adopted or are
currently adopting specific measures to foster the presence of women in public life.

WHEREAS the Nice Summit has meant a qualitative step forward in the process of integration,
with the proclamation of the Charter of Fundamental Rights, reformation of institutions and has
constituted an important move towards the future drafting of an European Constitution in which
equality between women and men must preside over the process of “Constitutionalisation”, together
with other structural principles that derive from the community “acquis”.

WHEREAS, after the Nice Summit and the beginning of the enlargement to the Central and
Oriental European States, we are in front of a new process of reflection and reform of the future of
the Union, which must end in 2004 within another Inter-Governmental Conference, and that this
implies placing parity democracy within the decision-making processes in European institutions.

Having regard that,

in the Treaty of Amsterdam it is an obligation for the community institutions to consider the
equality between women and men like a mission of the Community (art. 2 EEC Treaty), an
objective that the community will have in mind in the execution of all its policies (art. 3 EEC
Treaty), an obligation of adopting appropriate measures to fight against the discrimination on the
growth of gender reasons and, among other, of sexual orientation (art. 13 EEC Treaty), locating
equality like a structural element that crosses horizontally all the policies of the Union.

The European Parliament has repeatedly and insistently urged the European Union and the Member
States to act regarding equal treatment and equal opportunities for women and men in decision
making processes. The text of the Resolution of the Amsterdam Treaty (A4 – 0347 / 1997) was in
favour of the reinforcement of the progresses included by the Treaty regarding equality between
women and men and of the promotion of the interests of women advancing until total equal
opportunities had been obtained. In the text of the Resolution regarding the Commission’s Report
on the application of Recommendation 96/694 approved by the Council on December 2, 1996,
regarding the balanced participation by women and men in decision-making processes (COM
(2000) 120 - C5-0210/2000 – 2000/2117 (COS)), dated January 18, 2001, it is proposed that the
gender balance is favoured in all the policies and in all the commissions, at the UE’s level as well as
at the national and international levels, with a participation that should not be inferior to 40% for
each gender.

The Council’s Recommendation regarding the promotion of positive actions on behalf of women
(84/635/EEC, December 13, 1984) underscored the shortcomings of existing norms on the issue of
equal treatment and led Governments, social actors and other competent institutions to undertake
actions in order to compensate the harmful effects which social structures and behaviour project on
equal opportunities. These indications were reaffirmed in the Second Council Resolution
regarding the promotion of equal opportunities for women (386Y0812 (02), July 24, 1986).

The Council Recommendation regarding a balanced participation by women and men in decision
making (186/C/EEC) of March 27, 1995, and the Council Recommendation regarding a balanced
participation of women and men in decision-making processes (396X064) of December 2, 1996, led
the way for other Community actions such as the Council Regulation regarding the integration of
gender issues in cooperation for development (CE 2836/98) of December 22, 1998 and the
Council Resolution on women and science (399Y071/01) of May 20, 1999.

At the European Conference of Paris, held between the 15th and the 17th of April 1999, under the
slogan “women and men to power”, ministers responsible for policies of equality in all Member
States agreed that governments, European institutions and political parties should adopt all
necessary measures, including changes in electoral systems or in the means of appointing
consultative institutions so as to promote balanced participation between women and men in
decision making processes.

The Report issued by the Presidency of the Committee of Permanent Representatives
(COREPER) in the Council regarding “Work and Social Issues” of October 22, 1999, regarding the
launch of the Peking Action Plan by the Union and Member States, states that “the concept of
equality must be understood to incorporate the promotion of equality between women and men in
spheres of power and decision-making”, insisting not only on the true representation of women and
men in such institutions but also on recruitment of candidates and drawing up of lists of candidates.

The European Commission, within the framework of the integration of equal opportunities between
women and men in all Community policies and actions (mainstreaming) has included parity policies
in the ambit of participation in decision-making processes, not only political but also social and
economic. In that sense, within the IV Action Programme on equal opportunitie

The 1997 Annual Report regarding “Equal opportunities between women and men in the European
Union”, issued after approval of the Treaty of Amsterdam, the DG V drafted a series of important
considerations regarding the launching of policies of equality which, as a Union mission, are
imposed by the text of the new Treaty. Among them, the Commission insists upon the application
of the transversality or the “mainstreaming”, whose aim is to improve the quality of policies and
facilitate the determination of the specific weighting of “gender” in policy areas traditionally
considered gender-neutral and introduce, as habitual, a procedure to control the equality factor and thus guarantee, from this point of view, the quality of all legislative proposal or political documents.

The Commission Communiqué of July 7, 2000, and the Commission Decision of June 19, 2000, both regarding the balance between women and men in committees and expert groups established by the Commission (300Y0718(01) and 300D0407 respectively) are part of this Community strategy. These texts define the mid-term objective of reaching a minimum 40% of members of each gender in every committee and group of experts.

FOR ALL THESE REASONS, THE WOMEN CITIZENS OF EUROPE NETWORK (CIUDADANAS DE EUROPA, RCE)

ADVISES that all these norms and indications constitute an “acquis” regarding equality between women and men already legally consolidated in the Union, an “acquis” that all its Institutions and the States Members must respect and apply in their decision-making processes.

CONFIRMS that these norms and indications should also preside over the discussion processes which will take place on the Commission’s White Paper and the process of constitutionalisation agreed by the Council at the Nice Summit.

And REQUESTS THE EUROPEAN PARLIAMENT, THE COMMISSION AND THE COUNCIL

That the principle of parity democracy or the balanced representation of women and men be applied in the decision making processes in the formulation of the Convention, which must intervene in the process of constitutionalisation of the European Union.

That parity democracy or the balanced representation of women and men in the decision making processes also be present in the process of discussion of the White Paper on “Governance”.

That the gender perspective and true equality between women and men be reflected in the content of the agreements and the norms approved in both processes.

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