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**ROLE OF A FUTURE  
EUROPEAN GENDER INSTITUTE**

**STUDY**

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## Summary

### *Background and objectives of the study*

The idea to create a European Gender Institute was first raised in 1995. Since then, the idea took form and several initiatives were taken to discuss and study the potential role of such Institute.

The Women's Rights' Committee of the European Parliament is deeply concerned by the lack of actions undertaken towards the creation of a European Gender Institute since the feasibility study for a European Gender Institute was undertaken in 2001 by the European Commission. It strongly believes that the establishment of a European Gender Institute has become indispensable, taking into account the new challenges the EU and its Member States are facing today. The enlargement, the negotiations about a common foreign security and defense policy, the reflections about the future of Europe, the new Constitution, the challenges posed by immigration, ... are but a few of the important issues in which the position of women needs to be taken into consideration and consequently in which proceedings women need to be involved. With this concern in mind, the European Parliament's Women's Committee believes that a European Gender Institute would be a helpful organ that can provide objective and independent input for such debates.

The ambition of the Parliament with the present study has therefore been to instigate further steps towards the creation of a European Gender Institute. The aim of the study was broadly defined as follows : 'to compile and compare information on a future European Gender Institute'.

### *Methodology*

A comprehensive desk research and analysis of a variety of different written sources has taken place throughout the study.

Consultations with stakeholders and policy-makers have taken place at European, national and international level, both in present and new Member States. These consultations were spread over different profiles including different Directorates General and Commissioners' cabinets of the European Commission, national public administrations, equality bodies, non-governmental organisations, researchers / research organisations, social partner organisations. These consultations were of a 'qualitative' nature (the objective was not to quantify answers provided by respondents), and were based on 'working papers' to which respondents could react.

The work started at the end of January 2004, while the last consultations took place early May 2004.

### *Findings*

The main conclusion from the study is that there exists a very broad consensus on the need for a European Gender Institute as an autonomous Community body. Furthermore, the study demonstrates that the creation of such Institute is also justified based on the existing principles with regard to the setting up of Community bodies.

The study has identified the following main benefits of establishing a European Gender Institute as an autonomous body :

- it would support the Commission in making more substantial and faster progress with regard to the realisation of gender equality and for coping with the qualitative and quantitative (enlargement) widening of commitments of the EU;
- it would give visibility to the EU public action with respect to gender equality and safeguard its credibility;
- it would ensure a long-term perspective and continuity in the pursuit of the objectives, facilitating a broad horizontal concern;
- it would provide for an independent and recognised ‘knowledge centre’ centralising knowledge and expertise which is presently very much dispersed.

In order to make a fair and objective decision and to take into account some of the feedback received through the consultations held for this study, the added value of recourse to an agency compared with other alternatives has been verified.

The conclusions from this reflection exercise clearly point in the direction of an autonomous Agency as the optimum solution. The same was confirmed by the consultations held with the different stakeholders at national and European level. Indeed, given the primary importance of the issue, as also recognised by the Treaty, the highest possible level of legitimacy, authority, visibility and long-term focus must be provided for, while the ‘heritage’ of weaknesses of existing structures must be avoided.

#### *Proposal for a European Gender Institute*

Concluding that the recommendation is to establish a European Gender Institute as an autonomous Community Agency, a concrete proposal for such Institute has been further developed building on the findings of the feasibility study.

The objective of the European Gender Institute should be to promote and help realise gender equality. The essence would be to form a ‘knowledge centre’, serving the goals of the EU gender policy. It must be clear however that it is not intended to take over responsibility from the European Commission, but rather to support the European Commission.

The role of the Institute can be summarised as follows:

- to collect and interpret research results and relevant data : to provide the Community, its Institutions, Member States and all other target groups with objective, timely, reliable and comparable data at European level
- to provide technical assistance to policy-makers : providing instruments for all policy-areas, guidance for their implementation and evaluation, examples of best practice, etc.
- to disseminate information and undertake action for awareness-raising
- to promote, develop and foster networking

As regards its structure, the Institute would remain small and flexible in terms of human resources, but influential through its structure underpinning its role as a networking body. The staff will include specialists on gender with different backgrounds as well as administrators. The Institute will have a four-pillar structure, consisting of a Director and his/her staff; a (light) management board; an advisory forum with representation of national competent bodies and different stakeholder groups; a network of ‘Focal Points’ at national level.

A minimum size in terms of numbers of staff in order to cope with the proposed role and tasks is to foresee 35 to 40 statutory staff members and 15 to 20 experts. A reasonable budget

estimate is probably around 15 Mio euro for the first year, while this budget will need to be increased significantly for the following years.

Resources provided for should be in relation to the role, responsibilities and tasks given to the Institute. Should less resources be provided, the scope of the Institute's responsibilities must be reduced proportionally.

#### *Conclusion*

Lastly, a number of arguments can be pointed out why the creation of a European Gender Institute should not be delayed.

- It proves the EU is committed to continuing its efforts towards Gender Equality and that it respects and fosters Gender Equality as an important value.
- It will support the enlargement, and help implement the 'acquis communautaire' with respect to Gender Equality in the new Member States.
- It will contribute to an important extent to European integration and social coherence.
- It will strengthen the effect of the normative power of the European Union in an area of direct concern to its citizens.
- 2005 is a symbolic year for Gender Equality (Beijing + 10) : establishing a European Gender Institute now will be an important message to the world.

## **Introduction**

This report is the Final Report referring to study number IV/2003/16/03, Commitment n° 3208, dated 17 December 2003 between Yellow Window Management Consultants, a division of e.a.d.c. NV/SA, and the European Parliament regarding a study on the ‘Role of a future European Gender Institute’.

The present Introduction is followed by a chapter explaining the motivations of the Women’s Rights’ Committee of the European Parliament to launch this study against the background of the idea to establish a European Gender Institute.

The second chapter in this report describes the approach that was followed to realise the study. This includes the number of interviews that took place and their distribution over the different target groups, as well as the motivation for targeting different types of respondents. Also the timeframe of the execution of the work is set out in this chapter.

Chapter three provides the arguments why a European Gender Institute ought to be established, against the political and legal background of the Community Agency system.

Chapter four contains a concrete proposal for a European Gender Institute. This proposal is an adapted version of the working document that was submitted to the respondents in the study. It reflects their comments and suggestions, provided on the basis of their opinions, expectations, experience and on what the respondents perceive should be the role of a European Gender Institute.

Chapter five looks into the possible relations between the Institute and a possible European Equal Opportunities Ombudsman.

In the conclusive Chapter 6, the main arguments are summarised why the creation of a European Gender Institute should not be delayed.

## 1. Context and justification for the study

The idea to create a European Gender Institute was first raised in 1995. Since then, the idea took form and several initiatives were taken to discuss and study the potential role of such Institute.

The Women's Rights' Committee of the European Parliament is concerned by the lack of activity by the Commission since the feasibility study<sup>1</sup> for a European Gender Institute undertaken in 2001<sup>2</sup> following the Nice Council of December 2000, where the European Social Agenda was approved which mentions the establishment of a European Gender Institute as a means to further promote gender equality<sup>3</sup>. It strongly believes that the establishment of a European Gender Institute has become indispensable, taking into account the new challenges the EU and its Member States are facing today. The enlargement, the negotiations about a common foreign security and defense policy, the reflections about the future of Europe, the new Constitution, the challenges posed by immigration, ... are but a few of the important issues in which the position of women needs to be taken into consideration and consequently in which proceedings women need to be involved. With this concern in mind, the European Parliament's Women's Committee believes that a European Gender Institute would be a helpful organ that can provide objective and independent input for such debates.

Furthermore, policy-makers in Europe see themselves increasingly confronted with demands for accountability regarding the implementation of commitments, also with respect to gender equality. At the same time, European elected representatives are concerned about the lack of visibility of what is done for women by the European Union. This is another domain where a European Gender Institute can contribute. The tasks of defining, implementing and evaluating gender mainstreaming policies, programmes and instruments; gender budgeting; gender impact assessments can be significantly eased if there were one knowledge center in the form of a European Gender Institute where information on previous experiences, approaches, instruments, best practice, etc. is made available.

In the opinion that there is at present a pressing political need (enlargement) for the creation of a European Gender Institute, a study has been commissioned to Yellow Window to explore what exactly should be the role and structure of such institute and what should be the roadmap to its creation.

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<sup>1</sup> This study was undertaken after repeated requests from the European Parliament and from the Council – cfr. Annex 6 to this report.

<sup>2</sup> European Commission, *Feasibility Study for a European Gender Institute*, Brussels, 2002, 34 p.

<sup>3</sup> *Presidency Conclusions, Nice European Council Meeting*, 7, 8 and 9 December 2000, SN 400/00, Annex 1, p. 16.

## 2. Methodology and timing

### 2.1. Methodology

A comprehensive desk research and analysis of a variety of different written sources has taken place throughout the study. A bibliography of documents consulted is included in annex to this report.

In total, 58 consultations were held. An overview of the respondents that were interviewed in the context of this study is included in annex.

Interviews have been organised with three main target groups, as follows :

- 13 face-to-face interviews took place with stakeholders at the EU level, which comprised :
  - different DGs of the European Commission;
  - members of cabinets of various Commissioners;
  - politicians at the EU level;
  - social partner organisations at the EU level;
- 40 interviews with stakeholders at the national level, including in the new Member States (of which 18 face-to-face and 22 by telephone), which comprised :
  - politicians at the national level;
  - national equality bodies;
  - national NGOs;
  - national research organisations;
  - social partner organisations at the national level;
- 5 interviews with ‘other stakeholders’ (of which 2 face-to-face and 3 by telephone) comprising :
  - an international institution
  - European NGOs;
  - an international research institution
  - a European research network.

At the start of the assignment, it was decided together with the European Parliament that the approach to be followed should make clear to all target groups that it is not the intention of the European Parliament to duplicate the feasibility study that was done at the request of the European Commission in 2001.

With this in mind, and on the basis of the outcome of the feasibility study, a working document was drafted by Yellow Window laying out a possible scenario for a future European Gender Institute. The first version of this document translates the main findings of the feasibility study into a concrete proposal and can in this sense be considered as a ‘summary’ of the feasibility study. In particular, the working paper described the background and justification of the study, as well as the objectives, possible role and structure of a European Gender Institute. During the interviews, respondents were asked for their reactions to the proposed model. Their comments and suggestions for improvements were taken on board, and adapted versions of the working document were used in the process.

The selection of the respondents for the interviews has been done on the basis of the twofold objectives of the assignment : while the interviews with direct stakeholders clearly focussed on the model, role and structure of a future European Gender Institute, other interview respondents were selected specifically for their (political) knowledge, experience and position allowing them to provide important suggestions as to a possible roadmap towards the creation of such European Gender Institute.

It is important to point out that these consultations were of a ‘qualitative’ nature (the objective was not to quantify answers provided by respondents, as was done in the feasibility study performed for the European Commission), being based on the ‘working papers’ to which respondents could react. As consultations were not questionnaire-based, it is not possible to provide figures for the numbers of respondents who have given specific answers to specific questions.

Based on the main findings of the first set of consultations, a ‘think tank’ meeting was organised in Brussels on 16 March 2004 to which different stakeholders were invited to discuss a number of options identified for the European Gender Institute. The results of this meeting have contributed to the findings of this study as laid out in the present Report.

## 2.2. Timing

Given the fact that the contract for this study was signed at the end of 2003, a briefing meeting at the European Parliament could take place only on 20 January 2004.

Keeping in mind the fact that European Parliament elections take place in June, it was agreed that an Interim report for the present study would be prepared by 6 April and that Yellow Window would attempt to be as far advanced in the work as possible by that date.

On 7 April 2004, the study was presented to the Women’s Rights Committee of the European Parliament.

Comments from the European Parliament on the Interim Report were received on 29 April 2004. These comments have been taken into consideration for the drafting of the present Final Report.

### 3. Why a European Gender Institute ?

#### 3.1 Justification for creating a European Gender Institute

##### 3.1.1. Wider political background

Despite the fact that equality between women and men has been one of the fundamental principles of the European Union since the very beginning, there is still a clear and demonstrated democratic deficit with regard to women's involvement in EU policy-making and with regard to respect of their rights. The persistence of gender pay gaps, as pointed out by the Commission<sup>4</sup>, is but one example proving that women's rights are not sufficiently ensured by the present system. The existing deficiencies are being corrected and the Treaty provides for this. Nevertheless, progress is too slow and the tools set up are not sufficiently strong to translate commitments into reality. This has recently been confirmed by the Commission's Report on Equality between Women and Men, 2004, published in preparation of the European Spring Council of 2004.

The consequences of this problem for Europe and the European project are :

- The credibility of the EU public action is undermined among the majority of the EU citizens, who believe that the EU has failed to respond to women as citizens.
- Despite explicit commitments from the part of the public actors, the majority of EU citizens fail to see the benefit of the EU public action as there are no visible impacts or benefits identified.
- Social cohesion within the EU is undermined by the growing dissatisfaction of women who are as EU citizens not enjoying the rights that are 'de jure' recognised but 'de facto' non-existent.
- Stability across Europe is endangered as women loose confidence in the EU public actors and increasingly express their mistrust when public consultations are held.
- As infrastructures and provisions are still not in place to guarantee women's full participation in public life, too many highly-educated women still leave the market place because of the difficulties they face to reconcile work and family life. Europe recognises the shortage of labour force in certain jobs, but seems to overlook the double economic and social loss of qualified women giving up their career after significant investments in their education.
- Europe does not seem to realise that the empowerment of women can contribute to an important extent to peace and stability in the world, including in the fight against terrorism.

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<sup>4</sup> European Commission, *Report on Equality between Women and Men, 2004*, Report to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions, COM(2004) 115 final, 19/02/04, p. 8.

To assist the Commission remediate this situation, it is proposed to set up a European Gender Institute with the aim to act as a knowledge-center and coordinating structure where facts and figures, research results, etc. are collected, analysed, structured and again disseminated to actors involved in the domain of gender equality; where best practice is identified, tools and instruments are analysed, evaluated, finetuned and developed in order to support the policy-makers in all policy areas with the implementation of gender equality policies and gender mainstreaming. Awareness raising should be an important part of the work of the Institute, designed to assist in changing mentalities.

### 3.1.2. The legal context

Legal provisions on Gender Equality are defined in the Treaty and in EU Directives. Gender Equality is one of the most important values of the EU. Article 2 of the Treaty establishes equality between women and men as one of the tasks of the Community, and Article 3 includes a reference to the obligation to mainstream gender equality into all EU policies and activities. (Draft) Article 13 provides for actions against discrimination, while Articles 137 and 141 are both linked to establishing equality between women and men in the labour market.

This primary law led to secondary law, in the form of EU Directives. Apart from the (draft) Article 13 Directive, these are limited to the labour market.

## 3.2 Background to the idea of a European Gender Institute

As mentioned above, the idea to create a European Gender Institute was first raised in 1995. A draft proposal for the establishment of a European Gender Institute was presented by Ms. Margareta Winberg, the Swedish Minister for Gender Equality, at a seminar organised in Stockholm in 1999. This seminar was attended by participants from most Member States as well as from the European Commission. The need for a gender institute as a 'knowledge centre' was confirmed by the participants in this seminar which concluded with the general agreement on the need for a body for coordination, distribution of information and exchange of knowledge.

Whereas the Social Policy Agenda as proposed by the Commission's Communication in June 2000<sup>5</sup> devoted an entire chapter to gender equality and set out a number of key challenges and proposed actions towards the realisation of equality between women and men, the final version of the Social Policy Agenda as approved at the Nice Council of December 2000 explicitly included the mention of the establishment of a European Gender Institute as a means to further promote gender equality<sup>6</sup> and the instruction to do a feasibility study. This followed the

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<sup>5</sup> European Commission, *Social Policy Agenda*. Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions, Brussels, COM(2000) 379 final, 28/06/00.

<sup>6</sup> *Presidency Conclusions, Nice European Council Meeting*, 7, 8 and 9 December 2000, SN 400/00, Annex 1, p. 16.

opinion expressed by the Commission's Advisory Committee on Equal Opportunities for Women and Men<sup>7</sup>.

In 2001, the European Commission<sup>8</sup> carried out a 'Feasibility Study for a European Gender Institute' which confirmed the need for such Institute. The vast majority of the respondents in this study stated to be in favour of the creation of a European Gender Institute. More specifically, it is stipulated in the report of this study that 'the vast majority of the interviewees stated that there is a need for an Institute to carry out some of the tasks which existing institutions are not involved in, specifically those concerning the questions of co-ordination, centralisation and dissemination of information, the raising of gender visibility, and the provision of tools for mainstreaming.'<sup>9</sup> The summary of the Commission study<sup>10</sup> is provided in annex 5 to this report.

Despite the positive outcome of the feasibility study, no further concrete steps were taken towards the creation of a European Gender Institute. However, with time passing, the needs justifying the request for establishing such Institute have become even more stringent, as enlargement geographically widens the scope of the policy responsibility and the gender mainstreaming dimension fails to be properly implemented. In this context, the European Parliament, which strongly favours the creation of a European Gender Institute<sup>11</sup>, does not understand why no further steps are taken by the Commission in accordance with the conclusions of the Nice European Council<sup>12</sup>. This is why the Women's Rights Committee of the European Parliament decided to bring the idea of a European Gender Institute back on the political agenda<sup>13</sup>.

### 3.3 Why create an autonomous institution ?

Models of different types of Agencies exist. So far, fifteen Agencies have been created under the first pillar of the EU Treaty<sup>14</sup>, one Agency was created under the Euratom Treaty, and four under the second and third pillars of the EU. The decision to create a new autonomous Community body obviously needs a strong argumentation. The Community, facing the need of institutional reform, has defined

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<sup>7</sup> Advisory Committee on Equal Opportunities for Women and Men, *Opinion on the Social Agenda*, Eqop 52-2000, 17/10/00, p.3

<sup>8</sup> DG Employment and Social Affairs, Unit Equality for Women and Men

<sup>9</sup> European Commission, *Feasibility Study for a European Gender Institute*, Brussels, 2002, p.9.

<sup>10</sup> European Commission, *Feasibility Study for a European Gender Institute*, Brussels, 2002, p.2-3.

<sup>11</sup> Annex 6 of this report contains a list of the references made by the European Parliament to the creation of a European Gender Institute.

<sup>12</sup> The European Parliament did express this concern, i.a. in its *Resolution on Equal Opportunities for Women and Men in the European Union (2003/2011(INI))*, *Annual Report on equal opportunities (2002)*, P5\_TA(2004)0023, paragraph 15.

<sup>13</sup> See in this respect also the Resolution of the European Parliament on Equality between Women and Men of 10/03/2004, in which the Commission is invited to accelerate the efforts which must lead to the creation of a European Gender Institute.

<sup>14</sup> In December 2003, a new package for a few more Agencies was approved. However, at the time of writing this report, no information on these Agencies is available under the relevant section on Community Agencies at the Europa website.

the rationale for the creation of autonomous agencies, recourse to which is argued to be justified under certain conditions.

The preparatory work for the White Paper on European Governance has included the issue of the Agencies. In ‘Governance in the European Union’<sup>15</sup>, and ‘European Governance, Preparatory Work for the White Paper’<sup>16</sup>, a number of arguments are set out justifying the recourse to autonomous Community agencies<sup>17</sup> as unavoidable in the ongoing process of modernisation of administrations to cope with complexity, uncertainty and an increasing need for participation and involvement of stakeholders.

Below is a selection of arguments developed in this context :

- In the light of the growing politicisation of EC policy-making, the creation of an Agency is justified to ensure policy continuity.
- An autonomous Agency allows for better identification of the impact of public action, thus reinforcing the policy credibility.
- The need in some fields to mobilise special expertise which the existing structures are unable to guarantee on a consistent and continuous basis due to their inherent infrastructural and statutory characteristics.
- The desire for visibility of public action and of who within the machinery is given responsibility at a time when public demand for more direct and identifiable accountability of public decision-makers is becoming more and more insistent.
- The need to preserve the credibility of public action and of the integration process, given the fact that regulatory expertise and management skills vary too much across the Member States – and will vary even more in an enlarged Union – to justify exclusive reliance on traditional modes of decentralised enforcement.

The conclusion formulated by Majone and Everson reads as follows :

“For all these reasons, the question is no longer whether European agencies are needed, but rather how they should be designed so that their accountability may be secured and so that their (...) responsibilities can be coordinated with broader horizontal concerns.”<sup>18</sup>

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<sup>15</sup> Majone, G., and Everson, M., ‘Institutional reform : independent agencies, oversight, coordination and procedural control’, in European Commission, *Governance in the European Union*, ‘Cahiers’ of the Forward Studies Unit, Office for Official Publications of the European Communities, Luxembourg, 2001, p. 129-168.

<sup>16</sup> European Commission, ‘Report of the Working Group “Establishing a framework for decision-making regulatory agencies” Working Group 3A, in *European Governance, Preparatory Work for the White Paper*, Office for Official Publications of the European Communities, 2002, 133-162.

<sup>17</sup> These documents focus on those Agencies whose mission corresponds to ‘regulatory’ tasks of the Community, i.e. Agencies with decision-making powers responsible for implementing rules and regulations. Following existing Agencies would fall under this category : EMEA, OHIM, CPVO, EASA, EFSA and EMSA.

<sup>18</sup> Majone and Everson, p. 129.

The White Paper on European Governance itself contained a section entitled “better application of EU rules through regulatory agencies”.<sup>19</sup> In this section, it is stated that ‘the creation of further autonomous EU regulatory agencies in clearly defined areas will improve the way rules are applied and enforced across the Union’. Still according to the White Paper, ‘the advantage of Agencies is often their ability to draw on highly technical, sectoral know-how, the increased visibility they give for the sectors concerned (and sometimes the public) and the cost-savings that they offer to business. For the Commission, the creation of agencies is also a useful way of ensuring it focuses resources on core tasks’.

The ‘meta-evaluation on the Community Agency System’ performed by the DG Budget of the European Commission confirms these views. It underlines that ‘the overall appreciation made by evaluators (of the individual agencies) is fairly positive. The Agencies concerned have generally been considered to have made an important contribution in their respective areas, and to have reached their set objectives to a reasonable extent.’<sup>20</sup>

### 3.4 The political and legal framework for Community Agencies

In designing a legal framework for Community Agencies, the Commission seems to have taken a more ‘conservative’ position. In its Communication on ‘the operating framework for the European Regulatory Agencies’<sup>21</sup>, adopted by the Commission in December 2002, only two types of Agencies are identified : “executive agencies” and “regulatory agencies”<sup>22</sup>.

- “Executive agencies” are defined as ‘responsible for purely managerial tasks, i.e. assisting the Commission in implementing the Community’s financial support programmes and are subject to strict supervision by it’. On 19 December 2002, their statute was adopted by the Council (‘Statute for executive agencies to be entrusted with certain tasks in the management of Community programmes’).<sup>23</sup>
- “Regulatory agencies” are ‘required to be actively involved in the executive function by enacting instruments which help to regulate a specific sector’. Their statute is defined in the mentioned Communication.

An overview table with the political and legal framework for Community Agencies, together with the applicable financial rules and regulations per type of Agency is given in the final report of the meta-evaluation of the Community Agency system <sup>24</sup>.

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<sup>19</sup> COM(2001) 428 final of 25/07/2001, page 23-24 :  
[http://www.europa.eu.int/comm/governance/white\\_paper/index\\_en.htm](http://www.europa.eu.int/comm/governance/white_paper/index_en.htm)

<sup>20</sup> European Commission, *Meta-Evaluation on the Community Agency System*, 15 September 2003, p.72.

<sup>21</sup> COM(2002) 718 final of 11/12/2002.

<sup>22</sup> COM(2002) 718 final of 11/12/2002, p.3-4.

<sup>23</sup> Council Regulation N° 58/2003 of 19 December 2002, OJ L 11 of 16/01/2003.

<sup>24</sup> European Commission, *Meta-Evaluation on the Community Agency System*, 15 September 2003, p.20.

One may conclude that the framework for Community Agencies is still evolving. The creation of Community Agencies appears to remain the object of a learning process in EU policy development as the setting up of new agencies seems to be resulting from the pressure of crises (BSE, supertanker shipwrecks as Prestige, SARS) at least as much as from agreed doctrine.

### 3.5. The case of a European Gender Institute

In what follows, it is argued that the conditions that can justify the entrusting of specific tasks to an autonomous Community agency are fulfilled for the case of a European Gender Institute as proposed by the Women's Rights' Committee of the European Parliament.

1. European activity in the domain of gender equality is currently characterised by a perceptible institutional deficit.

The European Commission, the main executive body at EU level, may have realised important achievements in the area of equal opportunities, but fails to ensure the required continuous efforts in all policy domains to implement the Treaty provisions at an appropriate pace. This is confirmed by the Commission's 'Report on Equality between Women and Men, 2004'.<sup>25</sup>

- Resources for 'gender equality' are insufficient to cope with the many issues and challenges to be addressed while the need for a continuously available support structure disposing of the necessary technical expertise persists.
- Achievements from the past are focused on the labour market and demonstrate insufficient concern for gender equality in the other EU policies<sup>26</sup>. Indeed, as the Commission states it : 'significant gender gaps still exist in most policy fields'<sup>27</sup>.
- Implementation of the EU Directives on gender equality in the labour market is heterogeneous within the Community, leaving an enormous discrepancy between *de jure* and *de facto* equality .

Existing Community agencies fail to demonstrate that gender equality is mainstreamed in their respective domains, and hence undermine the credibility of the commitment at EU level.

2. Europe is experiencing a period of institutional change and a politicisation of hitherto largely administrative bodies. The Commission may not be spared. As a general rule in western democracies, an increased politicisation entails what is called 'a commitment problem' because the political executives tend to have shorter time-horizons and lack the ability credibly to commit themselves to a course of action.

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<sup>25</sup> European Commission, *Report on Equality between Women and Men, 2004*, Report to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions, COM(2004) 115 final, 19/02/04.

<sup>26</sup> As an illustration, the current EU Directives are limited to the area of equal opportunities in relation to employment. No EU secondary legislation exists as yet in other fields.

<sup>27</sup> COM(2004) 115 final, 19/02/04, p.4.

While ‘gender equality’, being established through the Treaty provisions (Article 2 and 3) as a firm commitment of the Community, requires a **long-term perspective**, a **broad horizontal concern** and **continuity** in the pursuit of the long-term objectives, this is currently not guaranteed by the present structures<sup>28</sup>.

By entrusting a number of the important tasks related with realising ‘gender equality’ to an autonomous agency, the continuity and therefore also the **credibility** of the public action is safeguarded.

An autonomous Community agency, providing for a mechanism for co-opting certain stakeholder groups into the decision-making process, offers the possibility to ensure democratic representation while at the same time shielding the domain from the growing politicisation of EC policy-making.

3. In this context of institutional change, a clearer assignment of individual responsibilities is needed for achieving policy objectives.

It is clear that **specialised technical expertise** is needed in the field of equal opportunities and gender mainstreaming for translating the commitments into action. The professional and statutory framework of a central administration is ill-suited to mobilise all the required expertise. An autonomous Institute allows the **mobilisation of expertise and competences** which have been developed at the level of the Member States, regions in Europe (e.g. experience with gender budgeting in Scotland or in the Basque region), or by local authorities.

4. The assignment of specific responsibilities to an autonomous Institute ensures the mobilisation of all the knowledge relevant to public decision-making within a relational context between peers that can minimise bureaucratic or political bias during the deliberations. This **reinforces the ability for the EU to understand and act** on the basis of this knowledge. Indeed, whereas legislation goes a long way to supporting the fight against gender-based discrimination, the law can only be fully effective if supported by reinforced efforts to improve people’s understanding of the factors that lead to discrimination.
5. An autonomous Institute has the capacity and credibility to be an **independent and recognised reference centre** for policy-makers and the public at large because of its unique focus on gender issues and its ability to mobilise the necessary expertise. This ensures the **visibility** of the public action.

An autonomous European Gender Institute will be fully effective only if it is established as **complementary** to an active policy by the Commission. The Commission must indeed continue to assume its responsibilities by developing action programmes and implementing gender mainstreaming in all policy domains. The Institute will not take over this responsibility from the Commission. Rather, it will support the Commission in making more substantial and faster progress with regard to the realisation of gender equality.

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<sup>28</sup> The case of the present dossier is a good example of this lack of long-term perspective and commitment. The idea for a European Gender Institute was first raised in 1995, while the European Commission undertook to perform a feasibility study only in 2001. Despite its outcomes, the dossier was not further dealt with because of ‘insufficient political support’ for the idea.

### 3.6. The other options

In order to make a fair and objective decision and to take into account some of the feedback received through the consultations held for this study, the added value of recourse to an agency compared with other alternatives has been verified.

A mapping of the current work on gender equality and gender mainstreaming at an EU level as well as at a national level within the Community was undertaken in the context of the feasibility study done for the European Commission in 2001<sup>29</sup>.

However, while this feasibility study has demonstrated that there is a clear role to fulfill for a European Gender Institute in co-operation with and in support of institutions at EU and Member State level, while avoiding duplication of existing activities, it has not sufficiently pointed out why an autonomous Institute should take on this role or why the existing institutions or bodies could not do this – even if their role were reinforced. The exercise of comparing different options has been done in the context of the present study.

Whereas the above demonstrates why the European Commission itself is not well-placed to take on the responsibilities seen for the Institute, the following alternative options to an autonomous Community agency were examined :

1. to create a ‘ring-fenced’ structure within the frame of an existing Community agency;
2. to establish an agency within the structure of the European Commission, but benefiting from some sort of autonomy (like ECHO, the European Office for Emergency Humanitarian Aid), or an inter-institutional structure (SCIC, Publications Office, Recruitment Office);
3. to establish an organ, depending directly from the European Parliament;
4. to establish a partnership with institutional European and national, plus private stakeholders. The legal form of a European Economic Interest Grouping (EEIG) used for the ‘Centre Jacques Delors’ in Lisbon or ‘Sources d’Europe’ in Paris.

The analysis of the arguments in favour of and against each of these options, as well as the opportunities and risks linked with each of them, has been the subject of a ‘think tank’ exercise that took place on 16 March 2004 at the European Parliament.

The conclusions from this reflection exercise clearly point in the direction of an autonomous Agency as the optimum solution. The same was confirmed by the consultations held with the different stakeholders at national and European level<sup>30</sup>. Indeed, given the primary importance of the issue, as also recognised by the Treaty,

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<sup>29</sup> The final report of this study contains in its annex E an overview of existing institutions, bodies and networks active in the field of gender. This overview can be downloaded from the European Commission’s Gender Equality website at following address : [http://www.europa.eu.int/comm/employment\\_social/equ\\_opp/documents\\_en.html](http://www.europa.eu.int/comm/employment_social/equ_opp/documents_en.html)

<sup>30</sup> 58 consultations with different stakeholders were held in the period between 20 January 2004 and 19 May 2004, date of the Final Report prepared in the context of the present assignment. Consultations took place with stakeholders at European level and at national level (both ‘old’ and new Member States).

the highest possible level of legitimacy, authority, visibility and long-term focus must be provided for, while the ‘heritage’ of weaknesses of existing structures must be avoided.

The above explains why the first two options were rejected as such set-up would entail a ‘dilution’ of the ambitions, resources and means, while the issue of ‘gender’ would remain a peripheral matter next to the other issues to be addressed by the host structure. Furthermore, as evidence from the past demonstrates insufficient progress and efforts from the part of these existing Institutions, it is seen as highly recommendable to reinforce these Institutions in terms of resources, structures and instruments for them to be able to assume their responsibilities on gender equality, and in order to co-operate in the most effective way possible with a future European Gender Institute.

The third option was rejected as it would be an experimental move given the fact that no other autonomous body has been set up before by the European Parliament. Given the importance of the subject, the risks entailed by such ‘experiment’ were perceived as too high.

As to the last option, in which Member States could ‘opt in’ and whereby they would be asked to contribute also financially, it was considered by the group that this is not an appropriate approach. Indeed, whereas the added value of the Institute’s work would for a large part be at European level, and whereas an important responsibility of the Institute would be to support the European Commission and other European Institutions with the implementation of gender mainstreaming and other instruments aiming at the realisation of gender equality, the legal structure chosen for the Institute should underpin rather than undermine these ambitions.

### 3.7 Conclusion : an autonomous European Gender Institute

Summarising the analysis, the only viable option given all considerations is to go for an autonomous Community body : a European Gender Institute as a European Agency in its own right <sup>31</sup>.

As to the statute of the Institute as Community Agency, it is believed that it would fall under none of the two categories as defined by the Commission and which are mentioned above. If one refers to the Communication of the Commission of December 2002, it is clearly not an ‘executive agency’. The mandate of a European Gender Institute does not make it fit. But it can be discussed whether it corresponds to the definition of a ‘regulatory agency’. However, considering that the latter is presented by the Commission as an actor that is to help ‘regulate a specific sector’ (which holds a clear reference to the economic domain and the functioning of the internal market), while the Institute would have a supportive role to the Commission on a major horizontal responsibility, cross-cutting all policy-areas and sectors, the

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<sup>31</sup> This was also emphasised by Commissioner Diamantopoulou in her presentation for the Women’s Rights Committee on the proposal for a Fifth Action Programme on Gender Equality (22 February 2000) : “Another tool for implementing the new Programme could be the creation of a European Gender Institute. [...] I would like to stress that such an institute should act as an independent body with regard to the European Institutions, thus serving its purpose as a platform for formulating expert opinions on gender related issues.

question remains open as to whether it should be categorised as a ‘regulatory’ body with no regulatory powers (as added in the proposal of the European Centre for Disease Prevention and Control).

#### 4. A proposal for a European Gender Institute

Concluding that the creation of a European Gender Institute as an autonomous Community Agency is needed and justified, a concrete proposal for such Institute has been further developed building on the findings of the feasibility study.

The proposal set out below is based on the suggestions and comments expressed by the stakeholders consulted. However, to an important extent it is also inspired by the review of existing models of Institutes. For this purpose, both Institutes at national level and at European level were looked at.

In search for 'example cases' in the Member States, it appeared however quite early in the process that any Institute or equality body at national level is per definition (and quite evidently) more limited in scope, ambition, set-up, etc. than what is intended for a European Gender Institute. Furthermore, in many cases, these national institutes have their own weaknesses due to their past or origin. The conclusion has therefore been that, although these institutes have a very important role to play and the initiatives taken by Member States to establish such bodies can only be welcomed, these national bodies should be regarded as 'partners' for a European Gender Institute rather than as models.

Also 'regional institutes', covering more than one country, were looked upon for inspiration (the NIKK, Nordic Institute for Women's Studies and Gender Research which covers the Nordic countries; and CAWP, the Centre for Advancement of Women in Politics, located in Belfast and covering both UK and Ireland), keeping in mind that both are also more limited in mandate.

Most useful as 'models' have been the autonomous Community Agencies that already exist or have very recently been created. Whereas these obviously have different mandates, the nature and scope of their role and responsibilities, as well as their audiences ('clients') and environment in which they have to function, are comparable.

The proposal below presents the objective, role and tasks for a European Gender Institute, as well as its target groups, possible structure, size and budget.

##### 4.1. Objective

The European Gender Institute would be an independent body of the European Union, which would be established with the aim **to promote and help realise gender equality**. The essence of the European Gender Institute would be to form a 'knowledge centre' (dealing with research, data collection, technical assistance to policy-makers, dissemination of information and awareness-raising), serving the goals of the EU gender policy and open to governmental and non-governmental, institutional and non-institutional target groups; while not being legislator, nor a policy-maker itself.

The founding regulation of the Institute should stipulate that membership includes all EU and Candidate Countries, but should be open to countries that do not (yet) belong to the EU but share its concern for gender equality. Also, it should stipulate that the Institute should co-operate with other International Organisations<sup>32</sup>.

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<sup>32</sup> Such as Unifem, OECD, Council of Europe, etc.. This is also emphasised by Prof. Dr. Bozena Choluj and Dr. Claudia Neusuess who recommend the creation of a European Gender Institute in their Discussion Paper 'EU Enlargement in 2004. East-West Priorities and Perspectives from Women Inside and Outside the

The European Gender Institute would operate under the supervision of the European Commission, reporting yearly to the European Parliament and Council.

It must be clear that it is not the objective for the Institute to take over from the European Commission its responsibility for the realisation of the EU objectives in terms of gender equality. Rather, it will support the Commission in these tasks, with the aim to realise the set objectives in a more effective way.

#### 4.2. Role

The mission of the Institute is to provide the Community, its Institutions, Member States and all those interested with objective, timely, reliable and comparable data at European level in order to help them take measures or formulate courses of action within their respective domain of competence.

The Institute collects information on and studies the extent and development of the phenomena and manifestations of gender inequality, analyses their causes, consequences and effects and highlights examples of good practice in dealing with them.

To achieve its objectives the Institute disseminates information, data and examples of good practice with a view to contributing to the implementation of gender mainstreaming and the development of policies and practices in the Member States to overcome gender inequality. More specifically, the Institute will support policy makers from all policy areas in defining, implementing and evaluating gender mainstreaming policies, programmes and instruments; gender budgeting; gender impact assessments by providing guidance and by making available to them the instruments, approaches, information on previous experiences and best practice, etc.<sup>33</sup>

In its activities, the Institute will make use of networks, thus fulfilling the role of a networking body, and optimising its own impacts as well as the impacts of all initiatives taken in the EU and its Member States with the aim to improve gender equality. In particular, it will endeavour to bridge the gap between the research and policy-making level in Europe.

Hence, the Institute acts as a catalyst for developing, collecting, analysing and disseminating information that contributes to the realisation of gender equality in Europe.

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EU' (paper written with support of the United Nations Development Fund for Women) : "[A European gender institute] should look to partner with international agencies such as UNIFEM to tap their particular experience in facilitating intra-regional and cross-regional learning and promoting innovative partnerships to advance gender equality." (p.13)

<sup>33</sup> This is a responsibility to which many of the stakeholders consulted attach great importance. It adds to what was set out in the feasibility study performed for the European Commission in 2001.

### 4.3. Tasks for a European Gender Institute

Based on the above-formulated role of the Institute, the Institute could be entrusted with the following tasks :

- Collect information and establish databases :
  - existing research
  - existing statistics
  - themes being researched
  - researchers and experts
  - existing networks
  - initiatives taken at different levels
  - responsible persons at different policy-making levels
  - publications
  - consultants and trainers
- Analyse information and data, and adding value to it :

*Type of data :*

  - research results
  - statistics
  - equality policies, plans, measures and instruments
  - evaluations undertaken of equality policies, plans, measures, instruments (including gender mainstreaming policies) : analyse the practice of the evaluations as well as the evaluation results
  - training methodologies, practices and approaches

*Purpose :*

  - identification of best practice (even through looking beyond the borders of Europe, in other parts of the world)
  - identification of comparable and relevant indicators
  - identification of relevant new trends and developments in society
  - interpretation of analysed data : adding the European dimension, formulation of conclusions and recommendations
  - finetuning existing and developing new policy tools and instruments for application in all policy areas
- Promotion of good practice :
  - At policy-making level : formulation / design of policies and plans, implementation, evaluation
  - In research : by suggesting themes, suggesting possible research subjects and approaches, promoting the collection of comparable data
  - In other areas : business, non profit sector, public sector, education, ...
- Dissemination of information :
  - Developing (including maintenance and diffusion of) communication instruments for making available to all target groups the results of its own work, as well as of the information and knowledge collected
- Networking :
  - Developing, managing, using networks in order to effectively fulfil the tasks and responsibilities entrusted to the Institute

#### 4.4. Target groups

The Institute would serve :

*Institutional level:*

European Commission, European Parliament, Council, the EU Member States, International Organisations

*General public:*

NGOs, social partner organisations, the research community, education, the media and the public at large

#### 4.5. Structure of a European Gender Institute

It is important for the Institute to remain light and flexible in terms of human resources, but influential through its structure underpinning its role as a networking body. The staff will include specialists on gender with different backgrounds (economists, sociologists, lawyers, public health experts, etc.), as well as administrators. While it is necessary to ensure the involvement of the different stakeholder groups<sup>34</sup>, it is at the same time of utmost importance to safeguard the Institute's ability to operate in an efficient and effective manner.

For these reasons, the Institute should have a four-pillar structure :

- A Director and his/her staff. The Director will be responsible for everyday administration, as well as the preparation and implementation of the Institute's work programme.
- A Management Board will ensure that the Institute carries out its missions and tasks, by adopting its annual work programme and financial regulation. The structure of the Management Board is to be light (between brackets, the advised number of representatives), with representatives appointed by the Commission (2), representatives appointed by the European Parliament's Women's Rights' Committee (2), representatives appointed by the Council (2), and representatives of stakeholders (3). This Board is intended to provide supervision of the activities of the Institute and at the same time ensure coherence with Community policies and coordination with initiatives from the part of the Commission and Member States.
- An Advisory Forum, composed of members chosen from the national competent bodies and the different stakeholder groups. The Advisory Forum will be a mechanism for exchanging information and pooling knowledge, as well as monitoring the activities of the Institute.
- The Institute's principal network is made up of a 'Focal Point' (or antenna) in each EU Member State, in the Candidate countries (CC's) to the European Union, as well as in each affiliated country. This network is an integral part of

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<sup>34</sup> Indeed, while all stakeholder groups (NGOs, research organisations and networks, etc.) have emphasised the importance of their involvement in the Institute, in particular the social partner organisations have insisted on being represented in the Board of the Institute.

the Institute's organisation and plays an important role within the Institute structure. Focal Points are responsible for the development and co-ordination of the national networks and are involved in the implementation of the Institute's Work Programme (i.a. through collecting and disseminating information).

#### 4.6. Size and budget of a European Gender Institute

The Institute will be funded from the Community budget, based on a proposal from the Commission and approved by the Budgetary Authority. Total annual costs in the beginning of its operation would probably be around 15 Mio euro, but should rise to about 26 million euro for the following years<sup>35</sup>. For comparison, one can refer to the overview of the budgets of the year 2002 of the existing fifteen Community Agencies, as provided in the 'Meta-Evaluation' of the Commission<sup>36</sup>, as well as to the calculations made in preparation of other Community Agencies (e.g. the European Centre for Disease Prevention and Control)<sup>37</sup>

Keeping in mind the scope of its responsibilities and tasks, it seems appropriate to foresee for the Institute a minimum of 35 to 40 statutory staff members, spread over different professional levels. It is important for these staff members to dispose of previous professional experience in the area of gender equality.

On top of that number, it is highly recommendable to provide also for experts serving at the Institute for a limited period as 'rotating staff', being selected on the basis of their expertise in specific areas in relation with gender and depending on the themes the Institute focuses on (as defined in its work programme). Their number can vary, but 15 to 20 experts would be a realistic number. Furthermore, in order to ensure a certain continuity in the work of the Institute while at the same time providing for adaptability to current issues, it is advisable for experts to serve for a period of minimum three and maximum five years.

Based on the size suggested for the Institute and the tasks it is to perform, the budget proposed is a realistic minimum. Should less resources be provided to the Institute, the scope of its responsibilities must be reduced proportionally.

Bearing in mind the need to ensure the best possible cost-effectiveness of the Institute, which is of legitimate concern for the European Parliament, a number of elements should be considered :

- the cost for the establishment and functioning of a European Gender Institute as planned has to be considered in relation to the benefits that will be realised. In particular with regard to co-ordination costs, it must be emphasised that these will allow to benefit to a much larger extent than what is possible now from existing knowledge (e.g. at Member State level) which presently remains largely

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<sup>35</sup> This budget estimate is based on the role and tasks for the Institute as set out above. Budget calculation tables and an overview of the assumptions made are included in annex 7 to this report.

<sup>36</sup> European Commission, *Meta-Evaluation on the Community Agency System*, 15 September 2003, p. 13.

<sup>37</sup> European Commission, *Establishing a European Centre for Disease Prevention and Control*, Proposal for a Regulation of the European Parliament and of the Council, COM(2003) 441 final of 08/08/2003.

unused due to lack of awareness of its existence. At the same time, duplication of investments and efforts in the creation of knowledge will be avoided – thus allowing for considerable savings;

- the choice of the location of the Institute : placing the seat of the Institute as near as possible to the main existing EU institutions allows not only to limit travel and accommodation costs, but possibly also overhead costs (such as for translation, IT, ...) when these can be shared with another Institution (e.g. with the Commission if the Institute were placed in Brussels);
- as to the choice of the type of national institutes to be ‘Focal Points’ for the European Gender Institute, it is useful to refer to the Article 13 (draft) Directive which requires all Member States to designate a body or bodies for the promotion of equal treatment of women and men in access to goods and services and to provide a means to seek redress and compensation for loss. Building on this, the scope of responsibilities of these national bodies can be broadened for them to act at the same time as Focal Point for the Institute.

## **5. A European Equal Opportunities Ombudsman and relations with a European Gender Institute**

The tender specifications for the present study required that the study ought to outline the future relations between the European Gender Institute and a possible European Equal Opportunities Ombudsman.

Given the fact that no briefing or background information could be provided by the European Parliament about the idea of establishing an organ of any form as ‘European Equal Opportunities Ombudsman’, an exploratory review of written sources was organised. However, this review did not yield any reference in any type of document to the idea of creating a European Equal Opportunities Ombudsman either.

Despite this lack of background information about the history of this idea, the possible ambition with and motives for setting up a European Equal Opportunities Ombudsman, the issue was covered in a majority of the consultations (mainly in the interviews that took place at the national level). Respondents were asked :

- whether they considered that a ‘European Equal Opportunities Ombudsman’-service ought to be set up;
- and how they see the future relations between the European Gender Institute and a possible ‘European Equal Opportunities Ombudsman’.

The following main conclusions can be formulated on the basis of the opinions that were expressed :

- The idea of setting up a ‘European Equal Opportunities Ombudsman’ raises many questions, mainly related to the scope and definition of the responsibilities of this service :
  - what is covered under ‘equal opportunities’ : only discrimination based on sex or any form of discrimination ?
  - who could address this service : public bodies, organisations, citizens, ... ?
  - what type of cases could be submitted to such service ?
  - etc.
- There was broad consensus among the respondents that if such service were established, it should focus on ‘gender equality’, excluding all other types of discrimination. A more appropriate and correct name for the service would consequently be a ‘European Gender Equality Ombudsservice’.
- The majority of the respondents was not convinced of the need to establish such service at the European level. Indeed, many pointed out that an Ombudsservice is used when rights are not being respected, while legislation differs per Member State. Therefore, it would be more logical and useful to decide that all Member States should set up such service at the national level in their respective countries. This is in line with the assumption of many that a ‘European Gender Equality Ombudsservice’ should only be addressed when the application of European law is at stake, and the fact that Europe is perceived as too ‘distant’ for such service that should be close to the citizens.
- There is a need to define precisely the role and scope of the authority of such service. There exist gender equality ombudsservices in some Member States already, but the

scope of their tasks might be narrower than what would be intended for a ‘European Gender Equality Ombudsservice’.<sup>38</sup>

- The majority of the respondents agreed that, if it were decided to set up a ‘European Gender Equality Ombudsservice’, this should be a separate institution from a European Gender Institute. It was emphasised that both should function independently from each other. Also, it was pointed out that ‘institutionalising’ is beneficial when the objective is to safeguard values – which was seen as another argument to create a ‘European Gender Equality Ombudsservice’ as a separate institution.
- As regards the relations between both institutions, respondents repeated the need for independence (as mentioned above). However, several stated that the ‘European Gender Equality Ombudsservice’ should yearly publish a report with the findings of its work, and that the European Gender Institute should use this report as input for the definition of its yearly work programme (duly justifying if and when it does not take on board any recommendations from the ‘European Gender Equality Ombudsservice’). Furthermore, the European Gender Institute should help raising awareness for the existence - at national, regional or eventually also at European level - of gender equality ombudsservices.

In any case, before taking further steps as to the possible creation of a ‘European Gender Equality Ombudsservice’ it would be appropriate to perform a study to explore the need for such service at the European level and to investigate what exactly should be its role and function, which target groups it should serve, which should be its relations with existing judicial and non-judicial bodies, etc.

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<sup>38</sup> For example, the Swedish Ombudsperson for Equal Opportunities is charged with the duty of ensuring compliance with the provisions of the Equal Opportunities Act (related to the labour market) and of parts of the Act concerning the Equal Treatment of Students in Higher Education. The Ombudsperson is also involved in the resolution of disputes concerning sex discrimination and may in such a dispute invoke also other legislation.

The administration of the Flemish Government in Belgium has a department for equal opportunities that also has an ombudsfuction. This service can only be addressed by Flemish civil servants.

## **6. Conclusion**

Gender equality is an important policy at EU level, and Europe has been one of the driving engines for gender equality. However, legislative progress alone does not guarantee structural progress in terms of gender equality. Reinforced efforts are needed to tackle the gender gaps that still exist. A European Gender Institute is a logical next step to support the realisation of gender equality. Keeping in mind the administrative reform, the establishment of a European Gender Institute as an independent Community body will significantly support the implementation of gender equality policies in the different policy areas.

Also with regard to the enlargement, the Institute has an important role to play. It must help to implement the 'acquis communautaire' with respect to gender equality in the new Member States, which are countries in transition. By doing so it will contribute to European integration and social coherence. The fact of being an independent Community body will reinforce this role of the Institute because it underpins its authority, thus strengthening the effect of the 'normative power of Europe'.

2005 will be a symbolic year as it is ten years after Beijing (Beijing +10). Establishing a European Gender Institute now will be an important message to the world. It proves that the EU is committed to continuing its efforts towards the realisation of gender equality and that gender equality is respected and fostered as an important value in the EU.

## ANNEX 1.

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## ANNEX 2.



### SCENARIO FOR A FUTURE EUROPEAN GENDER INSTITUTE

#### *Introduction*

The idea to create a European Gender Institute was first raised in 1995. Since then, the idea took form and several initiatives were taken to discuss and study the potential role of such Institute.

The Women's Rights' Committee of the European Parliament strongly believes that the establishment of a European Gender Institute as a 'knowledge centre' has become indispensable, taking into account the new challenges the EU and its Member States are facing today. The enlargement, the negotiations about a common foreign and security policy, the reflections about the future of Europe, the new Constitution, the challenges posed by immigration, ... are but a few of the important issues in which the position of women needs to be taken into consideration and consequently in which proceedings women need to be involved. With this concern in mind, the European Parliament's Women's Committee believes that a European Gender Institute would be a helpful organ that can provide objective and independent input for such debates.

Furthermore, policy-makers in Europe see themselves increasingly confronted with demands for accountability, also with respect to gender equality. This is another domain where a European Gender Institute can contribute. The tasks of defining, implementing and evaluating gender mainstreaming policies, programmes and instruments; gender budgeting; gender impact assessments can be significantly eased if there were one knowledge center in the form of a European Gender Institute where information on previous experiences, approaches, instruments, best practice, etc. is made available.

In the opinion that there is at present a political momentum for the creation of a European Gender Institute, a study has been commissioned to Yellow Window to explore what exactly should be the role and structure of such institute and what should be the roadmap to its creation.

This present document has been drafted in the context of this study and presents a possible scenario for a future European Gender Institute. Its purpose is to serve as a tool for discussion, to trigger feedback and reactions from different stakeholder groups.

The potential role and tasks to be attributed to a future European Gender Institute, as laid out in this document, are essentially based on the results from the 'Feasibility Study for a European Gender Institute', carried out in 2001 for the European Commission.

The proposed structure for such Institute is based on the 'typical' structure of a Community Agency, as this appears to be the appropriate legal form for a European Gender Institute<sup>39</sup>. The fifteen existing

<sup>39</sup> 'A Community agency is a body governed by European public law; it is distinct from the Community Institutions (Council, Parliament, Commission, etc.) and has its own legal personality. It is set up by an act of secondary legislation in order to accomplish a very specific technical, scientific or managerial task which is specified in the relevant Community act. (...) Although the agencies are very different, both in terms of size and purpose, as a general rule, they have a common basic structure and similar ways of operating.' Source: [http://www.europa.eu.int/agencies/index\\_en.htm](http://www.europa.eu.int/agencies/index_en.htm)

Community Agencies were looked upon, and relevant elements were combined to form the present proposed structure.

### **Objective**

The European Gender Institute would be an independent body of the European Union, which would be established with the aim **to promote and help realise gender equality**. The essence of the European Gender Institute would be to form a 'knowledge centre', at the service of governmental and non-governmental, institutional and non-institutional target groups; while not being legislator, nor a policy-maker itself.

The founding regulation of the Institute should stipulate that membership includes all EU and Candidate Countries, but should be open to countries that do not (yet) belong to the EU but share its concern for gender equality. Also, it should stipulate that the Institute should co-operate with other International Organisations.

The European Gender Institute would operate under the supervision of the European Commission, reporting yearly to the European Parliament and Council.

It must be clear that it is not the objective for the Institute to take over from the European Commission its responsibility for the realisation of the EU objectives in terms of gender equality. Rather, it will support the Commission in these tasks, with the aim to realise the set objectives in a more effective way.

### **Role**

The mission of the Institute is to provide the Community, its Institutions, Member States and all those interested with objective, timely, reliable and comparable data at European level in order to help them take measures or formulate courses of action within their respective domain of competence.

The Institute collects information on and studies the extent and development of the phenomena and manifestations of gender inequality, analyses their causes, consequences and effects and highlights examples of good practice in dealing with them.

To achieve its objectives the Institute disseminates information, data and examples of good practice with a view to contributing to the implementation of gender mainstreaming and the development of policies and practices in the Member States to overcome gender inequality. More specifically, the Institute will support policy makers from all policy areas in defining, implementing and evaluating gender mainstreaming policies, programmes and instruments; gender budgeting; gender impact assessments by providing guidance and by making available to them the instruments, approaches, information on previous experiences and best practice, etc.

In its activities, the Institute will make use of networks, thus fulfilling the role of a networking body, and optimising its own impacts as well as the impacts of all initiatives taken in the EU and its Member States with the aim to improve gender equality. In particular, it will endeavour to bridge the gap between the research and policy-making level in Europe.

Hence, the Institute acts as a catalyst for developing, collecting, analysing and disseminating information that contributes to the realisation of gender equality in Europe.

## **‘Clients’ of the Institute are :**

### **Institutional level:**

European Commission, European Parliament, Council, the EU Member States, International Organisations

### **General public:**

NGOs, social partner organisations, the research community, education, the media and the public at large

## **Structure**

The Institute would remain small and flexible in terms of human resources, but influential through its structure underpinning its role as a networking body. The staff will include specialists on gender with different backgrounds (economists, sociologists, public health experts, etc.), as well as administrators.

The Institute will have a four-pillar structure :

- A Director and his/her staff. The Director will be responsible for everyday administration, as well as the preparation and implementation of the Institute’s work programme.
- A Management Board will ensure that the Institute carries out its missions and tasks, by adopting its annual work programme and financial regulation. The structure of the Management Board is to be light (between brackets, the advised number of representatives), with representatives appointed by the Commission (2), representatives appointed by the European Parliament’s Women’s Rights’ Committee (2), representatives appointed by the Council (2), and representatives of stakeholders (3). This Board is intended to provide supervision of the activities of the Institute and at the same time ensure coherence with Community policies and coordination with initiatives from the part of the Commission and Member States.
- An Advisory Forum, composed of members chosen from the national competent bodies and different stakeholder groups. The Advisory Forum will be a mechanism for exchanging information and pooling knowledge, as well as monitoring the activities of the Institute.
- The Institute’s principal network is made up of a ‘Focal Point’ (or antenna) in each EU Member State, in the Candidate countries (CC’s) to the European Union, as well as in each affiliated country. This network is an integral part of the Institute’s organisation and plays an important role within the Institute structure. Focal Points are responsible for the development and co-ordination of the national networks and are involved in the implementation of the Institute’s Work Programme (i.a. through collecting and disseminating information).

## ANNEX 3.



### WHY A EUROPEAN GENDER INSTITUTE ? <sup>40</sup>

#### The legal context

Legal provisions on Gender Equality are defined in the Treaty and in EU Directives. Gender Equality is one of the most important values of the EU. Article 2 of the Treaty establishes equality between women and men as one of the tasks of the Community, and Article 3 includes a reference to the obligation to mainstream gender equality into all EU policies and activities. Other Treaty articles are Article 13 which is a general anti-discrimination clause, and Articles 137 and 141 both linked to establishing equality between women and men in the labour market.

This primary law led to secondary law, in the form of EU Directives. Apart from the (draft) Article 13 Directive, these are limited to the labour market.

#### Background to the Community Agency system

The decision to create an autonomous Community body needs a strong argumentation. The Community, facing the need of institutional reform, has defined the rationale for the creation of autonomous agencies recourse to which is argued to be justified under certain conditions.

The preparatory work for the White Paper on European Governance has included the issue of the Agencies. In 'Governance in the European Union'<sup>41</sup>, and 'European Governance, Preparatory Work for the White Paper'<sup>42</sup>, a number of arguments are set out justifying the recourse to an autonomous Community agency<sup>43</sup>.

Below is a selection of these arguments :

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<sup>40</sup> The present document is a working paper drafted in the context of the study on the 'Role of a future European Gender Institute', commissioned by the European Parliament to Yellow Window Management Consultants. It does not necessarily reflect the official position of the European Parliament.

<sup>41</sup> Majone, G., and Everson, M., 'Institutional reform : independent agencies, oversight, coordination and procedural control', in European Commission, *Governance in the European Union*, 'Cahiers' of the Forward Studies Unit, Office for Official Publications of the European Communities, Luxembourg, 2001, p. 129-168.

<sup>42</sup> European Commission, 'Report of the Working Group "Establishing a framework for decision-making regulatory agencies" Working Group 3A, in *European Governance, Preparatory Work for the White Paper*, Office for Official Publications of the European Communities, 2002, 133-162.

<sup>43</sup> These documents focus on those Agencies whose mission corresponds to 'regulatory' tasks of the Community, i.e. Agencies with decision-making powers responsible for implementing rules and regulations. Following existing Agencies would fall under this category : EMEA, OHIM, CPVO, EASA, EFSA and EMSA.

- In the light of the growing politicisation of EC policy-making, the creation of an Agency is justified to ensure policy continuity.
- An autonomous Agency allows for better identification of the impact of public action, thus reinforcing the policy credibility.
- The need in some fields to mobilise special expertise which the existing structures are unable to guarantee on a consistent and continuous basis due to their inherent infrastructural and statutory characteristics.
- The desire for visibility of public action and of who within the machinery is given responsibility at a time when public demand for more direct and identifiable accountability of public decision-makers is becoming more and more insistent.
- The need to preserve the credibility of public action and of the integration process, given the fact that regulatory expertise and management skills vary too much across the Member States – and will vary even more in an enlarged Union – to justify exclusive reliance on traditional modes of decentralised enforcement.

The conclusion formulated by Majone and Everson reads as follows :

“For all these reasons, the question is no longer whether European agencies are needed, but rather how they should be designed so that their accountability may be secured and so that their (...) responsibilities can be coordinated with broader horizontal concerns.”<sup>44</sup>

The White Paper on European Governance itself contained a section entitled “better application of EU rules through regulatory agencies”.<sup>45</sup> In this section, it is stated that ‘the creation of further autonomous EU regulatory agencies in clearly defined areas will improve the way rules are applied and enforced across the Union’. Still according to the White Paper, ‘the advantage of Agencies is often their ability to draw on highly technical, sectoral know-how, the increased visibility they give for the sectors concerned (and sometimes the public) and the cost-savings that they offer to business. For the Commission, the creation of agencies is also a useful way of ensuring it focuses resources on core tasks’.

The ‘meta-evaluation on the Community Agency System’ performed by the DG Budget of the European Commission confirms these views. It underlines that ‘the overall appreciation made by evaluators (of the individual agencies) is fairly positive. The Agencies concerned have generally been considered to have made an important contribution in their respective areas, and to have reached their set objectives to a reasonable extent.’<sup>46</sup>

#### The political and legal framework for Community Agencies

In December 2002, the Commission adopted a Communication on ‘the operating framework for the European Regulatory Agencies’.<sup>47</sup> In this Communication, the profiles of two types of Agencies are identified : “executive agencies” and “regulatory agencies”<sup>48</sup>.

- “Executive agencies” are defined as ‘responsible for purely managerial tasks, i.e. assisting the Commission in implementing the Community’s financial support programmes and are subject to strict supervision by it’. On 19 December 2002, their statute was adopted by the Council (‘Statute

<sup>44</sup> Majone and Everson, p. 129.

<sup>45</sup> COM(2001) 428 final of 25/07/2001, page 23-24 : [http://www.europa.eu.int/comm/governance/white\\_paper/index\\_en.htm](http://www.europa.eu.int/comm/governance/white_paper/index_en.htm)

<sup>46</sup> European Commission, *Meta-Evaluation on the Community Agency System*, 15 September 2003, p.72.

<sup>47</sup> COM(2002) 718 final of 11/12/2002.

<sup>48</sup> COM(2002) 718 final of 11/12/2002, p.3-4.

for executive agencies to be entrusted with certain tasks in the management of Community programmes').<sup>49</sup>

- “Regulatory agencies” are ‘required to be actively involved in the executive function by enacting instruments which help to regulate a specific sector’. Their statute is defined in the mentioned Communication.

An overview table with the political and legal framework for Community Agencies, together with the applicable financial rules and regulations per type of Agency is given in the final report of the meta-evaluation of the Community Agency system<sup>50</sup>.

### The case of a European Gender Institute

In what follows, it is argued that the conditions that can justify the entrusting of specific tasks to an autonomous Community agency are fulfilled for the case of a European Gender Institute as proposed by the Women’s Rights’ Committee of the European Parliament.

1. European activity in the domain of gender equality is currently characterised by a perceptible institutional deficit.

The European Commission, the main executive body at EU level, may have realised important achievements in the area of equal opportunities, but fails to ensure the required continuous efforts in all policy domains to implement the Treaty provisions at an appropriate pace. This is confirmed by the Commission’s ‘Report on Equality between Women and Men, 2004’.<sup>51</sup>

- Resources for ‘gender equality’ are insufficient to cope with the many issues and challenges to be addressed while the need for a continuously available support structure disposing of the necessary technical expertise persists.
- Achievements from the past are focused on the labour market and demonstrate insufficient concern for gender equality in the other EU policies<sup>52</sup>. Indeed, as the Commission states it : ‘significant gender gaps still exist in most policy fields’<sup>53</sup>.
- Implementation of the EU Directives on gender equality in the labour market is heterogeneous within the Community, leaving an enormous discrepancy between *de jure* and *de facto* equality .

Existing Community agencies fail to demonstrate that gender equality is mainstreamed in their respective domains, and hence undermine the credibility of the commitment at EU level.

2. Europe is experiencing a period of institutional change and a politicisation of hitherto largely administrative bodies, such as the Commission. An increased politicisation entails what is called ‘a commitment problem’ because the political executives tend to have shorter time-horizons and lack the ability credibly to commit themselves to a course of action.

While ‘gender equality’, being established through the Treaty provisions (Article 2 and 3) as a firm commitment of the Community, requires a **long-term perspective**, a **broad horizontal**

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<sup>49</sup> Council Regulation N° 58/2003 of 19 December 2002, OJ L 11 of 16/01/2003.

<sup>50</sup> European Commission, *Meta-Evaluation on the Community Agency System*, 15 September 2003, p.20.

<sup>51</sup> European Commission, *Report on Equality between Women and Men, 2004*, Report to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions, COM(2004) 115 final, 19/02/04.

<sup>52</sup> As an illustration, the current EU Directives are limited to the area of equal opportunities in relation to employment. No EU secondary legislation exists in other fields.

<sup>53</sup> COM(2004) 115 final, 19/02/04, p.4.

**concern** and **continuity** in the pursuit of the long-term objectives, this is currently not guaranteed by the present structures<sup>54</sup>.

By entrusting a number of the important tasks related with realising ‘gender equality’ to an autonomous agency, the continuity and therefore also the **credibility** of the public action is safeguarded.

An autonomous Community agency, providing for a mechanism for co-opting certain stakeholder groups into the decision-making process, offers the possibility to ensure democratic representation while at the same time shielding the domain from the growing politicisation of EC policy-making.

3. In this context of institutional change, a clearer assignment of individual responsibilities is needed for achieving policy objectives.

It is clear that **specialised technical expertise** is needed in the field of equal opportunities and gender mainstreaming for translating the commitments into action. The professional and statutory framework of the central administration (the Commission) is ill-suited to mobilise the required expertise.

Moreover, experts being oriented by goals, standards of conduct, cognitive beliefs and career opportunities that derive from their professional community, tend to resist strongly interference and directions from political outsiders. Thus, any expert agency provides a much more attractive working environment than a bureaucratic organisation.<sup>55</sup>

The assignment of specific (support) responsibilities to an autonomous Institute ensures the mobilisation of all the knowledge relevant for public decision-making within a relational context between peers that can minimise bureaucratic or political bias, while at the same time the **visibility** of the public action is guaranteed.

As to the statute of the Institute as Community Agency, it is believed that it would fall under none of the two categories as defined by the Commission and which are mentioned above. While it must be clear that the mandate of a European Gender Institute does not make it fit the role seen for an ‘executive agency’, it can be discussed whether it corresponds to the definition of a ‘regulatory agency’. However, considering that the latter is presented by the Commission as an actor that is to help ‘regulate a specific sector’ (which holds a clear reference to the economic domain and the functioning of the internal market), while the Institute would have a supportive role to the Commission on a major horizontal responsibility, cross-cutting all policy-areas and sectors, it would seem advisable not to categorise it as a ‘regulatory’ body.

#### The other options

In order to make a fair and objective decision, it is necessary to verify the added value of recourse to an agency compared with other alternatives.

A mapping of the current work on gender equality and gender mainstreaming at an EU level as well as at a national level within the Community was undertaken in the context of the feasibility study done for the European Commission in 2001<sup>56</sup>.

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<sup>54</sup> The case of the present dossier is a good example of this lack of long-term perspective and commitment. The idea for a European Gender Institute was first raised in 1995, while the European Commission undertook to perform a feasibility study only in 2001. Despite its outcomes, the dossier was not taken to a next stage.

<sup>55</sup> Majone and Everson, p.139.

<sup>56</sup> The final report of this study contains in its annex E an overview of existing institutions, bodies and networks active in the field of gender. This overview can be downloaded from the European Commission’s Gender Equality website at following address :

[http://www.europa.eu.int/comm/employment\\_social/equ\\_opp/documents\\_en.html](http://www.europa.eu.int/comm/employment_social/equ_opp/documents_en.html)

However, while this feasibility study has demonstrated that there is a clear role to fulfill for a European Gender Institute in co-operation with and in support of institutions at EU and Member State level, while avoiding duplication of existing activities, it has not sufficiently pointed out why an autonomous Institute should take on this role or why the existing institutions or bodies could not do this – even if their role were reinforced. The exercise of comparing different options has been done in the context of the present study.

Whereas the above demonstrates why the European Commission itself is not well-placed to take on the responsibilities seen for the Institute, the following alternative options to an autonomous Community agency were identified :

1. to create an ‘office’ structure within the frame of an existing Community agency;
2. to establish an agency within the structure of the European Commission, but benefiting from some sort of autonomy (like ECHO, the European Office for Emergency Humanitarian Aid);
3. to establish an organ, depending directly from the European Parliament;
4. to establish a partnership with institutional european and national, plus private stakeholders. The legal form of a European Economic Interest Grouping (EEIG) might be used for this (as used for the ‘Centre Jacques Delors’ in Lisbon or ‘Sources d'Europe’ in Paris).

The analysis of the arguments in favour of and against each of these options, as well as the opportunities and risks linked with each of them, has been the subject of a ‘think tank’ exercise that took place on 16 March 2004 at the European Parliament.

The conclusions from this reflection exercise clearly point in the direction of an autonomous Agency as the optimum solution. Indeed, given the primary importance of the issue, as also recognised by the Treaty, the highest possible level of legitimacy, authority, visibility and long-term focus must be provided for, while the ‘heritage’ of weaknesses of existing structures must be avoided.

**ANNEX 4. List of respondents / consultations by the date of 24 March 2004**

Target group	Stakeholder groups		Names
<b>Stakeholders at EU level</b>	EC Directorates-General & Services	1	DG EMPL : Luisella Pavan-Woolfe (Director, responsible for Horizontal and International Issues) Rue de Spa 3, B-1000 Brussels Tel : +32/2/295.66.38 Fax : +32/2/299.50.47 <a href="mailto:Luisella.Pavan-Woolfe@cec.eu.int">Luisella.Pavan-Woolfe@cec.eu.int</a>
		2	DG EMPL : Marie-Anne Paraskevas (EMPL.G.1 Equality for women and men) Rue de Spa 3, B-1000 Brussels Tel : +32/2/295.84.80 Fax : +32/2/299.80.83 <a href="mailto:marie-anne.paraskevas@cec.eu.int">marie-anne.paraskevas@cec.eu.int</a>
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		4	DG RTD : Tanya Leigh (RTD.C.5 Women and Science) Square de Meeûs, 1040 Brussels Tel: +32/2/299.49.25 Fax: +32/2/299.37.46 <a href="mailto:tanya.leigh@cec.eu.int">tanya.leigh@cec.eu.int</a>
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		6	Antonia Carparelli, Member of the Cabinet of the Environment Commissioner Avenue de Beaulieu 5, 1160 Auderghem Tel : +32/2/299.34.28 Fax: (+32-2)298 18 99 <a href="mailto:antonia.carparelli@cec.eu.int">antonia.carparelli@cec.eu.int</a>

		7	Daniela Bankier, Member of the Cabinet of Michaela Schreyer – Budget Commissioner Avenue d'Auderghem (Breydel II), B-1049 Brussels Tel.: +32/2/298 17 08, Fax: +32/2/298 17 97 mobile: (+32) (0) 498 98 17 08 <a href="mailto:daniela.bankier@cec.eu.int">daniela.bankier@cec.eu.int</a>
	M.E.P.s	8	Lone Dybkjaer (Member of the Committee on Women's Rights and Equal Opp.)
		9	Miet Smet (Member of the Committee on Women's Rights and Equal Opp.)
	Eur. Social Partner Organisations	10	CEEP Inge REICHERT Rue de la Charité 15, B-1210 Brussels Tel : +32/2/229.24.53 Fax : +32/2/218.12.13 <a href="mailto:inge.reichert@ceep.org">inge.reichert@ceep.org</a>
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<b>National stakeholders (politicians, equality bodies, social partner organisations, research institutions)</b>	Austria	1 DVM Phd Sylvia KÖLBL - Referent for International Female Affairs Federal Ministry of Social Security and Generations, Division for Female Affairs Franz Josefs Kai 51, A - 1010 Vienna Tél.: (+ 43.1) 711.00.34.24, Fax: (+ 43.1) 711.00.34.31 E-Mail : <a href="mailto:Sylvia.Koelbl@bmgf.gv.at">Sylvia.Koelbl@bmgf.gv.at</a>
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		4 Prof. Dr. Magda Michielsens, Director 'Steunpunt Gelijke Kansen Vlaanderen' and Policy Research Centre on Equal Opportunities of the Antwerp University Gratiekapelstraat 12, B-2000 Antwerp, Belgium Tel: +32/3.220.42.96 Fax: +32/3.220.43.82 <a href="mailto:magda.michielsens@ua.ac.be">magda.michielsens@ua.ac.be</a> <a href="http://www.steunpuntgelijkekansen.be">www.steunpuntgelijkekansen.be</a>
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		7 Kvinderådet / Women's Council in Denmark Ms. Randi Theil Nielsen, sekretariatsleder Niels Hemmingsensgade 10

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		11	<p>Ute Wanzek, Geschäftsführerin  G/I/S/A, Gender-Institut Sachsen-Anhalt  Ebendorfer Straße 3, D-39108 Magdeburg, Germany  Tel: +49 (0)391 50 665 77/-60  Fax: +49 (0)391 50 665 70  Email: <a href="mailto:ute.wanzek@g-i-s-a.de">ute.wanzek@g-i-s-a.de</a>  URL: <a href="http://www.g-i-s-a.de">www.g-i-s-a.de</a></p>
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	International Research Organisation	5	NIKK (Nordic Institute for Women's Studies and Gender Research) – <a href="http://www.nikk.uio.no">www.nikk.uio.no</a> Ms. Solveig Bergman (Director) P.O. Box 1156 Blindern, NO-0317 Oslo, Norway Tel : +47 22 85 89 21 Fax : +47 22 85 89 50 <a href="mailto:solveig.bergman@nikk.uio.no">solveig.bergman@nikk.uio.no</a>

**ANNEX 5. SUMMARY OF THE COMMISSION STUDY OF JANUARY 2002**

European Commission, *Feasibility Study for a European Gender Institute*, Brussels, 2002,  
p.2-3

## *Main points of the feasibility study*

### **There is a need for a European Gender Institute**

The Institute should carry out tasks that the existing institutions do not deal with at a European level, specifically in the areas of the centralisation and dissemination of information, co-ordination of research, provision of visibility to gender issues, and the construction of tools for mainstreaming.

### **The Institute should not duplicate existing work**

In order to avoid duplication, the role of the Institute should be a coordinating one. It should develop synergies with existing institutions and develop appropriate divisions of labour with them.

### **There is a need for promoting gender mainstreaming tools**

The Institute should supplement the mainstreaming strategy by developing and promoting tools and indicators for gender mainstreaming activities in European and national institutions.

### **The need is for a technical institution**

Most stakeholders see the Institute as a technical institution that can collect and disseminate information which is currently scattered across Europe and is difficult to access systematically. The stakeholders also see the Institute as providing assistance in creating and sustaining networks. The Institute is thus able to function as a link between researchers and politicians. Only a few stakeholders see the Institute as a policy driver, and few see it as a research institution.

### **There is a need for a European body**

Stakeholders emphasise the need for a European body that can make use of and add value to the work carried out at Member State level.

### **The main target groups are located at European level**

The main target groups are politicians at the EU level, the DGs of the European Commission, and Social Partners at the EU level. The national equality bodies are also viewed as important target groups for the European Gender Institute.

**Links to researchers and focus on practical research**

An Institute should have links to researchers and to the national and regional research environments. The Institute should collect and disseminate existing research rather than conducting research itself.

Moreover, the Institute should prioritise practical and policy-oriented research based on a pragmatic approach, and focus on best practice and the exchange of experiences.

**A European Gender Institute can provide input in various ways**

This can be achieved through providing gender-sensitive data and information at a European level, adopting a consultative function, developing indicators for mainstreaming, benchmarking Member States or regions, and facilitating networks.

**Stakeholders can provide input for the Institute**

The Institute would make full use of different national or European stakeholders by asking them to supply data and research from the national or regional settings, to supply information on best practice, and to facilitate and provide access to networks.

**Representative and efficient governing of an Institute**

A small Board should run the Institute to ensure that the Institute operates efficiently, while the broader stakeholder groups can be included through annual meetings, networks and reference groups.

**An Institute should have its own building**

An Institute should have its own physical premises in order to ensure status, visibility and stability. Moreover, it should be a tangible meeting place for researchers, politicians and other stakeholders. A web site will make access to the Institute and its resources possible across borders.

**National reference centres might support the Institute**

National reference centres could be hosted by pre-existing national institutions in order to link the work of the Institute to national contexts.

**ANNEX 6. REFERENCES MADE TO THE CREATION OF A EUROPEAN GENDER INSTITUTE BY THE EUROPEAN PARLIAMENT, THE COUNCIL AND THE ADVISORY COMMITTEE ON EQUAL OPPORTUNITIES FOR WOMEN AND MEN**

**References made by the European Parliament to the creation of a European Gender Institute**

<b>REPORT / RESOLUTION</b>	<b>TEXT</b>	<b>REFERENCE</b>	<b>RAPPORTEUR</b>
<b>Report</b> on the 2005 budget: the Commission's Annual Policy Strategy report (APS) (2004/2001(BUD))	<b>Page 42</b> <i>5. Underlines, that adequate and reliable gender budgeting and gender impact assessment require precise information; calls therefore for the establishment of the <b>Gender Institute</b> in 2005, which should be a source of information, a network building institution and should co-ordinate and/or initiate gender research, all with the aim to serve the gender budgeting and gender impact assessment with reliable data and achieve gender mainstreaming in all relevant EU policy areas;</i>	<b>A5-0269/2004</b> (13 April 2004)	<b>Salvador Garriga Polledo</b> Committee on Budgets
<b>Report</b> on Equal Opportunities for Women and Men in the European Union (2003/2011(INI))	<b>Page 8</b> <i>15. Recalls the European Commission's feasibility study relating to the European <b>Gender Institute</b> and calls on the Commission to inform the European Parliament of its views on that subject and of the steps that it is planning to take;</i>	<b>A5-0481/2003</b> (17 December 2003)	<b>Joke Swiebel</b> Committee on Women's Rights and Equal Opportunities
1. <b>Report</b> on the report from the Commission on research and technological development activities of the European Union – 2001 annual report (COM(2001) 756 – C5-0286/2002 – 2002/2146(COS)) and 2. <b>Report</b> on the report from the Commission on the JRC annual report 2001 (COM(2002) 306 – C5-0507/2002 – 2002/2146(COS))	<b>Page 9</b> <i>25. Urges the Commission, further, to push for and support increased funding for studies concerning women and gender and to support the establishment of a European <b>Gender Institute</b>, with a view to gaining a better understanding of the situation of women in the research world and the development of their research careers;</i>  <b>Page 17</b> <i>8. Urges the Commission, further, to push for and support increased funding for studies concerning women and gender and to support the establishment of a European <b>Gender Institute</b>, with a view to gaining a better understanding of the situation of women in the research world and the development of their research careers;</i>	<b>A5-0428/2002</b> (3 December 2002)	<b>Yves Piétrasanta</b> Committee on Industry, External Trade, Research and Energy

REPORT / RESOLUTION	TEXT	REFERENCE	RAPPORTEUR
<b>Report</b> on the application of the gender equality work programme (2001-2005) (2001/2266(INI))	<b>Page 6</b> <i>3. Notes the feasibility study which has been published on the subject of a 'European <b>Gender Institute</b>' and calls on the Commission to consult Parliament on what it intends, or does not intend, to do next in this matter;</i>	<b>A5-0197/2002</b> (29 May 2002)	<b>Ilda Figueiredo</b> Committee on Women's Rights and Equal Opportunities
<b>Report</b> on the Commission White Paper on European governance (COM(2001) 428 – C5-0454/2001 – 2001/2181(COS))	<b>Page 41</b> <i>8. Requests the setting up of an independent advisory body of gender policy experts, which would advise on the coherent and efficient implementation of the principle of gender mainstreaming laid down in the Treaty and reiterates its support for a <b>gender institute</b> which would collect and analyse the necessary data and trends;</i>	<b>A5-0399/2001</b> (15 November 2001)	<b>Sylvia-Yvonne Kaufmann</b> Committee on Constitutional Affairs
<b>Report</b> on equal pay for work of equal value (2000/2312(INI))	<b>Page 8</b> <i>6. Calls for the feasibility study on the setting up of a European <b>Gender Institute</b> to examine the role which this monitoring centre might play both in the collection of statistical data and in carrying out research into the causes of, and remedies for, pay differentials between men and women;</i>	<b>A5-0275/2001</b> (13 July 2001)	<b>Miet Smet</b> Committee on Women's Rights and Equal Opportunities
<b>Report</b> on the Commission communication to the Council and the European Parliament 'Framework Strategy on Gender Equality - Work Programme for 2001' (COM(2001) 119 + SEC(2001) 382 – C5-0193/2001 – 2001/2089(COS))	<b>Page 62.</b> <i>Notes that the Work Programme fails to implement a number of proposals from the Social Policy Agenda, in particular the draft directive on equal treatment of men and women in other sectors than employment (2002) and the feasibility study on establishing a <b>gender institute</b> (2001);</i>	<b>A5-0224/2001</b> (21 June 2001)	<b>Ilda Figueiredo</b> Committee on Women's Rights and Equal Opportunities
European Parliament <b>resolution</b> on the European Union's policies on gender equality	<i>13. Calls on the Commission to speed up the efforts leading to the setting-up of a European <b>Gender Institute</b>, as has been requested by Parliament;</i>	<b>P5_TA-PROV(2004)0167</b> <b>B5-0121/2004</b> (10 March 2004)	

Annual Report on equal opportunities (2002) : European Parliament <b>resolution</b> on Equal Opportunities for Women and Men in the European Union (2003/2011(INI))	15. <i>Recalls the Commission's feasibility study relating to the European <b>Gender Institute</b> and calls on the Commission to inform the European Parliament of its views on that subject and of the steps that it is planning to take;</i>	<b>P5_TA- PROV(2004)002 3 A5-0481/2003</b> (14 January 2004)	
Research and technological development activities : European Parliament <b>resolution</b> on the report from the Commission on research and technological development activities of the European Union – 2001 annual report (COM(2001) 756 – C5-0286/2002 – 2002/2146(COS)) and on the report from the Commission on the JRC annual report 2001 (COM(2002) 306 – C5-0507/2002 – 2002/2146(COS))	25. <i>Urges the Commission, further, to push for and support increased funding for studies concerning women and gender and to support the establishment of a European <b>Gender Institute</b>, with a view to gaining a better understanding of the situation of women in the research world and the development of their research careers;</i>	<b>P5_TA(2002)060 6 A5-0428/2002</b> (17 December 2002)	
Implementation of the gender equality programme (2001-2005) : European Parliament <b>resolution</b> on the application of the gender equality work programme (2001-2005) (2001/2266(INI))	3. <i>Notes the feasibility study which has been published on the subject of a "European <b>Gender Institute</b>" and calls on the Commission to consult Parliament on what it intends, or does not intend, to do next in this matter;</i>	<b>P5_TA(2002)037 2 A5-0197/2002</b> (4 July 2002)	

## **Council of the European Union**

Presidency Conclusions arising from EU Equality Ministers Meeting, 7 May 2004 :

### ***European Gender Institute***

*The conclusions of a 'Feasibility Study on a European Gender Institute', which had been carried out on behalf of the European Commission in 2002, are noted, as is the support of the Women's Rights and Equal Opportunities Committee of the European Parliament.*

*The accession of ten new Member States will increase the opportunities for sharing knowledge development on gender equality across the Union. The success of earlier policies and legislation has meant a lessening of overt forms of discrimination with attention now turning to more subtle forms of inequality between women and men. The challenges of addressing the underlying causes of gender inequality, building support for involving men in the gender equality debate and supporting the implementation of gender mainstreaming all point to the need for having a separate organisation for gender equality at EU level.*

*A European Gender Institute would act as a source of expertise and learning which would assist the achievement of the overall goal of a more equal European Union for all its citizens. Specific tasks that would be assigned to the Institute could include: co-ordinating and disseminating information on gender issues; providing greater visibility for gender equality; and generally developing tools to assist with the implementation of gender mainstreaming. It is essential that a European Gender Institute augment the work of existing agencies rather than replicating or duplicating that work.*

*The Presidency welcomes the broad support among Equality Ministers for the establishment of a European Gender Institute, while recognising that there are many issues including those relating to functions, finance and scope, that remain to be addressed. On the basis of today's discussion, the Presidency is encouraged to continue with its efforts to advance the issue to the greatest extent possible in the time available. To this end, we will provide an opportunity for further discussion of this matter at the Employment, Social Policy, Health and Consumer Affairs Council in Luxembourg on 1-2 June.*

Presidency Conclusions, Brussels Council Meeting, Employment, Social Policy, Health and Consumer Affairs, 2 and 3 December 2002, 14892/02 (Presse 376), p 36 :

*“The Council welcomes the Commission’s feasibility study on establishing a European Gender Institute and urges the Commission to finalise this work rapidly as background for further consideration.”*

Presidency Communique, Informal Ministerial Meeting of Ministers for Gender Equality and Social Security, Norrköping, 21-23 January 2001, p. 5 :

*“Aware of the link between lower labour market penetration among women and the wage gap, and in order to eliminate unwarranted pay differentials between women and men, meet the Lisbon targets, promote gender equality and sustainable social protection systems, Ministers stressed that a European Gender Institute could serve*

*as an important tool in this context. The urgent need for a feasibility study to examine the need for an institute was reiterated.”*

Presidency Conclusions, Nice European Council Meeting, 7, 8 and 9 December 2000, SN 400/00, Annex 1, p. 16 :

*“Increase awareness, the pooling of resources and the exchange of experience, in particular through the establishment of a European Institute for gender issues and the setting up of an experts’ network. The feasibility study should be completed in 2001.”*

### **Advisory Committee on Equal Opportunities for Women and Men**

Opinion of the Advisory Committee on Equal Opportunities for Women and Men on the Social Agenda, 17 October 2000

*“the Committee attaches particular importance to prompting the necessary discussion of the European gender institute, for which a precise feasibility study needs to be carried out. The institute may be able to provide the resources required for preparing gendered indicators and impact studies.”*

Opinion on the Review of the European Employment Strategy, 20 February 2002

*“The creation of a Gender Institute should allow the development of further supports to the development of the gender dimension of the employment strategy.”*

Opinion on the Implementation of Gender Mainstreaming in EU Policies, 20 February 2002

*“We propose that the setting up of a European Gender Institute in accordance with the conclusions of the feasibility study, would make a significant contribution to coherence and co-ordination of gender policy, methods and instruments among Member States and at the European level.”*

## ANNEX 7. BUDGET CALCULATION TABLES

### Budget summary table :

All costs are mentioned in euro.

<b>1. Personnel costs</b>	6730679
<b>2. Administrative expenditure</b>	6057611
<i>sub-total</i>	<i>12788290</i>
<b>3. Operating expenses</b>	
3.1 Forum meetings	1200000
3.2 Focal Point Network	1814400
3.3 Topical expert networks	6127500
3.4 Publications	1300000
3.5 Information and awareness raising	900000
3.6 Specific expertise	1687500
3.7 Translations	1100000
<i>sub-total</i>	<i>14129400</i>
<b>Grand Total</b>	<b>25817690</b>

### Assumptions and justification for budget headings :

All costs are mentioned in euro.

#### **1. Personnel costs :**

	<b>No.</b>	<b>cost</b>	<b>total</b>
A-level	22	128693	2831246
B-level	6	84265	505590
C-level	11	68957	758527
D-level	1	61456	61456
contract	20	128693	2573860
<b>Total</b>	<b>60</b>		<b>6730679</b>

Assumptions :

- The staff number used as basis is 40, including both statutory as staff with fixed term contracts.
- ‘Contract’ staff are experts which serving at the Institute for a limited period as ‘rotating staff’. Their salaries are calculated as A-level salaries.

- Salary levels used as basis for the calculation are average salary levels for the different staff categories provided by the DG Budget for the year 2004.
- Translation staff is not foreseen, as the assumption is made that translations are outsourced. These costs are hence included under the operating expenses.
- Personnel costs exclude the experts that are members of the (topical) expert networks.

## 2. Administrative expenditure :

The administrative expenditure is calculated as 90 % of the personnel costs. It covers all overhead costs linked to the staff and the infrastructure of the Institute (buildings, I.T., communication costs, office supplies, ...), translations of administrative documents, as well as board meetings.

## 3. Operating expenses :

3. Operating expenses	units/year	cost/unit	
3.1 Forum meetings	2	600000	1200000
3.2 Focal Point Network			
4 meetings/year	4	200000	800000
functioning of network	25	40000	1000000
travel cost observers	24	600	14400
3.3 Topical expert networks			
network meetings*	12	250000	3000000
annual fee for each expert	150	11250	1687500
workshops / seminars*	24	60000	1440000
3.4 Publications			
Web site and Institute publications			400000
Topical publications			900000
3.5 Information and awareness raising			900000
3.6 Specific expertise			1687500
3.7 Translations			1100000
<b>TOTAL</b>			<b>14129400</b>

Assumptions :

- Number of Advisory forum meetings / year 2
- Number of Focal Point Network meetings / year 4
- Number of Focal Points 25
- Number of observers at focal point meetings 6
- Number of (topical) expert networks 6
- Number of expert network meetings / year 2
- Number of workshops/network/year 4
- Costs for expert meetings and workshops / seminars include simultaneous translation costs (\*)
- Fee per day for network expert 450 euro
- Number of days / year for each network expert 25
- Publications budget per (topical) expert network 150000 euro
- Information and awareness-raising budget per (topical) expert network 100000 euro

- ‘Specific expertise’ is for data analysis, monitoring of indicators and tools development
- Translation costs are calculated on the basis of the total budgets foreseen for publications, information and awareness-raising activities (a ratio of 50 % is assumed)