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**GENDER EQUALITY AT EUROPEAN AND
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GENDER EQUALITY AT EUROPEAN AND GLOBAL LEVEL

Alunica MORARIU¹

Abstract:

The principle of equality must ensure equal rights under the law for all citizens, including between women and men. The principle of equality between women and men is placed at the base of the European policies in all fields and represents the headstone of Romania's integration into the EU. This principle and its implementation are in the focus of the whole world, and it is not just a concern of the EU-28. In the third millennium, in a continuously changing world where the struggle for personal success is frequently identified among individuals, equal opportunity and gender equality is a real challenge for many of the world's states. Thus, in relation to the issues presented above, having as starting point Romania's concerns for the application of the principle equal opportunities and gender equality in relation to the EU-28 and its integration in this structure, we extend our research towards measuring the pulse of gender equality at the global level.

Keywords:

strategy/policy, work/money; knowledge; time, power; health; economic participation and opportunity; educational attainment; health and survival; political empowerment.

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Introduction

Equal opportunities and treatment between women and men is one of the fundamental principles of human rights, in fact ensuring equality between women and men can certainly have the effect of preventing and eliminating social inequities. Discrimination of women and impeding the progress of women have represented the effects of expressing power inequalities between women and men throughout history. The principle we refer to must be present, applied, unequivocally desired, both in the public and private sectors, at the level of social relations [1].

"Equality between women and men is one of the objectives of the European Union. Over time, legislation, case law and changes to the Treaties have helped shore up this principle and its implementation in the EU. The European Parliament has always been a fervent defender of the principle of equality between men and women" [2].

Such considerations determine the necessity to develop inclusive public concerns and policies which will contribute to improving the lives of all individuals, by correcting actions or inactions that may favour the exclusion or marginalization of citizens on the basis of sex or other criteria, to promote and support the benefits of the consolidation of a society in which the dimension of gender synergy adds value to the whole human community.

Concerns of Romania regarding the issue of equal opportunities and treatment between women and men

Following Romania's transition to the market economy, since the pre-accession period of the Romanian state to the European Union, the 2003 Romanian Constitution regulates some aspects regarding the applicability of the principle regarding equality among and for the citizens. Thus, in the interest of our approach, we mention the constitutional provisions [3] stating:

- ✓ *the equality among citizens, as they are „equal before the law and public authorities, without any privilege or discrimination, no one being above the law”;*
- ✓ *the right to identity that will be ensured in the context of „the protection measures taken by the Romanian State for the preservation, development and expression of identity of the persons belonging to national minorities conforming to the principles of equality and non-discrimination in relation to the other Romanian citizens”*

- ✓ *the fact that „the right to work shall not be restricted. Everyone has a free choice of his/her profession, trade or occupation, as well as work place” and also „on equal work, women shall get equal wages with men”;*
- ✓ *„the State shall provide the accomplishment of a national policy of equal opportunities, disability prevention and treatment, so that disabled persons can effectively participate in community life, while observing the rights and duties of their parents or legal guardians”;*
- ✓ *„without any discrimination on account of race, nationality, ethnic origin, language, religion, sex, opinion, political adherence, property or social origin, Romania is the common and indivisible homeland of all its citizens”.*

The principle of equality must ensure equal rights before the law for all citizens, including between women and men. The principle of equality between women and men stands at the base of European policies in all fields and represents the headstone of Romania's integration into the EU. The principle of equal pay for equal work has been integrated into the 1957 Treaty, today being Article 157 of the Treaty on the Functioning of the European Union (TFEU), a principle by which men and women receive equal pay for equal work. Although inequalities still exist, the EU has made significant progress in this regard. [4] On the democratic and strategic background of the European Union (EU), in the current context of social and employment policy, concerning equality between men and women, the adoption of legislation that combats all forms of discrimination is allowed at EU level by the provisions of the article 19 of the Treaty on the Functioning of the European Union (TFEU). „Article 153 of the TFEU allows the EU to act in the wider field of equal opportunities and treatment in employment and employment and labour, and in this framework Article 157 of the TFEU also authorizes positive actions to empower women” [5]. For example, we highlight the fact that at the level of the institutions of the European Union, the European Personnel Selection Office (EPSO) ensures equal opportunities, treatment and access to all candidates „regardless of their sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation” [6].

Taking into account such considerations, it was natural for the Romanian state to be concerned with the special regulation of the issue of equal opportunities and gender equality. Thus, in 2002 the Law no. 202 on equal opportunities and treatment for women and men was adopted and became operative. As amended and supplemented from 2002 and until now, this norm regulates issues regarding equal opportunities and treatment between women and men [7]: ■ in the field of labour; ■ regarding access to education, health, culture and information; ■ regarding the participation in

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the decision making process; ■ in relation to the „National Agency for Equal Opportunities between Women and Men, a specialized body of central public administration, with legal personality, subordinated to the Ministry of Labour, Family, Social Protection and Elderly, which promotes the principle of equal opportunities and treatment between men and women in order to eliminate all forms of discrimination based on gender, in all national policies and programs” ; ■ on integrating the gender perspective in the Romanian national policies; ■ in order to better regulate the settlement of claims and complaints regarding discrimination based on gender; ■ to support the control, ascertainment and sanctioning of the violation of the provisions regarding equal opportunities and gender equality. The law transposes in part or completely several European rules on the implementation of the principle of equal opportunities and equal treatment for men and women in matters of employment and labour, so that over the years, in 2019, they will be ready to be adopted through the Government Decision no. 262/2019 approving the implementing norms for Law no. 202/2002 on equal opportunities for and equal treatment of women and men. The norms [8] support the application of the provisions of Law no. 202, by detailing several obligations of the employers referring to equal opportunities and treatment for women and men in labour relations, including aiming to combat and eradicate discrimination based on gender criteria. In this context, the obligations for employers stipulate that they must include in the regulations, policies, programs, projects and action plans of the organizations, specifically, the fact that discrimination based on gender is prohibited and must inform and make their employees aware of their rights concerning equal opportunities and treatment in labour relations. Also, the employees must be informed about the procedure of filing a complaint of sexual harassment or inappropriate behavior at the workplace and the ways to solve it.

The issue of equal opportunities and gender equality occupies a well-deserved place in the field of law research. For our concerns, we consider that it is of real interest the fact that in the focus sphere of labour law, in its relation with the application of the principle of equal opportunities and non-discriminatory treatment, there are two aspects [9]: ■ *equality of participants concerning employment and* ■ *on equal work, women shall get equal wages with men.*

The policies concerning gender equality at the level of Romania, in the context of integration into the European Union, must be continuously improved, through the continuous development and implementation of strategic action plans, in accordance with the fundamental values, with the strategies already undertaken by the EU, as well as with the Union's international commitments. We count among these: *the United Nations 2030*

Agenda for Sustainable Development (highlighting in particular the goals and targets on gender equality, women's rights and their empowerment), *the UN Convention on the Elimination of All Forms of Discrimination against Women*, *the Istanbul Convention* and *the Beijing Platform for Action*, through which implementation is monitored and analysed in order to achieve the institutional goals of promoting gender equality in the EU Member States.

Taking the pulse of gender equality at European and global level

The Beijing platform is the means by which the gender equality index is measured and kept under observation. Thus, according to the European Institute for Gender Equality (EIGE), the slow progress in this direction in the EU is highlighted: from 62 points, in 2005, the score on the equality index gender, a measuring instrument that summarizes the complexity of gender equality, increased to 63.8 in 2010, 65 points in 2012 and 66.2 points in 2015, as shown in Figures no. 1 and 3 [10].

Figure 1: Scores of the Gender Equality Index, EU-28, 2005-2015

Source: The European Institute for Gender Equality – EIGE, *Gender Equality Index 2017 – Measuring gender equality in the European Union 2005-2015*, p. 7

The gender equality index integrates (Figure 2) six central areas: „*Work* (Sub-domain: *Participation, Segregation and quality of work*), *Money* (Financial resources, *Economic situation*), *Knowledge* (*Attainment and participation, Segregation*), *Time* (*Care activities, Social activities*), *Power* (*Political, Economic, Social*) and *Health* (*Status, Behavior, Access*) and two satellite domains: *Intersecting inequalities and Violence*”.

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Figure 2: Domains of the Gender Equality Index

Source: The European Institute for Gender Equality – EIGE, *Gender Equality Index Report 2013*, p. 19

The index provides a single synthetic measure, through the combined calculation of gender indicators. Thus, this index gives the EU and the Member States a score from 1 to 100, where 1 is awarded for total inequality and 100 for full equality. The gender equality index measures not only the disparities between women and men, but also the context of the country, as well as the different levels of achievement of the objectives of the Member States in various fields. In conclusion, the higher the overall score, the more it reflects smaller or non-existent gender disparities, as well as a good situation at the state's level (for example, economic growth and an increased employment index among both genders, female as well as male). [11]

Figure 3: Gender Equality Index, scores for the EU Member States, 2005 and 2015

Source: The European Institute for Gender Equality – EIGE, *Gender Equality Index 2017 – Measuring gender equality in the European Union 2005-2015*, p. 7

The overall EU score was 66.2 in 2015, registering a percentage increase of 6.83% (4.2 points) compared to the index recorded in 2005, and referring to the gender equality index registered by the Member States in 2015, we stop upon the extremes presented by the European Institute for Gender Equality - EIGE, namely the EU Member States with the best and lowest index respectively.

Therefore, given the recorded values, Sweden approaches the ideal index with a score of 82.6, Denmark with an index of 76.8 and Finland with 73.0. Compared to 2005, the figures for 2015 show that Sweden registered an increase in the gender equality index of 4.7% (3.7 points), Denmark increased its index by 2.9% (2.2 points) and Finland by 1.4 % (1 point). Following the evolution of these three states between 2005 and 2015, Sweden registered growth in five areas (Work, Money, Knowledge, Power, Health), Denmark progressed in two areas (Money, Power) and regressed in one (Health), and Finland registered positive figures in two fields (Money, Knowledge) and negative ones in other two (Time, Power).

At the opposite end, Greece with a score of 50.0, Hungary with 50.8, Slovakia and Romania with a score of 52.4 are among the states which found themselves at the largest distance from the full equality index. Among the states with the closest index of total inequality, analysing the score from 2015 compared to the one from 2005, Greece registered an increase of 6.7% (3.1 points), Hungary increased by 2.8% (1.4 points), Slovakia had a regression of the score of 0.3% (-0.2 points), and Romania increased its index by 5.1% (2.5 points). Individually, the analysis domains of the Gender Equality Index for Greece, Hungary, Slovakia and Romania, between 2005

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and 2015, have undergone various evolutions, as follows: Greece (in a balanced way) has registered increases for three domains (Work, Knowledge, Power) and decreases for three others (Money, Time, Health), Hungary has increased at the level of four domains (Work, Money, Power, Health) and lost points at one level (Time), Slovakia, although overall has registered a slight decline, as we have highlighted in the previous rows, at the level of the domains it was on the plus side for three of them (Money, Knowledge, Health) and on the minus for two others (Time, Power), and Romania progressed at the level of four domains (Money, Knowledge, Time, Power) and regressed in another (Work), with low chances in the field of Health.

Without including them in the two tops already mentioned, at the level of the EU member states, the highest values of index growth (2015 compared to 2005) had been registered by Italy with 12.9 points (+ 26.21%), Cyprus 9.1 points (19.92%), Slovenia 7.6 points (12.57%) and Ireland with 7.6 points (12.28%). Referring to the evolution of these states, by domain, between 2005 and 2015, none of them regressed in any domain, and the progress was registered in the following domains: 1. *Work*, 2. *Money*, 3. *Knowledge*, 4. *Power* in Italy; 1. *Work*, 2. *Money*, 3. *Knowledge*, 4. *Time*, 5. *Power*, 6. *Health* in Cyprus; 1. *Money*, 2. *Knowledge*, 3. *Power*, 4. *Health* in Slovenia and 1. *Work*, 2. *Money*, 3. *Knowledge*, 4. *Power* in Ireland.

„People and their talents are among the core drivers of sustainable, long-term economic growth. If half of these talents are underdeveloped or underutilized, growth and sustainability will be compromised. Moreover, there is a compelling and fundamental values case for empowering women: women represent one half of the global population - they deserve equal access to health, education, earning power and political representation.” [12] The Global Gender Gap Report 2015 published by The World Economic Forum quantifies the extent of gender-based disparities and monitors their progress over time through the global gender gap index” [13]. It measures important areas such as: „*Economic Participation and Opportunity, Educational Attainment, Health and Survival, Political Empowerment*”. To a large extent, these areas are comparable to those that The European Institute for Gender Equality - EIGE monitors for the Gender Equality Index in the European Union, to which we have already referred. Thus, correlating the two reports, for the values for 2015, if The European Institute for Gender Equality - EIGE ranks in a TOP 3 of the EU Member States that come closest to the full equality index Sweden, Denmark and Finland (as shown in Figure no. 3 of this paper and in the previous paragraphs), The World Economic Forum ranks among the countries with the best Global Index five European states, of which three EU member states and two signatories to the Agreement on the European Economic Area (EEA Agreement) who declined to become

members of the EU. But let's see who it is: Iceland (0.881 Index), Norway (0.850 Index), Finland (0.850 Index), Sweden (0.823 Index), Ireland (0.807 Index). At the other extreme of the Global Index, among the EU Member States that come closest to the full equality index, we identify: Malta (0.668 Index), Cyprus (0.671 Index) and Hungary (0.672 Index), noting that these states do not occupy the last places in the Global Gender Gap Report 2015 hierarchy, but 104 out (Malta), 100 (Cyprus) and 99 (Hungary) of 145. As for Romania, it occupies position 77 (0,693 Index).

The common denominator of the two reports is placing the EU-28 Member States Finland and Sweden in the top of the closest scores to full equality, and at the opposite pole, in the furthest index of full equality, we identify as a common point for the two reports, another EU Member State, Hungary, although not among the last positions, but ranks 99 out of 145, ahead of Cyprus (100) and Malta (104), another 2 EU-28 Member States.

We appreciate that placing some or other European countries or EU-28 members in the top of gender equality is precisely due to the common elements analysed in the areas monitored by the analysts / authors of The Gender Equality Index Report and / or The Global Gender Gap Report.

According to The Global Gender Gap Report 2016-2018, The World Economic Forum holds in the top 5 of the countries in the world that are closest to full equality, Sweden and Finland from the EU-28 member states, and in the top of the countries with the most distant index from full equality, on the same 5 reference positions, we do not find any member state of the European Union. [14]

Table 1: *The 10 best countries to be a woman*

Country	Rank	Score (0–1)
Iceland	1	0.858
Norway	2	0.835
Sweden	3	0.822
Finland	4	0.821
Nicaragua	5	0.809
Rwanda	6	0.804
New Zealand	7	0.801
Philippines	8	0.799
Ireland	9	0.796
Namibia	10	0.789

Source: *The Global Gender Gap Report 2018, World Economic Forum* [15]

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Conclusions

A fundamental principle of human rights and an objective for most of the states of the world, the equal opportunities and treatment for women and men, are slowly evolving and the number of years in which the full equality index could be achieved by them, taking into account the score registered until the present day, is larger than we would have expected, covering decades for some states and possibly hundreds of years for others, depending on the priority of this objective for each of the countries.

From the research carried out, we can observe that the actions taken are effective to a greater or lesser extent depending on the preoccupations existing at the level of each state, in particular, regarding: ensuring the institutional, human and logistical resources necessary to ensure equal opportunities and gender equality; harmonization of the national legislative framework with the European Union regulations and / or with the international treaties / agreements; foundation, elaboration and implementation of the strategies and policies in this field of equal opportunities and gender equality.

Finally, if we were to opt for a country in Europe or around the world, and the selection criteria would be the equality of women and men, according to the World Economic Forum and The Global Gender Gap Report 2018, from a top 10 we could select one of the countries in Table no. 1, 50% of them being from Europe and 30% from EU-28.

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