

Not Making the Lists: The Underrepresentation of Women in EU Politics and Business

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The EU has recently been pushing for legislation to strengthen the gender balance on company boards in its member states. Indeed, the principle of gender equality is enshrined in the treaties (notably Articles 2, 3(3) TEU and 8 TFEU). Yet, women are clearly underrepresented in top positions within EU institutions themselves. The upcoming European Parliament elections are an opportunity for the EU to appoint more women at the highest levels of administration and legislature, thereby setting an example for companies, member states and citizens alike.

On November 20th the European Parliament voted Yes to the Commission proposal of increasing the gender balance in non-executive board-member positions on companies listed on stock exchanges, although it altered the mandatory 40% quota of the underrepresented sex on boards to an *objective to be obtained*. Companies with less than this percentage of female non-executive board-members will be obliged to introduce a new selection procedure – prioritising female candidates as well as setting up individual targets to increase the gender balance. The original proposal, pushed forward by Commissioner for Justice, Fundamental Rights and Citizenship, Viviane Reding, set out strong arguments as to why requiring stock-listed companies to strengthen the gender balance on their boards is so important. Gender equality is perceived as not only supporting one of the EU's fundamental rights – it is also said to bring about better performing companies and to strengthen European economic growth and competitiveness. The issue nevertheless continues to be controversial and the Council has so far been unable to adopt a common position on the matter. Future negotiations may result in further amendments and a watering down of the regulation; it remains to be seen whether this Directive will indeed be adopted at all. Moreover, EU institutions themselves are not a shining, best-practice example of gender balance.

At the beginning of the last Barroso Commission, member states were encouraged to put forward more female candidates for positions in the College. The success of this was limited; female Commissioners represent only 32% of the overall total. Gender mainstreaming has been introduced at lower administrative levels, but not for high-level positions. With 18% of Director Generals and 13.6% of Deputy Directors, the Commission's female representation is far from measuring up to the ideal level of 40% it now suggests as a goal for publicly listed companies.

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Female representation in top positions within other EU institutions is also low. In the General Secretariat of the Council of the EU, there is not a single Directorate headed by a woman and the Secretary-General position is also held by a man. The European Court of Justice presents a similar picture: 32 men and only 6 women constitute its members, while there are 6 out of 29 and 2 out of 8 female members of the General Court and Civil Service Tribunal respectively. The European Central Bank is another case in point. Going through its Directorates, we find 19 Director and 10 Deputy Director posts held by men whereas the number of these respective positions amounts to only two each on the part of women. Currently, the ECB's Executive Board, appointed by qualified majority voting in the Council, consists exclusively of men. It is worth noting, however, the recent decision to appoint the newly created position of Supervisory Board Chair to female Daniele Nouy, current Secretary General of the French Prudential Control Authority.

The European Parliament also shows modest success in this regard. Although the share of female MEPs exceeds many member states' own levels of female political representation, balanced representation is still not secured. There are twice as many male as female Committee Chairs and the total number of female MEPs is around one-third, highlighting the need for national political parties to support more female candidates ahead of next year's elections to the European Parliament. The legitimacy of EU gender equality promotion could be strengthened if these figures were improved, raising the question of whether any change can be expected after the elections. Left-leaning parties have tended to be more even-handed on gender issues. In the composition of the current EP, the Greens/European Free Alliance has achieved a 48.3% female member rate and the Alliance of Socialist and Democrats 42.8%, whereas the number is only 35% for the European People's Party. The European Conservatives and Reformists have 23.2% female members and the Europe of Freedom and Democracy Group only 6.25%. Should eurosceptic right-wing parties secure substantial gains in the upcoming elections to the EP, as some polls suggest, female MEP representation could fall even further.

MEP Andrew Duff's proposal to reform the electoral law included the suggestion of introducing gender balanced electoral lists, yet the whole proposal was rejected in the plenary vote due to a rigid interpretation of the regressive proportionality principle method regarding the allocation of seats among member states. The Commission initiative "Improving the practical arrangements for the holding of the European elections in 2014" adopted by the EP in July 2013 only calls upon member states and political parties to support female candidates, but no mention is made of either quotas or other mandatory means to secure this. Currently only eight member states have successfully implemented electoral gender quotas and the perceived necessity to introduce binding measures both at national and EU level has been voiced by a number of MEPs.

Even in the absence of a mandatory rule, national parties have to rise to the challenge of securing a gender balance on their electoral lists to the EP. It is also important that the political groups in the EP take gender issues into consideration when selecting their candidates for the role of Commission president – a position never previously held by a woman. Following the elections, the Council needs to commit to appointing more female Commissioners, and likewise MEPs, when selecting candidates for Committee and other parliamentary leadership roles. Measures should also be taken to address the question of gender balance in top positions on the administrative level, for instance within the Directorate Generals of the Commission, the Secretariat of the Council and the European Central Bank.