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Equal Opportunities for Women and Men: The Third Medium-Term Community Action Programme

INTRODUCTION

The successful integration of women into the European Community (EC or Community) workplace poses an important challenge to the completion of the internal market in 1992. To further the goals of equal employment set forth in the first and second community action programmes,¹ the European Commission (Commission) recommended a Third Community Action Programme on Equal Opportunities for Women and Men (Third Action Programme).² The Council of Ministers (Council) adopted a resolution in support of the overall objectives of the Third Action Programme and invited the Commission to ensure its effective implementation by making periodic assessments on the progress of the Member States.³ The goals of the Third Action Programme are to implement the Community's achievements to

¹ Council Resolution of 12 July 1982 on the Promotion of Equal Opportunities for Women, 1982 O.J. (C 186) 3 [hereinafter First Action Programme]. The First Action Programme established the Community's first comprehensive policy on women's employment. Its two main themes consisted of strengthening individual rights through improved monitoring of legislative provisions and promoting equal opportunities for women through positive action. *Id.* Christopher Docksey, *The European Community and the Promotion of Equality*, in *WOMEN, EMPLOYMENT AND EUROPEAN EQUALITY LAW* 1, 2 (Christopher McCrudden ed., 1987). These themes were expanded further in the Medium Term Community Programme on Equal Opportunities for Women 1986–1990. Second Council Resolution of 24 July 1986 on the Promotion of Equal Opportunities for Women, 1986 O.J. (C 203) 2 [hereinafter Second Action Programme].

² See Equal Opportunities for Women and Men: The third medium-term community action programme 1991–1995, COM(90)449 final at 1 [hereinafter Third Action Programme]. The Commission usually outlines its policies for future action to the Council in communications called "action programmes." These programmes are designed to announce the Commission's priorities for a specific period and to elicit a draft Council Resolution indicating the Council's support. The final Council Resolution represents the extent of the commitment from the Council to support the Commission's objectives. At the end of a programme, an evaluation is made of the goals achieved and the need for further action. Docksey, *supra* note 1, at 1 n.1. A Council Resolution is not binding and usually represents only a political commitment. P.S.R.F. MATHIJSEN, *A GUIDE TO EUROPEAN COMMUNITY LAW* 121 (1990).

³ Council Resolution of 21 May 1991 on the Third Medium-Term Community Action Programme on Equal Opportunities for Women and Men (1991 to 1995), 1991 O.J. (C 142) 1, 3 [hereinafter Third Action Programme Council Resolution].

date, develop new initiatives to integrate women into the labor market, and to improve the position of women in society.⁴

This Comment examines the EC's attempt to further equal opportunities for women through the Third Action Programme. Part I examines the principle of equality in the EC and Community initiatives to date in the area of equal opportunity. Part II discusses the objectives of the Third Action Programme, the instruments for achieving them, and explores the recommended measures to be implemented by the Commission, the Member States, and both sides of industry. Part III analyzes the effectiveness of the Third Action Programme. This Comment concludes that despite the lack of enforcement power, the Third Action Programme has provided an effective framework for the adoption of several significant Community initiatives on equality.

I. EC LAW ON EQUALITY BETWEEN WOMEN AND MEN

Article 119 of the EEC Treaty, and five directives which are binding on Member States, provide the foundation of the EC equality law.⁵ Article 119 of the EEC Treaty calls for the application of the standard of equal pay for equal work.⁶ This principle

⁴ Third Action Programme, *supra* note 2, at 4.

⁵ *Id.* at 6. The five directives are:

1) Directive 75/117, Council Directive of 10 Feb. 1975 on Approximation of the Laws of the Member States Relating to the Application of the Principle of Equal Pay for Men and Women, 1975 O.J. (L 45) 19 [hereinafter Equal Pay Directive];

2) Directive 76/207, Council Directive of 9 Feb. 1976 on the Implementation of the Principle of Equal Treatment for Men and Women as Regards Access to Employment, Vocational Training and Promotion, and Working Conditions, 1976 O.J. (L 39) 40 [hereinafter Equal Treatment Directive];

3) Directive 79/7, Council Directive of 19 Dec. 1978 on the Progressive Implementation of the Principle of Equal Treatment for Men and Women in Matters of Social Security, 1979 O.J. (L 6) 24 [hereinafter Social Security Directive];

4) Directive 86/378, Council Directive of 24 July 1986 on the Implementation of the Principle of Equal Treatment Between Men and Women in Occupational Social Security Schemes, 1986 O.J. (L 225) 40 [hereinafter Occupational Social Security Directive]; and

5) Directive 86/613, Council Directive of 11 Dec. 1986 on the Application of the Principle of Equal Treatment Between Men and Women Engaged in an Activity, Including Agriculture, in a Self-Employed Capacity, and on the Protection of Self-Employed Women During Pregnancy and Motherhood, 1986 O.J. (L 359) 56 [hereinafter Self-Employed Women Directive].

⁶ TREATY ESTABLISHING THE EUROPEAN ECONOMIC COMMUNITY [EEC Treaty] art. 119. The Article states: "Each Member State shall . . . maintain the application of the principle that men and women should receive equal pay for equal work." *Id.* The EC implemented Article 119 in part to promote social progress, and to ensure free competition when some Member States had already established the principle of equal pay. Docksey, *supra* note 1, at 3.

of freedom from sex discrimination has been recognized as a fundamental right under EC law.⁷

The Equal Pay Directive of 1975 provides for nondiscrimination in "all aspects and conditions of remuneration" for the "same work or for the work to which equal value is attributed. . . ."⁸ This directive helped clarify the meaning of "equal work" to include not only identical work but work of equal value.⁹ In 1976, the Council adopted the Equal Treatment Directive which addresses such issues as equal access to employment, training, working conditions, promotion, and protection from dismissal.¹⁰ In addition, the Council endorsed the Social Security Directive to extend the principle of equality to social security matters.¹¹ All Member States have incorporated these three directives into their national legislation.¹²

To implement new strategies on women's employment that would complement these directives, the Commission presented

⁷ Case 149/77, *Defrenne v. Sabena Airlines III*, 1978 E.C.R. 1365, 1378; see Merle H. Weiner, *Fundamental Misconceptions About Fundamental Rights: The Changing Nature of Women's Rights in the EEC and Their Application in the United Kingdom*, 31 HARV. INT'L L.J. 565, 565 (1990).

⁸ See Equal Pay Directive, *supra* note 5, at art. 1; Robert B. Fitzpatrick, *European Women Entitled to Equal Pay for Work of Equal Value*, 34 FED. B. NEWS & J. 384 (1987).

⁹ Fitzpatrick, *supra* note 8, at 384. The importance of equal value, or comparable worth, has been a controversial issue even in the United States. The Supreme Court has defined comparable worth as "a comparison of the intrinsic worth or difficulty of [the plaintiff's] job with that of other jobs in the same organization or community." *Washington v. Gunther*, 452 U.S. 161, 166 (1981). Few plaintiffs, however, have won equal pay suits based on comparable worth. Fitzpatrick, *supra* note 8, at 384 n.3. Nevertheless, equal value is explicitly referenced in the International Labor Organization (ILO) Convention on Equal Remuneration. *Id.* at 384; Equal Remuneration Convention No. 100, June 29, 1951, 165 U.N.T.S. 303. Article 2(1) provides that each signatory shall ensure "the principle of equal remuneration for men and women workers for work of equal value." Equal Remuneration Convention, *supra*, at art. 2(1).

¹⁰ See generally Equal Treatment Directive, *supra* note 5; Docksey, *supra* note 1, at 3. The main purpose of this directive is to apply equal treatment principles to Member State legislation, employment contracts and handbooks, and collective agreements. Docksey, *supra* note 1, at 3. Although this directive prohibits discrimination based on marital or family status, it still permits protective provisions for pregnancy. Equal Treatment Directive, *supra* note 5, at arts. 2(1), 2(3); Weiner, *supra* note 7, at 567.

¹¹ See generally Social Security Directive, *supra* note 5. This directive applies to all workers whose jobs are interrupted by illness, accident, or involuntary leave. Docksey, *supra* note 1, at 4. It also covers employees, self-employed workers, the elderly and disabled, and the unemployed seeking work. *Id.* The scope of this directive, however, is limited because it exempts survivors' benefits and the determination of pensionable age for granting old-age and retirement pensions. Weiner, *supra* note 7, at 568 n.23; Docksey, *supra* note 1, at 4.

¹² Third Action Programme, *supra* note 2, at 6; Docksey, *supra* note 1, at 4.

its First Action Programme, effective from 1982 to 1985.¹³ Although no directives were adopted under the First Action Programme, the Commission made proposals for new directives, established infringement proceedings, and requested studies on future policies.¹⁴ Between 1986 and 1990 under the Second Action Programme, the Council adopted two additional directives.¹⁵ The first directive extends the principle of equal treatment in statutory social security programs to occupational social security schemes, although it provides for a number of exemptions.¹⁶ The second directive applies the equality principle to men and women in self-employed occupations including agriculture, and on protection of self-employed women during pregnancy and motherhood.¹⁷

Thus, the Community law on equal opportunity has evolved from Article 119 of the EEC Treaty to the adoption of these five directives. In addition, the Council has endorsed two action programmes on equal opportunity and adopted various resolutions and recommendations on the subject.¹⁸ Notwithstanding these initiatives, the persistence of inequality in the employment of women has prompted the Commission to develop its Third Action Programme.

II. THIRD ACTION PROGRAMME ON EQUAL OPPORTUNITIES

The Third Action Programme proposes the integration of equal opportunity initiatives into the development and imple-

¹³ See First Action Programme, *supra* note 1; Docksey, *supra* note 1, at 2.

¹⁴ Docksey, *supra* note 1, at 2.

¹⁵ *Id.*; see also Second Action Programme, *supra* note 1.

¹⁶ Occupational Social Security Directive, *supra* note 5, at arts. 3(2), 4(2), 7; Weiner, *supra* note 7, at 568 n.23. The directive was disappointing because retirement age was excluded from equal treatment, and Member States were allowed to postpone the directive's application to actuarial tables for 13 years. Docksey, *supra* note 1, at 4.

¹⁷ See generally Self-Employed Women Directive, *supra* note 5. The purpose of this directive is to extend equal treatment to women who are self-employed and to women who work with their spouses, especially on farms. Docksey, *supra* note 1, at 5. Self-employed women and assisting spouses comprised about 13 million women as of 1986. *Id.* This directive has also been viewed as ineffective because maternity protection and legal recognition of spouses' work are merely recommendations. *Id.*

¹⁸ See, e.g., Council Resolution of 7 June 1984 on Action to Combat Unemployment among Women, 1984 O.J. (C 161) 4; Council Recommendation of 13 Dec. 1984 on the Promotion of Positive Action for Women, 1984 O.J. (L 331) 34; Council Resolution of 3 June 1985 Containing an Action Programme on Equal Opportunities for Girls and Boys in Education, 1985 O.J. (C 166) 1; Council Recommendation of 24 November 1987 on Vocational Training for Women, 1987 O.J. (L 342) 35; Council Resolution of 16 Dec. 1988 on the Integration and Late Integration of Women into Working Life, 1988 O.J. (C 333) 1.

mentation of the EC's economic and social policies at both the Community and Member State levels.¹⁹ This integrated approach is different from the two previous action programmes that focused on specific, isolated actions to improve women's working conditions.²⁰ The main impetus for this shift is the anticipation of a Single Market and the recognition that greater participation by women is needed for the Community to remain competitive in the world economy.²¹

The Third Action Programme seeks to consolidate Community achievements to date and to develop new vocational training and employment programs which can be integrated into general Community policies.²² In addition, it contemplates strengthening the complementarity of the various groups in equal opportunity enforcement, especially the Commission, the Member States, and the two sides of industry or labor and management.²³ The Third Action Programme attempts to promote cooperation among these "equality partners"²⁴ by delineating the specific responsibilities of the Commission, the Member States, and both sides of industry.²⁵ The main objectives of the Third Action Programme are: implementation and development of equality law; integration of women into the labor market; and improvement of the status of women in society.²⁶

A. *Implementation of Equality Law*

To better implement the equality laws, the Third Action Programme proposes that the Commission monitor the activities of the Member States. Specifically, the Commission will focus on the

¹⁹ Third Action Programme, *supra* note 2, at 2-3.

²⁰ *Id.* The specific initiatives achieved through the previous two action programmes include the formation of information networks across the Member States, awareness-raising programs, financial support for certain projects, and Commission collaboration with equal opportunity commissions and other equality institutions of Member States. *Id.* at 1.

²¹ *Id.* at 2.

²² *Id.* at 3.

²³ *Id.*; Third Action Programme Council Resolution, *supra* note 3, at 2.

²⁴ "Equality Partners" are all those groups whose active involvement is necessary to implement the Action Programme, including the Commission, the Member States, relevant organizations at local and regional levels, and both sides of industry. Third Action Programme, *supra* note 2, at 3; Third Action Programme Council Resolution, *supra* note 3, at 2.

²⁵ Third Action Programme, *supra* note 2, at 3; Third Action Programme Council Resolution, *supra* note 3, at 3.

²⁶ Third Action Programme, *supra* note 2, at 4.

extent to which the Member States apply Article 119 of the EEC Treaty and the equality Directives, and initiate infringement actions where necessary.²⁷ It also calls on the Commission to expand the establishment of networks to facilitate contacts and the exchange of information across national borders.²⁸

Moreover, the Third Action Programme urges the Commission to clarify the definition of certain concepts, such as indirect discrimination, equal pay for work of equal value, and the scope of occupational or complementary benefit schemes under Article 119 of the EEC Treaty.²⁹ Finally, the Third Action Programme summons the Commission to provide information and training on legal concepts to judges, lawyers, and others administering the law.³⁰

The Third Action Programme directs the Member States to guarantee that new legislation is not discriminatory and that there are appropriate means of legal redress. Member States should also ensure effective application of equality legislation and raise the level of awareness about legal standards to the legal community and the general public.³¹ Similarly, labor and management are invited to include equal opportunities as a factor in collective bargaining.³²

B. *Integration of Women into the Labor Market*

The second key issue in the Third Action Programme is the integration of women into the labor market. One of the Third Action Programme's objectives is to increase the participation of women in the labor market by promoting entrepreneurship and local employment initiatives.³³ Another goal is to improve the quality of women's jobs by providing better education and train-

²⁷ *Id.* at 7; Erika Szyszczak, *Equal Opportunities for Men and Women: The Third Medium Term Community Action Programme 1991-1995*, 20 *INDUS. L.J.* 156, 157 (1991).

²⁸ Third Action Programme, *supra* note 2, at 1, 7; Szyszczak, *supra* note 27, at 157.

²⁹ Third Action Programme, *supra* note 2, at 7-8.

³⁰ *Id.* at 8.

³¹ *Id.* at 9.

³² See Third Action Programme Council Resolution, *supra* note 3, at 3. Issues that should be included in collective bargaining are equal remuneration and the prohibition of sex discrimination in job classifications. *Id.*

³³ Third Action Programme, *supra* note 2, at 4, 10. Local employment initiatives have been successful thus far in curbing unemployment. For example, the Commissions' direct employee aid programme of 1987 which encouraged the establishment of businesses by women resulted in a significant increase in the number of female-run partnerships at local and regional levels. *Id.* at 10.

ing, as well as protecting the dignity of women and men at work by prohibiting sexual harassment in the workplace.³⁴ Moreover, the Third Action Programme seeks to integrate women into the labor force by pursuing measures directed at reconciling work and family life.³⁵

To better integrate women into the workforce, the Commission has proposed the New Opportunities for Women programme, known as "NOW."³⁶ The NOW programme is funded by the European Social Fund, the European Regional Fund, and the Member States. Its purpose is to help promote the vocational training and employment of women in Member States.³⁷ In addition to the NOW programme, the Commission has proposed other measures to ease the entry of women into the labor market. Specifically, the Commission seeks to expand research on the problems women encounter in integrating into the labor force; to collect and disseminate information to national, regional, and local organizations so that those involved could learn from each other; and to encourage measures designed to promote entrepreneurship and the creation of businesses by women.³⁸

The Third Action Programme also charges the Commission to draw up a code of conduct on sexual harassment after consultation with the Member States. Moreover, the Commission should approve a recommendation on childcare services with an accompanying practice guide. Finally, it should draft a code of conduct on the protection of pregnancy and maternity.³⁹

The Member States are encouraged to adopt similar initiatives to ensure the goal of complementarity between measures taken at the Community and national levels.⁴⁰ Both sides of industry are also invited to expand discussions on such issues as reconciling work and family life, and protecting the dignity of women at work.⁴¹

³⁴ *Id.* at 12–13.

³⁵ *Id.* at 13–14.

³⁶ *Id.* at 14.

³⁷ *Id.*; Szyszczak, *supra* note 27, at 157. Aid may be provided for the following measures: creation of small businesses and cooperatives by women; training for professional reintegration; development of childcare facilities; and technical assistance measures to improve the programming and monitoring capabilities of the parties involved. Third Action Programme, *supra* note 2, at 15–17.

³⁸ Third Action Programme, *supra* note 2, at 20–22.

³⁹ *Id.* at 22–23.

⁴⁰ *Id.* at 23.

⁴¹ Third Action Programme Council Resolution, *supra* note 3, at 3.

C. *Improvement of the Status of Women*

The third issue in the Third Action Programme focuses on improving the status of women in society.⁴² Although progress in the area of employment is important, a fundamental change in societal attitudes is necessary to achieve equal opportunities for women. Thus, the Third Action Programme proposes that the Commission increase public awareness of the importance of equal opportunity, and to disseminate information in order to raise understanding of equality issues.⁴³

Since an important aspect of public awareness is the representation of women in the media, the Third Action Programme urges the Commission to develop programs which challenge the traditional stereotypes of men and women.⁴⁴ Moreover, the Commission should assist the professional development of women in the media industry. Finally, the Third Action Programme invites the Commission to help integrate women into the political decision-making process at both the EC and national levels, and to support women's lobby groups.⁴⁵ The Third Action Programme anticipates that the Member States will undertake similar initiatives.⁴⁶ It also expects that labor and management will take measures to encourage the representation of women in decision-making organizations.⁴⁷

The success of the Third Action Programme will depend largely upon the effective integration of the various initiatives proposed, and the efficacy of monitoring and evaluation mechanisms.⁴⁸ To achieve the goal of integration and cooperation, the Advisory Committee on Equal Opportunities is expected to collaborate further with the Commission and Member States in implementing the Third Action Programme. There will be an evaluation of each of the initiatives proposed in the Third Action Programme such as NOW, as well as a comprehensive survey of the equal opportunity policies taken on by the Commission and by Member States.⁴⁹ Additionally, the Commission will furnish a

⁴² Third Action Programme, *supra* note 2, at 4, 24.

⁴³ *Id.* at 24.

⁴⁴ *See id.* at 26.

⁴⁵ *Id.* at 24-27.

⁴⁶ *Id.* at 27.

⁴⁷ Third Action Programme Council Resolution, *supra* note 3, at 3.

⁴⁸ Third Action Programme, *supra* note 2, at 28.

⁴⁹ *Id.* at 28-29.

mid-term and final evaluation report of the Third Action Programme based on information presented by the Commission and the Member States.⁵⁰

III. EFFECTIVENESS OF THE THIRD ACTION PROGRAMME

The major problem with the Third Action Programme is the lack of enforcement mechanisms for its effective implementation. The Third Action Programme merely outlines a general framework and makes suggestions on what the Commission, Member States, and labor and management should do. It does not, however, require that Member States embrace these measures.⁵¹ Rather, the proposals actually adopted by the Member States will depend on the national environment and the level of openness of each Member State to equal opportunity goals.⁵²

Another major drawback is the Third Action Programme's budget of only ECU five million.⁵³ Although a 6 percent budget increase is scheduled for 1992, subsequent financial support will be determined by the Commission on a year-to-year basis.⁵⁴ Furthermore, the Third Action Programme in part may be superseded by the health and safety provisions of the Social Charter Action Programme—a program which shares a similar concern for women in the areas of child care, and the protection of pregnancy and maternity rights.⁵⁵

⁵⁰ *Id.*

⁵¹ See generally *id.*

⁵² See *id.* at 28.

⁵³ Financial Statement for the Third Medium Term Action Programme on Equal Opportunities, COM(90)449 final at 2, 5 [hereinafter Financial Statement]. ECU 5 million is equivalent to roughly \$4.5 million at ECU 1.235 to the dollar. Foreign Exchange Table, N.Y. TIMES, Apr. 26, 1992, at F7 [hereinafter Foreign Exchange Table]. This figure is dwarfed by the ECU 120 million, or approximately \$97 million, budget of the New Opportunities for Women (NOW) programme for vocational training and employment. *Id.*; Szyszczak, *supra* note 27, at 157.

⁵⁴ Financial Statement, *supra* note 53, at 2. A 6 percent budget increase is ECU 300,000 or about \$243,000. See Foreign Exchange Table, *supra* note 53, at F7.

⁵⁵ Szyszczak, *supra* note 27, at 157. Compare Communication From the Commission Concerning Its Action Programme Relating to the Implementation of the Community Charter of Basic Social Rights for Workers, COM(89)568 final at 35 [hereinafter Social Charter Action Programme] with Third Action Programme, *supra* note 2, at 22–23. The Social Charter is a declaration of the social rights of workers and the source of the most extensive range of proposals for Community legislation to date on the advancement of social equality. See generally John T. Addison and W. Stanley Siebert, *The Social Charter of the European Community: Evolution and Controversies*, 44 INDUS. & LAB. REL. REV. 597 (1991).

Notwithstanding its lack of binding force and relatively limited budget, the Third Action Programme provides a range of specific equal opportunity proposals that the Community and Member States may adopt.⁵⁶ In fact, the Commission has endorsed two Recommendations to date arising from the Third Action Programme.⁵⁷ The first initiative is the Commission Recommendation on the Protection of the Dignity of Women and Men at Work (Recommendation on Dignity).⁵⁸

The purpose of the Recommendation on Dignity is to promote awareness of the unacceptability of sexual harassment in the workplace.⁵⁹ The Recommendation also contains a Code of Practice which provides guidance to employers, unions, and employees to prevent sexual harassment and to deal with the problem when it occurs.⁶⁰ The main limitation of the Recommendation and the accompanying Code of Practice is that Member States are not bound to implement the new initiatives, although they are required to report their progress to the Commission in three years.⁶¹ Despite its limitations, the Recommendation on Dignity is the first Community-wide effort to help women who have been sexually harassed and is likely to be influential in the Member States.⁶²

⁵⁶ See generally Third Action Programme, *supra* note 2.

⁵⁷ Recommendations have no binding force, but they have proved to be influential. MATHIJSEN, *supra* note 2, at 115. For example, recent cases have held that although the courts cannot review the legality of recommendations, national judges should consider recommendations when deciding cases. *Id.*; see Case 322/88, Grimaldi v. Fonds de Maladies Professionnelles, 1989 E.C.R. 4407.

⁵⁸ Commission Recommendation of 27 November 1991 on the Protection of the Dignity of Women and Men at Work, 1992 O.J. (L 49) 1 [hereinafter Recommendation on Dignity].

⁵⁹ See *Protection of the Dignity of Women and Men at Work: The Commission Adopts a Recommendation and Proposes a Code of Practice*, Commission of the Eur. Communities RAPID, July 3, 1991, at 43, available in LEXIS, Europe Library, Alleur File [hereinafter Protection of Dignity]. This Recommendation was adopted after a study found that sexual harassment is widespread, profoundly detrimental to worker performance, and can adversely affect company profitability. *Id.*

⁶⁰ Recommendation on Dignity, *supra* note 58. The Code of Practice defines sexual harassment as unwanted conduct of a sexual or other nature that affects the dignity of individuals at work. It also emphasizes that in some circumstances, such conduct may violate the equal treatment principle enshrined in the Equal Treatment Directive. See Protection of Dignity, *supra* note 59; see also Equal Treatment Directive, *supra* note 5, at art. 1.

⁶¹ Abbie Jones, *Priority Code: Europeans Seek Unity Against Harassment*, CHI. TRIB., Dec. 1, 1991, at 1, available in LEXIS, Europe Library, Alleur File.

⁶² See *id.* Nevertheless, critics of the Commission Recommendation on Childcare argue that a Council Recommendation is required to ensure more binding political commitment

A second initiative adopted under the framework of the Third Action Programme is the Council Recommendation on Childcare.⁶³ Recognizing that the burden of family responsibilities restricts the participation of women in the market, the Recommendation on Childcare proposes measures to provide access to quality childcare. It also recommends that Member States take measures to allow parents flexible leave arrangements and working hours.⁶⁴ Because the demand for childcare services exceeds supply in all Member States, however, a childcare policy measure may have only a limited effect.⁶⁵ Nevertheless, the adoption of the recommendations on dignity and childcare reflects the Community's general willingness to broaden women's opportunities in the future.

CONCLUSION

Despite its nonbinding nature, the Third Action Programme is a positive contribution to the EC's goal of achieving equal opportunity for women in Europe. An action programme that attempts to realize social integration is especially important at a time when Europe anticipates the completion of the Single Market. Given the prompt adoption of the Recommendations on Dignity and Childcare, the Community appears ready to tackle these controversial issues. The ultimate question seems to be not whether, but when the individual Member States will make the political commitment to adopt equal opportunity policies.

Rosa Kwon

by the Member States. *Council Recommendation Required Pending More Binding Legal Instrument*, Eur. Rep. (Eur. Info. Serv.), Nov. 23, 1991, at 3, available in LEXIS, Europe Library, Alleur File.

⁶³ Proposal for a Council Recommendation on Child Care, COM(91)233 final at 1; *The EC Adopts Child Care Recommendation*, Commission of the Eur. Communities, RAPID, July 3, 1991, at 51, available in LEXIS, Europe Library, Alleur File.

⁶⁴ *The EC Adopts Child Care Recommendation*, *supra* note 63.

⁶⁵ *See id.*