

Eva Maria Welskop-Deffaa
Head of the Department of Equality Policy
at the Federal Ministry for
Family Affairs, Senior Citizens, Women and Youth

Speech

On the Occasion of the Presentation of the Sixth Country Report
of the Federal Republic of Germany
to the CEDAW Committee
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Dear Madam Chair,
dear Members of the CEDAW Committee,
dear ladies and gentlemen,

In 2009 the CEDAW Convention will celebrate its 30th birthday, the Optional Protocol to the Convention is now ten years old, and in Germany, which is presenting its CEDAW Country Report for the sixth time today, 2009 marks an important anniversary in terms of equality policy: 90 years ago, women in Germany were allowed to vote and be elected for the first time – the “indicator on the clock of world events suddenly jerked forward” as Hedwig Dransfeld put it (she was among the first women to be elected into the Constituent National Assembly in 1919). Nine percent of the representatives at that time were women – a record in Germany that was not broken until the 1950s.

In 2009 we are also commemorating the 60th anniversary of the Basic Law along with this new democratic constitution’s path-breaking Article 3: “Women and men shall have equal rights”. In 1949, such a statement could not be taken for granted. The mothers of the Basic Law had to fight hard for it

It is worthwhile to remember milestones in women’s history! They mark the aspirations and criteria for what we now actively strive to attain in enforcing our rights.

This is how we view our policies, this is also how we view our obligation to submit reports under the CEDAW Convention – I am looking forward to today’s discussion.

Minister Ursula von der Leyen asked me to represent her here today and to report back to her on your input and questions . Minister von der Leyen is convinced that national progress is best made when we allow our international partners to hold up a mirror in order to show us what we have done well and what we have dealt with in a less convincing manner. Learning from what has set standards in other countries, is to her a principle of political success.

Introduction

The Sixth Country Report, which we are presenting here today, was submitted to you by the Federal Government in September 2007. Your list of issues and questions clearly illustrated where clarification was necessary. We submitted comprehensive answers to your questions in a written reply sent in October of last year.

I would therefore prefer not to repeat what you have already read about the year on which we reported – up to the beginning of 2007. Instead, I would like to use this opportunity to outline the situation since then, and what new developments have been seen up to an event that will affect equality policy in ways that none of us can really anticipate yet: I mean, of course, the Global Financial Crisis. The impact of the collapse of financial markets throughout the world can already be felt in the real economy. Unemployment is rising. In Germany, this still, or initially, appears to be male unemployment. Hence women are becoming – not by choice – the breadwinners in the family. Their earnings suddenly represent an essential source of the family's income. We know that even before the crisis women were the main family breadwinners in 20 percent of the multi-person households, half of them being single parents. Our attention will continue to focus on these developments and also on the question of how to ensure the future funding of infrastructural elements essential to women's policy – from women's shelters to pregnancy counselling centres – during this period of financial turmoil.

Please allow me to begin by making a few comments on the value and the status of the CEDAW Convention in Germany. You prominently mentioned this point in your issues and questions, and to me this seems to be a very important topic. The CEDAW Convention is not widely known in Germany. We must admit to this fact frankly. Even among active members of large women's organizations one finds that making references to the Convention in a speech will trigger a puzzled reaction, "CEDAW?" This is an experience that has caused me concerned ever since I began working at the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (Ger. abbr. = FMFSFJ). Having experienced that the human rights movement and the women's movement do not routinely engage in a dialogue with each other, and having experienced that human rights are generally understood in a manner that does not necessarily make it easier to keep women's rights, as defined in the CEDAW Convention, on the German public agenda as human rights ... provided us with a motive for engaging in long discussions – with Dr Schöpp-Schilling, your German colleague who has now resigned after 20 years, with the German Institute for Human Rights, as well as with representatives of women's organizations. One result of these discussions was the new brochure on the Convention that was produced by our Ministry in late 2007 to present the Convention, the Optional Protocol, and the General Recommendations in a concise, visually appealing form. The entire first printing was gone in no time!

The Federal Government is extremely gratified by the fact that the consideration given to the CEDAW Convention by the Human Rights Committee of the German Bundestag, in particular, has tangibly contributed to its importance being more widely recognized in parliament in recent years.

On 7 March 2008, in commemoration of International Women's Day, a plenary debate in the German Bundestag was dedicated to the Convention and the Sixth Country Report.

I am pleased that various women's, human rights, and other non-governmental organizations are increasingly "discovering" the Convention as a yardstick, against which the work of the Federal Government can be measured. We have been reading the alternative reports by non-governmental organizations with just as much interest as you have.

We recognize the importance of alternative reports – not only as a means of verifying whether we, as a state party to the Convention, are successfully implementing it, but also for our own process of reflection on our work. Impulses and initiatives from civil society are of the utmost importance in creating a society fit for the future. Therefore, the Federal Government not only supports the work of numerous women's organizations – particularly noteworthy here is institutional funding for the *Deutschen Frauenrates* (German Women's Council) – by launching the *ZivilEngagement* (CivicEngagement) initiative, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth is also highlighting the importance of those who are active in civil society as a source of leaven for effecting change. This appreciation is expressed through the financial support provided for the alternative report entitled *Allianz der Frauenorganisationen Deutschlands* (Alliance of German Women's Organizations) to which roughly 30 organizations contributed and which was presented to me as a representative of the Federal Government in December of 2008. We will continue this constructive dialogue with representatives of non-governmental organizations in order to address their questions and suggestions and to discuss different standpoints.

I would also like to emphasize my gratitude for the recommendations made by the CEDAW Committee in 2004 – even when they are not always specifically mentioned in the following – they have provided diverse stimuli for the formulation of policy in Germany in the past years, not only in conjunction with "father months", which are now an integral part of parental leave (Recommendation No. 24), but also in designing measures to promote women's participation in political life (Recommendation No. 32), in developing programmes to combat violence against women (Recommendation No. 23) and in many other contexts. I will therefore refer, when describing the focal points of our equality policy in the following, both explicitly and implicitly to the Recommendations of the Committee, since there is a connection between the two.

Stereotypes

With regard to overcoming gender stereotypes, it is possible – in light of the short time that has elapsed since the end of the reporting period for the Sixth Country Report, i.e. early 2007 – to speak of an astonishing success story. The introduction of parental allowances in place of child-raising allowances, which was already mentioned in the report, has resulted in a decisive paradigm shift due to the partner months. Raising and caring for small children is no longer automatically and

exclusively seen as the task of the mother. Sixteen percent of the children born in 2007 have a father who is taking advantage of a parental allowance! Under the old regulations for child-raising allowances, the proportion of fathers taking parental leave always remained below 4 percent. Many studies showed that young men were basically willing to play a more active role as fathers – and now the new framework conditions make it easy for them to realize this wish.

In a very short time, personnel managers have demonstrated a growing acceptance of the “new approach to partnership” reflected in the regulations for parental allowances. The majority of managers consider parental allowances to be a good solution. Two thirds, for example, reported that they saw “no problem” in a father’s reducing or interrupting his employment.

We have used the renewed discussion in society concerning the role of fathers and the image of mothers, which was triggered by the introduction of parental allowances, to adopt additional measures to actively combat the discrimination perpetuated for years by traditional role models.

Based on a number of Sinus Milieu Studies commissioned by our ministry, we have made great efforts to overcome beliefs in gender-specific stereotypes, particularly in relation to the role of men. We have been able to address young men and women in a manner suited to this target group by cooperating with the Federal Employment Agency in designing an interactive travelling exhibition. It was shown at locations where vocational counselling is provided – at local Employment Agencies. In the decisive situation of choosing a profession, young people had the chance to think again about how they saw their own roles – as did, coincidentally, the employment counsellors and case managers on their way to work!

Two current examples of the many measures now being adopted, are the new homepage called “Respekt-Jungs.de” (Respect Boys), which went online in January of this year, and a household parkour, which we developed for schools to use on Girls’ Day in order to work with boys in addressing changing roles.

Later this month, at the Didacta – the largest German exhibition for schools and teachers –we will present a media case that we have developed called “Gleich geht’s weiter” (We’ll continue in a minute). It contains video clips and extensive teaching materials on the topic of role stereotypes prepared for use in the classroom.

It should also be emphasized that over the last two years the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth has also been cooperating with men’s organizations that aspire to more equality and has initiated the establishment of a corresponding network. Working together with these partners we are able to approach (young) men in the workplace, their families and at school in order to encourage them to consider new role models in developing their own concepts of life in a partnership.

What is interesting in this conjunction is a new discovery: civilian service, which is performed by young men as an alternative to the military and has been promoted in recent years as “learning service”, clearly appears to have a positive effect on their socialization in terms of equality. Recent reports on young men’s experience

indicate that civilian service in social service facilities opens new doors for them in terms of non-stereotypical career choices, for example the field of nursing. A comprehensive study will now investigate this question in more detail.

Of particular importance in a long-term perspective is the international research and exchange process that Germany initiated in 2007 to address questions of the predominant role models of women and men in families and social law. In this conjunction it is a question of what legal framework conditions will be required in a society in which the model of the sole male breadwinner is no longer the dominant family model. Last year we have presented initial findings, published within a series of research studies from our ministry, under the heading “Personal Responsibility, Private and Public Solidarity – Role Models in Families - and Social Law in European Comparison” (“Eigenverantwortung, private und öffentliche Solidarität – Rollenbilder im Familien- und Sozialrecht im europäischen Vergleich”).

Political and Public Life

Important impulses for work on equality policy in recent months came from the General Recommendation No. 23 of 1997, which we studied more closely in preparing for the anniversary of “90 Years of Women’s Suffrage”.

In 1998, Germany crossed the critical threshold of a 30 percent share of women in the German Bundestag. With a female chancellor and, with a woman also serving as the Federal Minister of Food, Agriculture and Consumer Protection since 2008, Germany has a high proportion of women in the cabinet, with 6 of 14 ministries headed by females in the meantime.

On the municipal level, however, the situation is much different. Here the average proportion of women elected to municipal representative bodies is 25 percent, and on the level of mayors and district administrators the situation is even worse. We have therefore launched the campaign FRAUEN MACHT KOMMUNE (Power to Women in Municipal Government), which makes it easier for women to enter municipal politics. 86 percent of the women who are now involved in municipal politics, were previously active in civil society. Two thirds of the women active in municipal politics say that the impetus for their first candidacy came “from an external source”. We have targeted the voluntary associations and federations in our campaign, along with the many active participants in civil society, and we have initiated local coalitions of action; together we are rolling out a red carpet to city hall – and not just figuratively – for women!

Labour Market

The next topic that I would like to address is the topic of employment. Equal participation of women in working life has been focused on as a high priority topic in our efforts to advance equality in recent years. We know that:

With a rate of female employment of 64% we have, in the meantime, exceeded the objectives of the Lisbon Strategy. But there are still major regional differences between the East and the West, the rate of employment among mothers with young children continues to be low, women are also seldom found on the higher rungs of the career ladder.

The pay gap continues to serve as a key indicator of the social discrimination of women in employment. This one criterion – the relationship between the gross hourly wages of women and men – is a highly distilled expression of (nearly) all facets of the problems with which women are confronted in employment. The limited spectrum of career choices for women, impediments to their professional development, a traditional understanding of gender roles in some social contexts and strata, the practical and psychological difficulties involved in reconciling family and work life, and the related obstacles to re-entering the labour market after interrupting employment for family reasons all contribute to the wage gap, along with the value attached to typical female professions.

Women in Germany still earn 23 percent less on average than their male colleagues. As a result, Germany finds itself ranked seventh to last when compared with other EU countries. Among university graduates and managers, the discrepancy is even greater.

The objective of the Federal Government in the past 12 months has been to gain a better understanding of the pay differences between women and men and to demonstrate courses of action through which the pay gap in Germany can be effectively reduced.

The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth is convinced, along with the EU Commission, that a **strategy that addresses the causes** is the best approach to eliminating pay inequality. Recent research studies commissioned by the ministry have provided evidence of the fact that essential causal connections for the gender pay gap can be found in the following three contexts:

- **Women not being found in certain professions, sectors or on the higher rungs of the career ladder:** the horizontal and vertical segregation of the labour market is still a reality.
- Women **interrupting employment** more frequently and longer than men do for **family reasons** and **reducing the extent of their employment** considerably more often than men.
- Finally, **typical female professions are not well-paid** as compared with professions that are traditionally pursued mainly by men. This is augmented – particularly in the case of women who have family obligations – by their adopting a different strategy in **wage negotiations** than men do.

The pay gap represents a **continuing negative incentive** for the behaviour of women in the labour market. The perspective of lower pay leads to a reduced inclination to seek employment while longer interruptions in employment lead to a greater discrepancy in pay – ultimately a vicious circle. When, and for as long as, women earn less than men, they are more inclined to turn their backs on the labour market for family reasons and to confirm prejudices on the part of employers with regard to their earning only a “second income”. Women who then become family

breadwinners because their partners are unemployed, deceased, or divorced, are then forced to support their families on lower incomes. The risk of poverty in these families is a function of the pay gap

Hence, pay inequality is, on the one hand, a result of outdated role models and, on the other hand, reinforces a gender hierarchy in the sharing of responsibilities in partnerships, even if it does not correspond with the preferences of the men and women themselves. It is an economic anachronism and a risk factor both for the modernization of society and the prevention poverty.

The Federal Government has given greater consideration to the topic of pay inequality in recent years. Numerous initiatives encourage young women and men to keep an open mind with regard to career choices and thus transcend traditional boundaries dividing the labour market. The new system of parental allowances, with its “partner months”, has contributed to reducing the length of interruptions in women’s employment for family reasons, as has the expansion of childcare, and the programme of action called “Perspective Re-Entry” (*Perspektive Wiedereinstieg*). The General Equal Treatment Act (*Allgemeines Gleichbehandlungsgesetz - AGG*) offers new possibilities for having decisions to promote or favour certain employees examined by the courts. A national coalition of employers’ associations, women’s organizations, and gender equality networks that is preparing to stage the second Equal Pay Day, which will be supported by the Federal Government, will illustrate in a joint public manifestation on April 2009 that pay inequality should be a central issue in the debate on social and equality policy, and that pay inequality affects everyone interested in overcoming social discrimination against women.

The Action Programme “Perspective Re-entry” belongs within the context of these activities, by virtue of the fact that it shortens the interruptions in women’s employment and links re-entry into the labour market to real career perspectives. The programme rests on three pillars.

Together with the Federal Employment Agency we have created an Internet portal to serve as a navigator. It aids women in their initial search for a suitable counselling centre or other local support measures. The portal is going online in early 2009.

Again in cooperation with the Federal Employment Agency, we proposed an ESF programme in 2008 geared towards employment policy, for which networking agencies interested in developing and implementing exemplary new forms of support for women re-entering the workforce can apply. The deadline for applications has already passed, and we have been overwhelmed by the large number of innovative approaches proposed by different agencies from all over Germany. In early March of this year, the decision will be publically announced as to which 10-20 of these model locations were chosen by the high-ranking members of the jury.

The third pillar of the Action Programme for Re-entry consists of the integration of local structures that are already receiving our support. These include, for example, the Local Coalitions for the Family and Multi-Generation Houses. Within the context of “Information Exchanges for Women” (*Infobörsen für Frauen*), which we have been staging in numerous cities and towns as a kind of local exhibition for women since 2007, funding is provided for roughly 40 all-day events dedicated specifically to providing information on the topic of re-entry.

At the end of last year we presented the Action Programme on the occasion of a Peer Review of the European Commission in Nuremburg and were very pleased by the positive reaction from our European neighbours in attendance. Particularly when it is a question of developing equality policy from a life cycle perspective and of taking a closer look at the transitions in the employment biographies of women (and men), we can learn from international exchange. The commission named by the Federal Government in 2008 to report on equality was charged with submitting a first Report on Equality Policy of the Federal Government, in 2010, under the title “Equality Policy in the Life Cycle Perspective” (*Gleichstellungspolitik in Lebensverlaufsperspektive*). It is expected to submit practical recommendations on how dangers of discrimination in transition situations can be avoided.

Violence Against Women

In terms of implementing the CEDAW Convention, the goal of overcoming violence against women continues to be accorded high priority. On 26 September 2007 the Federal Government ratified the **Second Action Plan to Combat Violence Against Women**. Since its publication, all of the contributors have been actively involved in the implementation of the measures and projects that they have proposed.

The Second Action Plan, under the leadership of the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, combines over 130 measures by the federal government in the fields of prevention, regulation, and systems of aid to provide support and counselling to women affected by violence.

Moreover, the Federal Government supports national networking in the system of aid, cooperation between state institutions and non-governmental aid initiatives, work with perpetrators, qualification and sensibilisation, research, and, finally, European and other international cooperation. This includes measures for supporting women in foreign countries.

The Second Action Plan begins where the need for special action still existed after the First Action Plan was completely implemented:

Thus, measures to protect migrant women against violence are to be enhanced, and the special problems of disabled women who are affected by violence are to be more closely examined.

People in the health professions, especially doctors, are to be recruited to support patients who have experienced violence. Prevention measures suited for implementation in individual practices are to take effect earlier than was previously the case, they should also be optimally coordinated and implemented in cooperation between the facilities for the protection of children, young people and women and healthcare facilities.

On the basis of extensive data from the representative survey entitled “Living Situation, Security and Health of Women in Germany” (*Lebenssituation, Sicherheit und Gesundheit von Frauen in Deutschland*) (which was discussed in the Sixth Country Report), a study providing a secondary analysis of the degree, patterns, risk factors and support available after experiencing violence, which was commissioned by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and entitled “Violence against Women in Partnerships” (*Gewalt gegen Frauen in Partnerschaften*), has now been completed. The findings will be published soon. They show – and I find this particularly disturbing – how high the risk of violence is during phases of separation. It is imperative that this is taken into consideration in developing political measures – related to divorce proceedings, the funding of women’s shelters, and for intervention projects.

I also have great expectations with regard to our MIGG (“Medizinische Intervention gegen Gewalt”) project. It is geared towards doctors in individual practices, in order to improve the diagnosis, therapy and documentation of health issues that result from domestic violence. It has just been launched, so that it is still too early to report on findings.

Effects of the Prostitution Law

In January of 2007 the Federal Government submitted its report on the effects of the Prostitution Law.

In the report, the Federal Government makes a case for a broader overall approach to dealing with prostitution, one that consistently combats trafficking in human beings, forced prostitution and prostitution by minors.

Its goal is the greatest possible protection of prostitutes against violence and exploitation. It also clearly determines the responsibility of the client, not least of all by introducing punishment for the clients of forced prostitutes.

The Federal Government also cites the improvement of measures designed to support those who are attempting to extricate themselves from prostitution as an important concern.

In this context, adequate, low-threshold, target-group specific programmes are of particular importance.

In a subsequent step, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth intends to have new approaches tested to providing support for

those attempting to extricate themselves from prostitution. To this end, a model project with a number of locations is being launched in the hope that the new impulses from the realm of federal responsibility will help the Laender to further develop effective support measures. The model project is scheduled to begin in 2009.

In order to provide a broad and well-informed basis for the discussion process on the level of the federal and *Laender* governments, and to survey a broad spectrum of opinions on this question, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth conducted a workshop in March 2008 with experts from the Federal Ministries, the *Laender*, the police and the judiciary, as well as representatives of special counselling services. A transcript of these discussions will be published in a reader shortly.

In addition, as was already mentioned, the protection of adolescents against sexual abuse has been improved; the corresponding changes in Article 182 of the Criminal Code are now in force.

The Federal Government is now examining whether an appropriate solution to the regulation of the punishment of clients of forced prostitutes can be found. The examination in relation to this question has not yet been concluded.

Forced marriage has also been an important topic in recent months.

In this conjunction, the Action Plan Against Violence and the National Integration Plan of the Federal Government enhance each other. The National Integration Plan draws attention to the improvement of the living situations of women and girls with migrant backgrounds.

The suggestions and the ideas submitted by my ministry and the German Institute for Human Rights in April 2007 in the reader on the topic of forced marriage have been carefully reviewed by the Federal Government, and many of the points have been already implemented. Informational material for those who deal with this issue in everyday practice – the local agencies for children and juveniles – illustrates possibilities for directly helping girls who are affected or threatened by forced marriage.

Since mid-2007 the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth has supported an online counselling service for those who are threatened or affected by forced marriage within the context of a model project focussing on how this target group can be reached. A study of the scope and magnitude of forced marriage in Germany has been commissioned.

In mentioning this issue, we want to avoid creating the impression that we assume that there is broad acceptance of forced marriage among migrants who live in Germany. The opposite is true. Therefore, it is important to me to make absolutely clear that wherever our work for equality policy addresses migrant women, it is now marked more by a resource-oriented approach. We see great potential in well-integrated and bi- or perhaps even multi-lingual young women. We must free them of the stigma of being losers. To this end we must further open up our system of education. The National Integration Plan is marked by this concern throughout.

The Federal Government Commissioner has actively supported this paradigm shift by deeply involving migrant self-help organizations.

Conclusion

I hope that through my comments I was able to augment our Country Report with accents that will make it easier to recognize and understand the most important developments in equality policy in Germany. We now see ourselves – as you have already heard – confronted by great challenges and we are making a concerted effort to achieve progress.

We would now be very interested in hearing your questions, which I will be glad to answer together with the members of our delegation in which various ministries are represented. We are also looking forward to hearing your proposals and recommendations, which will give us valuable input on how our national policy can provide even more effective support for the cause of gender equality in the coming years.