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Extending the “most favoured European woman clause” to all Council of Europe member states

Motion for a recommendation

tabled by Ms Lydie ERR and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

Since 2005 the association “Choisir la cause des femmes” has been carrying out major work on the “most favoured European woman clause”. This “clause” involves selecting from the law of the various European Union Member States the provisions most favourable to women in order to make them the minimum foundation of European legislation. It proposes a practical system: adapting what works well for the benefit of the many.

As the association's active representative Gisèle Halimi mentioned during the fourth meeting of women Assembly members on 26 June 2008, the “clause” constitutes a kind of legislative package which would be offered to each European woman.

A study has been made with the aim of determining the most favourable national legislations in the European Union, in five main areas: the choice of whether to give birth, family law, work, combating violence against women, female employment in the European Union, women and politics. The study was published by Editions des Femmes in May 2008.

The Parliamentary Assembly fully supports this initiative aimed at picking the best in each country in order to transfer it to all women in Europe and have tangible rights secured to them. The Assembly therefore wishes this transfer of rights to be extended to all Council of Europe member states.

Consequently, the Assembly should recommend that the Committee of Ministers support the initiative.

It should accordingly recommend that the Ministers associate themselves with the study already made, extending it to all Council of Europe member states, particularly those not belonging to the European Union, on the basis of the working methods already applied, viz:

- by carrying out documentary research on the current situation and on women's rights in all Council of Europe member states;
- by comparative analysis of the data gathered;
- by proposing to select the most advanced legislations;
- by circulating the study and the proposals as widely as possible among the European and national authorities and the public.

Signed (see overleaf)



*Signed*¹:

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1. ALDE: Alliance of Liberals and Democrats for Europe
EPP/CD: Group of the European People's Party
SOC: Socialist Group