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Decent pensions for women

Reply to Recommendation[1]: Recommendation 1932 (2010)
Committee of Ministers

1. The Committee of Ministers has examined Parliamentary Assembly Recommendation 1932 (2010) on "Decent pensions for women" with interest. It has brought the recommendation, together with Resolution 1752 (2010), to the attention of the member states' governments to bear in mind where appropriate. It has also communicated the texts to the Steering Committee for Equality between Women and Men (CDEG), to the Governmental Committee of the European Social Charter, to the European Committee of Social Rights (ECSR), to the Steering Committee for Human Rights (CDDH) and to the European Committee for Social Cohesion (CDCS), the comments of which have been taken into account in the present reply.

2. The Committee of Ministers considers that the issues raised by the Assembly are timely and relevant. With the prospect of an increase in the proportion of older people in European societies, the need to guarantee adequate, equitable and sustainable pensions for both men and women is a concern for all governments. In this respect, the Committee of Ministers shares the view that the gender aspect of pensions is an important one to which particular care needs to be paid when examining or reforming national pension systems.

3. The Committee of Ministers considers that the political choices regarding the organisation and management of national pension systems are the prerogative and responsibility of individual member states – to be assessed in the light of the economic, social and demographic context particular to each country. However, from a Council of Europe perspective, it considers that the question of ensuring decent pensions for women in member states must be guided first from the general principle of equality between women and men, and secondly with a view to protecting the rights of the elderly, both of which are priority fields of action for the Organisation.

4. In line with this approach, the ministers of the states participating at the 7th Council of Europe Conference of Ministers responsible for Equality between Women and Men (Baku, 24-25 May 2010) adopted the Resolution "Bridging the gap between *de jure* and *de facto* equality to achieve real gender equality" which invites member states to "*develop specific gender equality policies and measures, in particular positive action including temporary special measures […], to overcome the gender pay gap on the one hand and on the other hand permitting women to benefit from decent pensions"*. They also adopted an Action Plan "Taking up the challenge of the achievement of *de jure* and *de facto* gender equality" in which the Council of Europe is recommended to "*analyse the impact of the economic crisis on the realisation of de facto gender equality and develop activities to counter its negative consequences, especially in the labour market, including to overcome the gender pay gap*." In September 2010, the Committee of Ministers agreed to take account of the aforementioned resolution and action plan in the future work of the Council of Europe on gender equality. The implementation of the measures proposed by both the action plan and the resolution aims to reduce and even abolish discrimination and inequalities suffered by women and achieve *de facto* gender equality.

5. The Committee of Ministers is nonetheless aware that pension systems in member states widely differ, as do the levels of pensions for women compared to men. For example, in a number of member states, women can exercise the retirement right before fulfilling the general requirements to exercise the right, both

1. adopted at the 1110th meeting of the Ministers' Deputies (30-31 March 2011)

with respect to insurance and age and that the amount of pension is equal for men and women under the same conditions. In many countries, the principle of non-discrimination, including with regard to gender, provides that equal salaries are guaranteed for the same work or work of equal value regardless of the worker's sex – and this applies also to guaranteed and minimum pensions.

6. On the other hand, the Committee of Ministers is aware that in many states the amount of pension is often a direct consequence of participation in the labour market – and as long as a substantial gap *de facto* between wages and employment periods of men and women exists, a similar gap will remain with regard to the level of pensions. In this respect, it has taken note with interest of the European Union Green Paper[2] on pensions which discusses removing the difference in the amount of pensions of men and women. Similarly, when assessing the positive and negative effects of reforms of pension systems on women's pensions, the Committee of Ministers, like the Assembly, considers it important that due consideration be given to compensating for the disadvantaged position in which women, who have spent time caring for children or other dependents, find themselves with regard to their pension entitlement.

7. The Committee of Ministers would furthermore underline that protecting the rights of vulnerable persons, including the elderly, which may comprise, but is not limited to, the question of decent pensions and its gender dimension, is an important aspect of a socially responsible and democratic society. The elderly are often victims of discrimination and abuse, being particularly threatened by poverty and loss of dignity and often deprived of the right to participate in decision-making processes and society at large. It is therefore particularly important that their fundamental rights and human dignity are fully respected. A new priority initiative in 2011 will assess the situation of elderly persons in Europe, with a view to establishing a comprehensive mainstreaming road map and project proposals for 2012-2013. In the light of this work, the specific suggestions of the Assembly may be further considered.

8. The Committee of Ministers would also draw attention to the European Social Charter (revised) which, *inter alia*, recognises the right to social protection for the elderly in Article 23. It would call on those member states that have not yet done so, to consider ratifying that instrument. Finally, the Committee of Ministers would recall that in 2002, the Second World Assembly on Ageing adopted a Second International Plan of Action on Ageing. This plan includes a number of central themes setting out goals, objectives and commitments, including gender equality among older persons.[3]

2. COM(2010)365 final.

3. In the framework of the United Nations Programme of Ageing, the United Nations General Assembly resolved to hold the Second World Assembly in 2002 in order to assess the progress made by member states since 1982 in implementing the Vienna International Action Plan on Ageing, endorsed by the United Nations General Assembly in 1982 (Resolution 37/51), this document having been adopted earlier the same year at the World Assembly on Ageing at Vienna, Austria.