

EU gender equality policy

Beneficial for both women and men

SUMMARY

Since its creation in the 1950s, the European Economic Community, and today's European Union, has had the power to promote equality between women and men, initially in employment and later also in other areas of life. EU action has driven significant progress, even if disparities persist in many areas. To secure this progress, the EU has enabled Member States to implement positive action measures in favour of women and has adopted groundbreaking legislative and non-legislative measures, such as its recent legislation on gender-based violence.

Although consensus on EU gender equality policy is long established, a minority array of civil society and political actors are increasingly voicing their opposition to some aspects of gender equality policy. Recent surveys in EU countries show that some citizens have also started questioning a policy that, in their view, has fulfilled its mission. However, perennial gender inequalities in many areas of life suggest that this is a hasty assumption.

Fears that gender equality is a zero-sum game that disempowers men highlight a need to dispel misunderstandings about EU gender equality policy. The policy focuses on women as the primary subjects of sex-based discrimination but is formulated in gender-neutral language. Any discrimination is strictly forbidden, although the policy enables Member States to conduct positive action on behalf of women. The Court of Justice of the EU upholds rigorous enforcement of positive action, which has to remain exceptional, limited and non-discriminatory against men.

Changing realities meanwhile suggest that men too can benefit from the data collection and the tools developed by the EU, for instance with regard to health and education. Here, some EU countries display the biggest gender gaps in life expectancy in the world, as well as a notable gap in tertiary educational attainment in favour of women.



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Introduction

Equality between women and men¹ is one of the European Union's foundational principles ([Articles 2 and 3\(3\)](#) TEU), as well as an objective that the Union has to pursue through all its policies ([Article 8 TFEU](#)). Because women have historically been disadvantaged in numerous areas compared with men (e.g. in employment, education and political representation), often due to the systematic discrimination they face, EU action has focused on promoting women's rights and empowerment. During the European Commission's last term, the EU adopted several pieces of legislation that seek to tackle [discrimination](#) against women, whether in employment or private life. It also implemented a comprehensive [gender equality strategy](#), launched in 2020.

However, conservative civil society and political movements continue to oppose some aspects of gender equality policies. Their opposition is based on [arguments](#) that emphasise women's specific rights and interests linked to their traditional role, as distinct from men's, on the [rejection](#) of the idea that gender roles are social constructs open to change, as well as on criticism inspired from religion about women's sexual and reproductive rights. Moreover, they contend that gender equality does not foster family life and leads to the disempowerment of men.

While the principle of gender equality itself enjoys solid support, a [Eurobarometer survey](#), conducted in April–May 2023, suggests that some citizens see it as 'mission accomplished'. The number of respondents saying discrimination according to sex is widespread has increased 3 % since 2019 to 38 %. According to the survey, women (42 %) are more likely than men (34 %) to believe so, but remain a minority. This contrasts with other grounds for discrimination, where the majority of respondents believe there is widespread discrimination: being Roma (65 %), skin colour (61 %), ethnic origin (60 %), gender identity (transgender 57 %), or sexual orientation (54 %).

Are anti-feminist ideas in the EU on the rise?

Given the lack of an EU-wide survey, it is difficult to make a general assessment of how widespread anti-feminist attitudes in the EU are. Existing data indicate that a minority of survey respondents question gender equality policies, but not necessarily gender equality itself. An [international survey](#) conducted in early 2024 by IPSOS and King's Global Institute for Women's Leadership, published on International Women's Day 2024, shows that a number of both women and men in 10 selected EU countries think gender equality policies go too far and risk discriminating against men. In Spain, half of respondents (50 %, including 44 % of female respondents) agreed. In the other nine EU countries where the survey was conducted, the share of those who endorsed the statement range from 45 % in Ireland to 31 % in Hungary, which is less than the global average of 46 %. This does not represent a rejection of gender equality policies, however. The majority of those interviewed thought that gender equality benefits both women and men. Nevertheless, respondents, and particularly younger people, were less optimistic about young men's prospects of a better life than previous generations than they were about young women's prospects.

National surveys also point to spreading anti-liberal attitudes. The [Leipzig Authoritarianism Study](#) (a University of Leipzig project assessing opposition to democratic values) found attitudes questioning gender equality in Germany are on the rise, with up to one quarter of German respondents agreeing with anti-feminist statements in 2022. According to a [study](#) drafted for the [Friedrichs Ebert Stiftung](#) (Mitte Studien 2022/2023), [30.3 %](#) of German respondents fully or partly agreed to the statement that 'gender equality is about women getting more power than men'. An opinion [survey](#) by the Spanish Centre for Sociological Research (CIS, results published in January 2024) showed 44.1 % of male respondents think that gender equality policies have gone too far and now discriminate against men. At the same time, 67.2 % of women and 48.2 % of male respondents in Spain think that inequalities between women and men are 'very large or quite large'.

A lack of awareness about the discrimination and inequality still suffered by women, and lack of understanding about the benefits of gender equality for both women and men may contribute to waning support for gender equality policy in some sections of society. Numerous indicators show clearly that women generally continue to be worse off in several social and professional domains. Unhelpful [stereotypes](#) perpetuate gender segregation in numerous professional fields, to the detriment of both men and women, the industries they work for and the societies they live in.

Gender-egalitarian societies are a win-win situation for both men and women. They tend to be wealthier and more economically developed, by using the workforce and talent of their entire population. According to [estimates](#), improving gender equality in the EU would lead to an increase in EU gross domestic product (GDP) per capita of 6 % to 10 % by 2050. Studies [show](#) clearly that reducing the gender pay gap leads to an increase in GDP. Findings also [evidence](#) the 'business case' for increasing the presence of women on executive boards, emphasising the economic benefits for companies, with EU legislation now in place (see below). Another [study](#) found that greater gender equality is associated with longer life expectancy for both women and men.

Employment: Ensuring fair access to work and comparable working conditions for women and men

Women have historically faced severe discrimination in access to employment and working conditions. Today, more subtle forms of discrimination against women persist, such as the gender [pay gap](#) (13 % in the EU in 2020) including for equal work, [professional segregation](#) associated with gender stereotypes, [sexual harassment at work](#), and [difficulty reconciling professional life](#) with the burden of care, which is unequally distributed between women and men.

However, this does not mean that men do not face discrimination. Data from a 2015 Eurofound [survey](#) (European Working Conditions Surveys – EWCS) on discrimination against men at work showed 1.0 % of men responding claimed they had experienced negative discrimination at work on the basis of their sex in the 12 months preceding the survey 'suggesting that discrimination against men is more prevalent than previously thought'. [Eurostat statistics](#) for 2021 show that discrimination on the basis of sex in employment is 10 times less frequent for men than for women, with 0.15 % of men feeling discriminated at work because of their gender (compared with 1.5 % of women).

Since the 1970s, EU legislation has banned all types of discrimination in employment on grounds of sex:

- [Directive 2006/54/EC](#) of the European Parliament and the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of **employment** and occupation merges older legislation going back to the 1970s and 1980s in a single text. It bans any discrimination – direct and indirect – with regard to employment, including recruitment and promotion; with regard to vocational training; working conditions, including pay; and occupational social security schemes (pensions relating to pay and to a work relationship).² It states, for example,

Definition of direct and indirect discrimination according to Directive 2006/54/EC

(a) 'direct discrimination': where one person is treated less favourably on grounds of sex than another is, has been or would be treated in a comparable situation;

(b) 'indirect discrimination': where an apparently neutral provision, criterion or practice would put persons of one sex at a particular disadvantage compared with persons of the other sex, unless that provision, criterion or practice is objectively justified by a legitimate aim, and the means of achieving that aim are appropriate and necessary.

that fixing different retirement ages is a form of discrimination, as is sex-based harassment at work. The directive allows Member States to adopt positive action measures, based on the relevant Treaty article,³ but only as an exception to the principle of discrimination. Recital 22 clarifies that such measures should firstly be aimed at improving women's situation.

- [Council Directive 79/7/EEC](#) of 19 December 1978 on the progressive implementation of the principle of equal treatment for men and women in matters of **social security** prohibits any discrimination, direct or indirect, on grounds of sex with regard to statutory schemes that provide protection against sickness, invalidity, old age, accidents at work and occupational diseases, and unemployment. It upholds Member States' right to determine the pensionable age and pension advantages in 'statutory schemes' for people who have brought up children.
- [Council Directive 2004/113/EC](#) of 13 December 2004 implements the principle of equal treatment between men and women in the access to and supply of **goods and services**, prohibiting direct and indirect discrimination. It allows Member States to adopt and implement positive action measures to prevent or compensate for disadvantages linked to sex.
- [Directive \(EU\) 2019/1158](#) of the European Parliament and of the Council of 20 June 2019 promotes opportunities for men to become more involved in **raising their children**. It established paternity leave of 10 working days after a child's birth and parental leave of at least 4 months (half of which is not transferable to the mother), and obliges employers to provide flexible working arrangements for both men and women.

European Parliament position

The European Parliament is a strong advocate of gender equality. It supported EU measures aimed at securing fairer treatment of men as parents, such as legislation on parental leave and flexible working. In its [resolution](#) on equality between women and men in the European Union in 2018–2020, it underlined that employers should provide flexible working arrangements for men to allow them to spend more time with their children. It also called for a gender-sensitive approach to occupational health and safety.

Targeted initially at securing women's equal treatment, such legislation has also been used on multiple occasions to settle claims of discrimination on grounds of sex raised by men, for example against employers who advertised job openings for only one sex, or in cases where training was reserved for only one sex (see Eurofound report above). Empowering men to fight discrimination is important, as they may be more [reluctant](#) than women to report their experience due to gender stereotypes.

Making sure positive action in employment remains non-discriminatory

EU law allows positive discrimination (see relevant directives above), but only as an exception to the principle of non-discrimination,⁴ and therefore in a quite restrictive manner. Even with these limitations, 'positive action, with the best of intentions, may end up disproportionately disadvantaging men'.⁵ To avoid this situation, the Court of Justice of the European Union (CJEU) has ruled on several cases of positive action, clarifying a series of principles and criteria that rigorously circumscribe Member States' action in the area.

In **recruitment and promotion**, positive action can give a preference to women in sectors where they are under-represented, but this preference cannot be automatic and unconditional. It is only accepted as a 'tie-breaker' between two equally qualified candidates. The candidate from the over-represented sex must however have the possibility to prevail based on higher merit or other individual circumstances. In vocational training and calls to interviews, a quota of places can be reserved for women if they are under-represented, but men with equal qualifications should not be fully excluded from these. EU case law on the application of former Directive 76/207/EEC has clarified these conditions for applying positive action (see box).

CJEU case law dealing with positive action in employment, training and retirement

[Case C-450/93 'Kalanke' \(1995\)](#) – In its ruling, the Court stated that national rules that guarantee women absolute and unconditional priority for appointment or promotion go beyond promoting equal opportunities and overstep the limits of positive action as allowed by EU law. It barred national rules that automatically give priority to women in sectors where they are under-represented in cases where candidates of different sexes shortlisted for promotion are equally qualified.

[Case C-409/95 'Marschall' \(1997\)](#) – The ruling stated that a national rule that gives priority to women for posts in a public sector where they are under-represented has to provide, in each individual case, for male candidates who are equally as qualified as the female candidates, a guarantee that the candidates will be the subject of an objective assessment, which will take account of all criteria specific to the candidates and will override the priority accorded to female candidates where one or more of those criteria tilts the balance in favour of the male candidate.

[Case C-158/97 'Badeck' \(1997\)](#) – The Court's ruling reaffirmed the need for an objective assessment that takes into account the specific personal situations of all candidates for posts in public service where a women's advancement plan sets out specific targets for hiring female candidates. It endorses a flexible result quota that does not impose a rigid hiring target and that adjusts positive action to the unfavourable situation of women in specific sectors and departments. Thus, the ruling stated that for temporary posts in academic service and for assistant posts, the binding targets of a women's advancement plan can provide a women's quota at least as high as the number of female students in the field for women. Similarly, at least half of public training places can be reserved for women if the objective is to eliminate under-representation of women in a specific field.

[Case C-407/98 'Abrahamsson' \(2000\)](#) – The Court found that EU legislation bars giving preference to a candidate for a public post who belongs to the under-represented sex and possesses sufficient qualifications for that post over a candidate of the opposite sex who would otherwise have been appointed because of higher merit, even if the difference in their merit remains within objectively acceptable limits. It does not permit application of such preference to less qualified candidates of the under-represented sex for a pre-determined number of existing posts, or new posts created as part of a specific positive action programme in a higher educational institution.

In a ruling on [C-79/99 'Schnorbus' \(2000\)](#), the CJEU found that EU law allows preferential training for men to **compensate for mandatory military training**. The Court stated that preferential access to legal training for men who have undertaken military service does not discriminate against women, because it is 'justified by objective factors unrelated to sex where it goes no further than to compensate for a delay already suffered as a result of compliance with the statutory obligation in question'.

With regard to **retirement**, the CJEU decided in [C-192/18 Commission v Poland \(2019\)](#) that a Polish law lowering the retirement age for judges and prosecutors to 60 for women and 65 for men could not be upheld as a form of positive discrimination.

While EU legislation permits positive action under the conditions described above, it does not oblige Member States to undertake it. Member States therefore have the freedom to adopt positive action measures or not, and this is reflected in the diversity of approaches they implement in practice. According to a 2019 study carried out for the European

Commission,⁶ 'in a significant majority of states, tie-break policies are legally permitted, although there is a significant minority of states in which such a policy appears not to be permitted'. The same study notes that there are considerable difficulties with the application of the tie-break principle in practice, as it is not easy to find two perfectly equally qualified candidates.

For the first time, the EU implemented positive action in recruitment in EU law in its recently adopted Women on Boards Directive ([Directive \(EU\) 2022/2381](#)). The directive provides that publicly listed companies must make efforts to reach a quota for the under-represented sex on their executive boards by 2026, and if they fail, adjust their selection process. However, the directive does not provide for automatic quotas (reserved places) for women. Quotas have to be fulfilled using a transparent and fair recruitment procedure, open to both men and women. To comply with this obligation, companies have to apply the tie-break principle in accordance with CJEU case law: Article 6 states: 'Member States shall ensure that, when choosing between candidates who are equally qualified in terms of suitability, competence and professional performance, priority is given to the candidate of the underrepresented sex unless, in exceptional cases, reasons of greater legal weight [prevail]'. If taken to court, the burden of proof is on companies to show that this has indeed been the case. The directive aims at improving the representation of under-represented women, but is formulated in a gender-neutral language, and remains applicable to the under-represented gender, whichever this may be.

Positive action for men?

Traditionally feminised sectors, such as primary and secondary [education](#), health (particularly nursing), care and social services, tend to be lower paid, more precarious, and enjoy less social prestige. They are also still often dominated by men in positions of higher responsibility. The causes of [gender segregation](#) on the labour market are multiple and complex. Scientific explanations, which range from individual preferences to social and financial factors, do not provide a definitive answer, but suggest that stereotypes from family, school and the business world, as well as various barriers to women as late-comers on the labour market, play a central role. With women significantly outnumbering men today in other [tertiary education fields](#) such as law, biological science or medicine, jobs in these areas could risk devaluation. Preventing or ending gender segregation thus benefits women and opens up new opportunities for men.

EU non-discrimination law uses gender-neutral language in outlining the principle of equal treatment between men and women, as do the CJEU's rulings, which refer to the under-represented and over-represented sex. According to a 2019 study for the European Commission, 'preferences [in favour of the under-represented sex] should be symmetrical (redressing the underrepresentation of men as well as women), and respect the merit principle at least to the extent of allowing preferences only between candidates who are broadly equivalently qualified'. However the study stresses that legally, it is not clear whether a symmetrical approach is obligatory or not, and CJEU clarification would be useful.⁷

According to a 2014 [Equinet report](#) on positive action measures, 'under-representation is not automatically linked to disadvantage, e.g. the under-representation of men in caring professions is not considered to be linked to any disadvantage. It is nevertheless the result of stereotypes that circumscribe male and female roles'. For example in the Netherlands, no tie-break preference rule can be employed to favour men, because men are not subject to structural discrimination, according to a 2022 [Equinet study](#). The idea that the under-represented gender must also suffer structural discrimination to benefit from preferential treatment in employment was [endorsed](#), for example, by the Constitutional Court of Mecklenburg-Vorpommern. The CJEU case law suggests however a lower threshold for allowing positive action. In its judgment in [Marshall v Land Nordrhein-Westfalen](#),

(11 November 1997), the Court considered that 'the prejudices and stereotypes concerning the role and capacities of women in working life' are sufficient to give grounds for preferential treatment in hiring (points 29–31).

Health and education: A complex picture of inequalities

Existing gender disaggregated data in the EU show that most inequalities affect women, and persist in numerous areas. In health and education however, men lag behind women in some dimensions, particularly life expectancy and tertiary education attainment. Differences between EU countries

are significant, as shown for example in the United Nations Gender Development Index (GDI). In some EU countries, women have better combined GDI scores than men (values over 0, see Figure 1).⁸ As gender is linked to health, longevity and educational

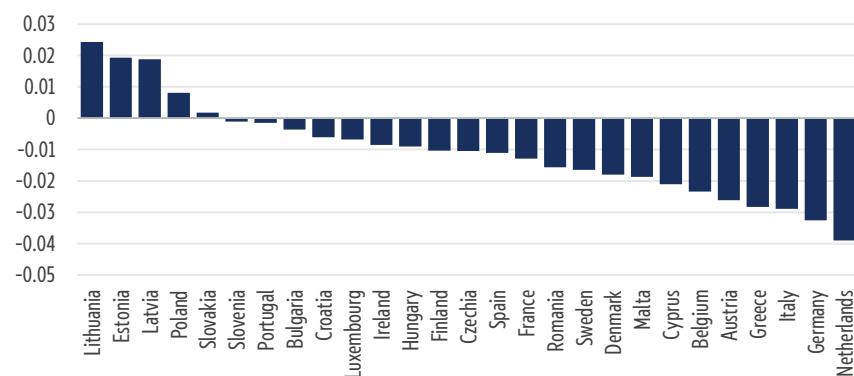
outcomes, these are fertile areas to apply gender equality policy tools. However, education and health are areas in which the EU has the competence only to support, coordinate or supplement Member States' action.

Health

Some of the countries with the largest [gender gap in life expectancy](#) in the world are in the EU. In all EU countries, women are likely to outlive men, although the gender [longevity gap](#) seems to be shrinking. Outside the EU, in 2022 the

[difference](#) ranged from a maximum of 11 years in Russia to less than 2 years in Maldives, Nigeria and Togo. There are also significant differences between EU Member States (Figure 2), with a longevity gap of almost 10 years in Lithuania and 3 years in the Netherlands. Men in the EU enjoy slightly fewer years of healthy life (life without disability), compared with women ([63 compared with 64 years](#)⁹ in 2021). However, more men than women perceive

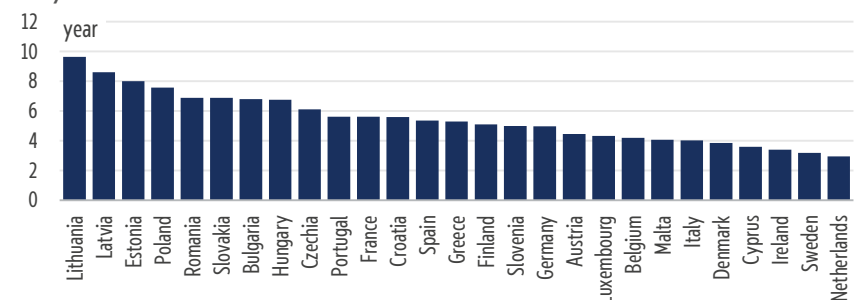
Figure 1 – Human Development Index difference between men and women



Data source: UN, [Gender Development Index](#), 2022.

Note: [GDI](#) measures 'gender inequalities in achievement in three basic dimensions of human development: **health**, measured by female and male life expectancy at birth; **education**, measured by female and male expected years of schooling for children and female and male mean years of schooling for adults ages 25 years and older; and command over **economic resources**, measured by female and male estimated earned income'.

Figure 2 – Life expectancy gender gap in favour of women, in years



Data source: Source: UNDP, [GDI 2022](#).

themselves to be in good or very good health ([72 %](#) of men compared with 67 % of women, among over 16-year-olds). EU women report more [health limitations](#) during their lives than men. This paints a complex picture, in which gender plays a central role. Multiple factors affect the gender gap in longevity, and in life without disability.¹⁰

- **Behavioural factors:** men's lifestyles tend towards behaviour that may harm their health, such as drinking alcohol, smoking, and engaging in risky behaviour or extreme sports. According to a European Institute for Gender Equality (EIGE) report on the [2023 Gender Equality Index](#), 26 % of men in the EU (compared to only 11 % of women), drink alcohol in a manner harmful to their health.
- **Use of medical services:** men visit doctors less frequently and have a lower level of health literacy than women.
- **Working conditions:** according to [Eurostat data](#), men are considerably more likely than women to have an accident at work. In 2021, more than 2 out of every 3 (68.3 %) non-fatal accidents at work in the EU involved men. According to the European Trade Union Institute ([ETUI](#)), men are more exposed to many of the working conditions associated with poor health outcomes: physical risk, long working hours and work schedules that fit poorly with family life, and work intensity. This applies particularly to men in 'blue collar' manual occupations, who live significantly shorter lives.
- **Level of education:** according to the Organisation for Economic Co-operation and Development ([OECD](#)), men with tertiary education can hope to live 8 years longer than those without an upper secondary education (calculation for 30-year-old men in 2013). The worst affected OECD countries were Czechia (17 years), Estonia, Hungary, Poland, and Slovenia – all above the OECD average.
- **Biological differences:** it is [argued](#) that longer life expectancy may be related to women's double X chromosome, which duplicates important genetic information.¹¹ However, the large variation in life expectancy by sex worldwide indicates social, economic and other factors also play an important role.

How gender indices reflect the relative situation of women and men

Unlike the UN GDI, which calculates gender gaps to women's advantage and disadvantage, and thus enables positive results for women when they score better on the three indicators combined, other indices take a different approach. The Gender Gap Index prepared by EIGE with data from EU sources (Eurostat and EU agencies) calculates the distance to a state of complete gender equality. Other indices set the score to zero in respective areas as soon as women perform better than men in that area, using a one-sided scale. Examples include the World Economic Forum [Gender Gap Index](#), and the EU Joint Research Centre [FemDI](#), which measures the gender gap in the EU at regional level. Also relevant is how an indicator reflects intergenerational differences, for example in educational attainment. Tertiary education attainment among the entire adult population does not necessarily reflect generational inequalities and thus current trends.

The EU advocates and promotes gender-sensitive health policies. [Regulation \(EU\) 2021/522](#) of the European Parliament and of the Council of 24 March 2021 establishes a programme for EU action in the health field ('EU4Health Programme') for 2021–2027. It states that the programme will support 'the implementation and further development of surveys, studies, collection of comparable data and statistics, where relevant including disaggregated data by gender'. A [2009 report](#) for the European Commission by the Expert Group on Gender Equality and Social Inclusion, Health and Long-Term Care Issues (EGGSI) found 'most important is the need to adopt a gender perspective in healthcare policies, considering the biological, economic, social and cultural factors which affect the health condition of women and men and their access to healthcare'. It advocated a gender-mainstreaming approach to healthcare policies in medical research, service delivery and financing systems.

Education

Under-enrolment and under-achievement among boys and young men in secondary and tertiary education is a reality in over 100 countries worldwide, according to a [report](#) by the International Bank for Reconstruction and Development (IBRD) and the World Bank (WB) published in 2022. The report

notes the phenomenon has been 'observed in many high-income countries for decades, and now increasingly observed among middle-income countries'. UNESCO provides [similar data](#): 'Boys are more likely than girls to repeat primary grades in 130 countries, and more likely to not have an upper secondary education in 73 countries. At tertiary level, globally only 88 men are enrolled for every 100 women'.

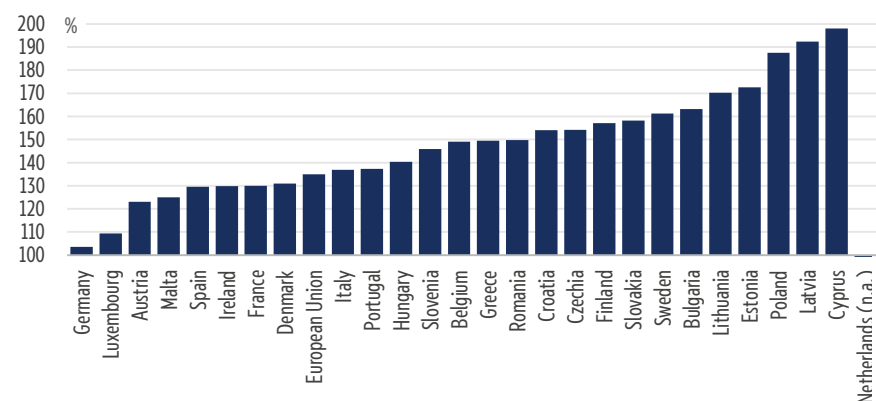
In the EU, a gap in tertiary education attainment is seen, with up to twice as many young women obtaining a university degree as men in some EU countries in 2022 (see Figure 3). Across the EU, the gap has remained relatively constant since 2015 (based on available Eurostat data). It is most pronounced for bachelor and master degrees with [141 %](#) as many women graduates as men across the EU, while for short-cycle tertiary education and for doctoral degrees, the gaps are relatively small (2 % in favour of women, and 7 % in favour of men respectively).

In secondary education, the results of the OECD Programme for International Student Assessment (PISA) conducted in 2022 in OECD and associated countries (including 25 EU Member States – Cyprus and Luxembourg were not included in data collection) show significant gaps in mathematics and reading performance between boys and girls (see Figures 4 and 5). In mathematics, boys scored better in the mean category and the 90th quintile than women, while in the lowest 10th quintile, girls scored better. In reading, girls scored significantly better than boys in all EU countries overall. Boys' better performance in the best 10 % of mathematics students can explain the bigger share of young men in science, technology, engineering and mathematics in university education.

Reading proficiency in PISA testing is a [strong predictor](#) of further educational attainment in general. Young adults who are less able to read are also less likely to go to university. Lower educational achievement has long-term effects, leading to chronic unemployment, particularly in societies with a high level of technological development and, as a result, to political dissatisfaction and potential support for radical movements. As explained above, higher educational achievement is also related to a significant longevity gap. Moreover [better-educated men](#) are more likely to support gender equality and to condemn gender-based violence.

Educational systems need to focus on the needs and performance of both boys and girls. The UNESCO report quoted above warns that 'Addressing boys' disengagement from and disadvantage in education is not a zero-sum game for girls. Supporting boys does not mean that girls lose and vice versa. It benefits both girls and boys and society as a whole'. The

Figure 3 – Tertiary education graduates: Women per 100 men in 2022, %



Data source: [Eurostat](#), last update May 2024, no data for the

IBRD/WB report points to various causes of men's educational underachievement, such as lack of awareness about changes in the labour market that favour the better educated; inability for young men who fell behind at early stages of education to catch up; social norms that emphasise physical rather than intellectual accomplishment in men; and education systems poorly adapted to individual students' needs.

The available data illustrate the issue of male educational underachievement in Europe, but this has not received as much attention as the issue of horizontal segregation in university education,¹² for example (see European Commission report on [Gender Equality in the EU in 2023](#), or the EIGE report on the [Gender Equality Index 2023](#)).

In the US, the gap in educational achievement has inspired calls for radical measures, such as starting boys' education one year later than girls to deal with a 'maturity gap'.¹³ According to the IBRD/WB report, few countries have put in place 'systemwide policies or programs' to address boys' and men's educational underachievement, and where this has been done the results have been mixed.

Gender-based violence

The EU recently adopted a directive ([Directive \(EU\) 2024/1385 of the European Parliament and of the Council](#)) to combat violence against women and domestic violence. While the measures it envisages to enhance prevention, protection and access to justice are tailored to the specific situation of women as the most likely victims, its definition of 'victims' encompasses any victims of violence regardless of gender (Article 2).

Figure 4 – Gender gap in favour of boys in PISA maths proficiency test scores 2022

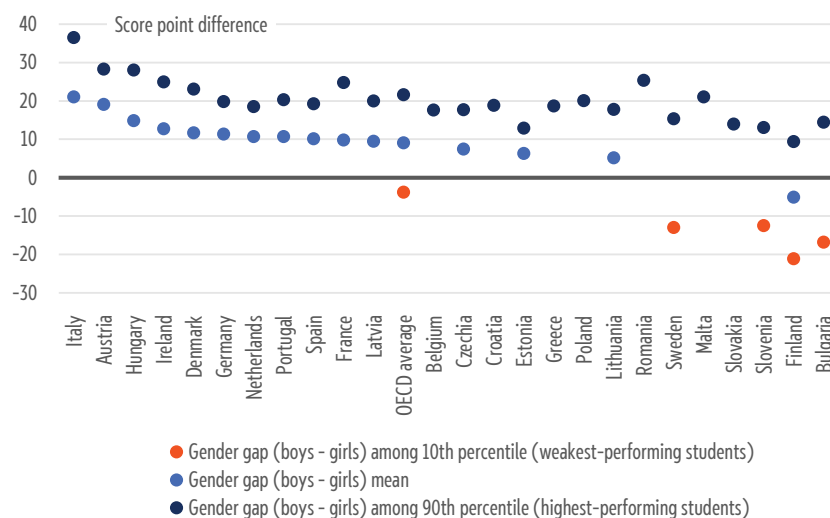
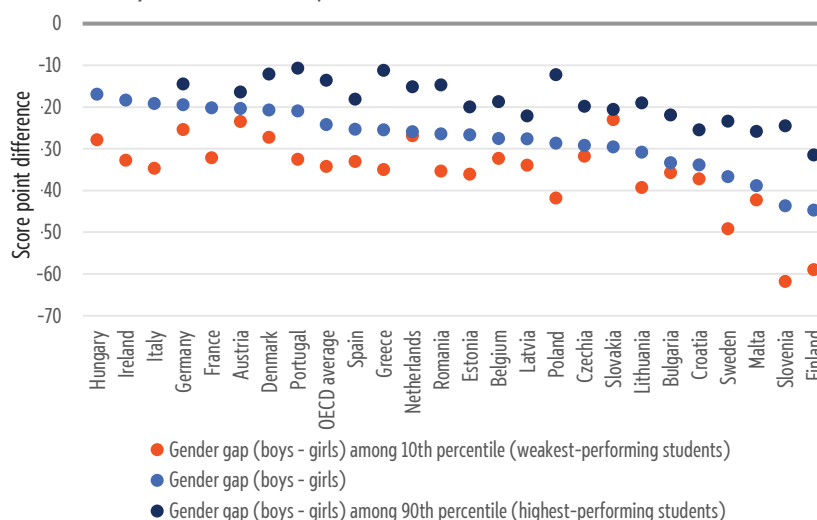


Figure 5 – Gender gap in favour of girls in PISA reading proficiency test scores, 2022.



Data source: OECD, [PISA results](#), December 2023, values considered insignificant by OECD not included.

The issue of violence against men has received comparatively little attention. Men are usually ascribed the perpetrator role, but some are also victims of violence. A 2002 [pilot study](#) commissioned by the German Federal Ministry for Family, Seniors, Women and Children describes the disbelief, as well as the multiple stereotypes and myths about 'strong, inviolable men' that any discussion on violence against men needs to overcome.

No comprehensive data on gender-based and domestic violence against men exists. [Eurostat data](#) on homicides by an intimate partner in 16 EU countries show that men represented 14 % – 1 in 7) of all victims murdered by an intimate partner in 2022. The comprehensive [EU survey](#) on violence against women conducted by Eurostat, EIGE and FRA since 2021 does not include systematic data on male victims. However, some countries participating in this exercise also surveyed male victims. The outcomes in [Belgium](#) and [France](#) show that a significant percentage of both men and women are victims of psychological domestic violence: 31 % of men and 29 % of women report to have suffered this form of violence by a partner in Belgium, while 18.7 % of men in France report the same, compared to 27 % of women. Academic research supports the view that young men are also reporting increased rates of emotional abuse.¹⁴

Perpetrators of physical violence against women are, with few exceptions, male. Cases of severe violence against women continue to shock in the EU, most recently for example in France.¹⁵ This has ignited a debate on the responsibility for, and causes of such violence. Numerous voices point to the patriarchal domination of men over women that still infuses our societies as the main culprit, and the pervasiveness of male violence it fosters. This calls for collective moral responsibility and for all men to support a profound change in cultural and social norms. Other views stress that responsibility for gender-based crimes, as for any crime, remains in essence individual, in line with the fundamental principles and values of a liberal society. This view also points to the need to analyse the factors surrounding the perpetrators. In addition to traditional '[toxic masculinity](#)' values, experts point to [childhood traumas](#) and related mental pathologies, addictions and [intoxication](#), or an inability to deal with dysfunctional relationships.

The emphasis on social norms versus individual drivers is not necessarily exclusionary, these perspectives can meaningfully complement each other to help explain, prevent and address violence. The EU Directive on Violence against Women¹⁶ endorses the view that this violence is rooted in gender roles and the structural discrimination against women that results from unequal power relations, but invites Member States to research and spread awareness about all root causes of such violence (Article 34(2)).

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ENDNOTES

¹ This briefing focuses on EU legislation and policies designed to fight discrimination on grounds of sex and to promote equality between women and men. The terms men and women are understood broadly to also encompass all those persons who have undergone gender reassignment, in line with the existing Court of Justice of the European Union case law (see *P v S and Cornwall County Council* – [Case C-13/94](#)).

² These are defined by [Directive 2006/54/EC](#) as follows: occupational social security schemes are schemes 'whose purpose is to provide workers, whether employees or self-employed, in an undertaking or group of undertakings, area of economic activity, occupational sector or group of sectors with benefits intended to

supplement the benefits provided by statutory social security schemes or to replace them, whether membership of such schemes is compulsory or optional'.

³ Article 157(4) TFEU provides that 'with a view to ensuring full equality in practice between men and women in working life, the principle of equal treatment shall not prevent any Member State from maintaining or adopting measures providing for specific advantages in order to make it easier for the underrepresented sex to pursue a vocational activity or to prevent or compensate for disadvantages in professional careers'.

⁴ See, for example, this [Equinet study](#).

⁵ C. McCrudden, [Gender-based positive action in employment in Europe A comparative analysis of legal and policy approaches in the EU and EEA](#), European Commission, 2019.

⁶ See previous note.

⁷ More precisely, the author states that 'Similarly, the Court could be asked to clarify, in a suitable case, how far a symmetrical approach to positive action is, in fact, the only approach that the Court will permit, or whether an asymmetrical approach is sometimes permitted'.

⁸ The UN GDI has however been [criticised](#) for 'giving the impression that gender equality has been achieved, which would likely not ring true to gender advocates'.

⁹ Widening only in 2020, this [gap](#) has been constant since 2014.

¹⁰ See EIGE, [The main causes of premature mortality are gendered](#), 2021.

¹¹ This paragraph does not intend to provide a biological definition of men and women, it merely provides a simplifying explanation of a scientific hypothesis. It fully admits the possibility of genetic variation in individuals, with some men and women exhibiting different chromosome patterns.

¹² To the detriment of women in science, technology, engineering and mathematics and to the disadvantage of men in health, education and welfare studies. It constitutes one of the EIGE Gender Equality Index indicators.

¹³ According to Richard V. Reeves, in 'Of Boys and Men: Why The Modern Male Is Struggling, Why It Matters, And What To Do About It', summarised in this newspaper [article](#). According to Reeves, a maturity gap is 'now demonstrated conclusively by neuroscience: Brain development follows a different trajectory for boys than it does for girls', this might explain why girls do better at school.

¹⁴ G. Karakurt and K. E. Silver, '[Emotional abuse in intimate relationships: The role of gender and age](#)' in *Violence and Victims*, Vol. 28(5), 2013, pp. 804-21: 'Younger men are reporting experiencing higher rates of emotional abuse as gender roles – and the distribution of resources – are changing. Women are renegotiating roles and expectations because although they traditionally have been victims of patriarchal discrimination and inequality, in developed nations they increasingly have access to similar resources as men ([Walker, 1999](#)). [...] Women's emotional abuse of men could be a way to "even the playing field" in a competitive struggle to gain control over scarce resources. Further, women may be utilizing emotional forms of abuse because, traditionally, relational aggression is more indirect and socially acceptable for women than physical violence ([Archer, 2004](#); [Crick & Grotpeter, 1995](#))'.

¹⁵ See, for example, the various contributions (in French) published in [Le Monde](#) on the Mazan rape trial.

¹⁶ The EU directive reflects the approach enshrined in international documents, such as the [1993 UN Declaration on the Elimination of Violence against Women](#), and the 2011 Istanbul Convention of the Council of Europe.

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