A *first* step towards meritocracy

European Women’s Lobby welcomes Commission’s legislative proposal for greater gender balance on boards of administration and calls on EU legislators to strengthen text

**[Brussels, 14 November 2012]** At present, more than 85% of corporate board seats are effectively reserved for men. Judging by the reactions to the announcement today of draft EU legislation to tackle this cosy state of affairs for the privileged few, ensuring women candidates with equal qualifications and experience are given a fair chance at landing such positions would undermine meritocracy... The European Women’s Lobby (EWL) begs to differ.

The EWL welcomes the first European legislative proposal to tackle discrimination and inequality at the highest levels of corporate decision-making. The draft Directive comes at a time of frustration with stagnating levels of female representation on corporate boards, patent failure of self-regulation initiatives and disillusionment with the economic benefits of “business as usual”.

**The myth of quotas as anti-meritocracy**

Increasing awareness of the urgency of action has spurred a number of national governments in the EU to implement legislation and put the issue on the European agenda. However, popular misrepresentations continue to abound.

Perhaps the most commonly held mistaken notion is that quotas undermine meritocracy. In fact, quotas are a structural mechanism designed to counteract the variety of practical obstacles competent women face in reaching the top *on the basis of equal qualification and merit*. The initiative aims to ensure that the best candidates attain the highest positions, whether men or women. Whenever a new position becomes available upon on board of administration which is under the 40% target, “priority shall be given to the candidate of the under-represented sex *if that candidate is equally qualified as a candidate of the other sex in terms of suitability, competence and professional performance*.” (Article 4.3)

**Meritocracy should not be limited to non-executive positions**

The EWL strongly supports the introduction of democratic and meritocratic principles and nomination methods to private sector decision-making. The application of these principles could however be improved by removing a number of limitations imposed upon the foreseen scope of the legislation. The Directive is foreseen to apply for example only to companies with more than 250 employees and a yearly turn-over over more than 50 Billion EUR. More worryingly, an inexplicable provision has been included to limit the scope of the legislation to non-executive, i.e. non-decision-making posts. The EWL calls on the Members of the European Parliament to rectify this blatant double-standard in their first reading of the text.

**Sanctions key to enforcement**

Legislation in itself has a normative value, reflecting and promoting the fundamental values of our societies. The real test of any legislation lies however in its implementation. The proposal foresees “effective, proportionate and dissuasive” sanctions in cases of non-compliance. But the choice of these sanctions is left to the discretion of the Member States. The EWL calls on the national governments to fulfil their commitments and honour their values by giving this legislative proposal their full and sincere backing, and thereafter laying down sanctions with the necessary clout to break the glass ceiling once and for all.

**More information**

* [EWL Statement 19 September 2012: Nine countries move to block key EU equality legislation for women on boards](http://www.womenlobby.org/spip.php?article4037&lang=en)
* [EWL Press Release 29 February 2012: Accelerating the snail’s pace towards gender balance on corporate boards requires EU Directive, says EWL](http://www.womenlobby.org/spip.php?article3191&lang=en)
* [EWL report February 2012: Women on Boards in Europe - From a Snail’s Pace to a Giant Leap?](http://www.womenlobby.org/spip.php?article3188&lang=en)

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Note to editors:

The **European Women's Lobby** (EWL) is the largest umbrella organisation of women's associations in the European Union (EU), working to promote women's rights and equality between women and men. EWL membership extends to organisations in all 27 EU Member States and three candidate countries, as well as to 20 European-wide organisations, representing a total of more than 2000 associations.