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Framing Gender Intersections in the European Union: What Implications for the Quality of Intersectionality in Policies?

Abstract

This article explores the extent to which the emergence of an anti-discrimination policy in the European Union (EU) implies a shift in EU gender equality policies towards an intersectional approach. The frame analysis of EU gender equality policy documents shows that intersectional dimensions are increasingly present but they are treated implicitly and from a separate perspective, and the inclusion of a wide range of inequalities often implies a degendering of the policy content. We assess the implications of the identified intersectionality trends for the quality of intersectionality in gender equality policies, and we suggest the practice of an “intersectionality impact assessment” as a way to improve the quality of EU policy-making.
Introduction

The European Union (EU) gender equality policy has experienced important changes in the last decade, due, among other factors, to developments in antidiscrimination policy. Article 13 of the Amsterdam Treaty sets the EU competence for combating discrimination on grounds of sex, racial and ethnic origin, disability, age, religion, and sexual orientation, which allowed the adoption of directives 2000/43/EC and 2000/78/EC. This article discusses how developments in antidiscrimination have been reflected in the Union’s gender equality policies by exploring the framing of intersectionality in EU gender equality policy documents from 1995 to 2007. It analyses documents by institutional and civil society actors regarding “gender-based violence” (GBV), “intimate citizenship” (IC), and “nonemployment” (NE), all issues that were researched within the European QUING project.1

Our main question is: what are the implications of the framing of intersectionality in the EU for the quality of gender equality policies? We assess quality regarding the content of policies, not their implementation, and we develop criteria for assessing the quality of intersectionality in policies in the Quality Criteria for Intersectionality section. Our hypothesis is that, if EU policies have changed due to the antidiscrimination approach, this should make gender equality policies more inclusive of other inequalities that intersect with gender. In this sense, we assume that a strengthened focus on intersectional relations can further the quality of policies.2 Frame analysis of EU policy discourses can inform us on the extent to which EU gender equality policies have moved towards intersectionality. It will also provide us with insights that may contribute to improving the quality of EU policy-making within this area.

Within the QUING research, the quality of gender equality policies has been associated with criteria such as internal consistency (Lombardo and Meier 2009; Verloo 2007); gender explicitness (de Vega, Rolandsen Agustín, and Lombardo 2008a; Dombos et al. 2009); structural understanding of gender inequality (Dombos et al. 2009; Verloo 2007; Walby 2007b); comprehensiveness (Walby 2009); prioritizing gender equality as an aim in itself (de Vega, Rolandsen Agustín, and Lombardo 2008a; Verloo 2007); inclusiveness of civil society (Dombos et al. 2009); and intersectionality (Dombos et al. 2009; Walby 2007a). In this article, we focus on intersectional inclusion as one of the aspects that could improve the quality of gender equality policies. We also pay attention to inclusive policy-making, by considering EU references to consultations with civil society.

The analysis of intersectionality in EU gender equality policies is developed in three sections: first, we discuss political
intersectionality in the EU with reference to existing scholarly debates. Secondly, we present the methodology employed in our analysis. Thirdly, we discuss the quality criteria for intersectionality in policies and assess the main trends of intersectionality in EU policies in relation to the set criteria. Conclusions debate the main empirical and theoretical points regarding intersectionality in policy-making.

We argue that, although an intersectional approach is embryonic in EU gender equality policies, frame analysis and quality criteria can contribute to reveal policymakers’ awareness concerning intersectionality. Frame analysis helps to identify existing intersectional trends in EU policies and the suggested criteria can help to assess the quality of such trends by pointing at what, who, and how policymakers are privileging or neglecting in their policy design. This indirectly informs us on policymakers’ reflexivity concerning gender intersections, and moves us to suggest a practice of intersectionality impact assessment to enhance awareness of biases and exclusions and improve the quality of intersectionality in policies.

Debating Political Intersectionality in the EU

Intersectionality is a concept that is increasingly discussed in feminist theory, as special issues in European Journal of Women’s Studies (13/3 2006), Politics and Gender (3/2 2007), and International Feminist Journal of Politics (4/11 2009) show. Hancock (2007, 64) argues that intersectional approaches to the treatment of inequalities are those which address more than one inequality (analyzing, for instance, how race interacts with gender), and treat the relationship between the categories as an open empirical question. Categories are conceptualized in a dynamic interaction between individual and institutional factors, for instance, by conducting holistic researches analyzing potential cross-cutting roles of race, class, and gender in people’s lives (Hancock 2007).

In this article, we understand the “intersectional approach” in a similar way to Hancock in two aspects. First, we define an intersectional approach as one that treats inequalities by intersecting them or seeing them as mutually constitutive rather than simply adding them up and/or considering them separately. In politics, this means formulating policies so that they consider groups at the intersections of inequalities and how policies might affect them. Intersectionality is understood as the intersecting effect of several forms of inequalities which together form an impact that is different from the one made by one of them alone or in simple addition (Walby 2007a). Secondly, we do not have strong predetermined ideas of how an
intersectional approach should look, and therefore we treat intersectionality as an open empirical question, and then assess how policymakers and civil society actors articulate it in the EU context through the analysis of policy documents.

Although we focus on intersectionality, we agree with Weldon (2008, 203) that policy approaches should not be “only” intersectional, as this would risk to present inequalities as always intersecting and never having autonomous effects. As Verloo (2006), Walby (2007a), and Walby, Armstrong, and Strid (2009) warn us, a research focus on “intersectionality-only” might obscure the analysis of the distinctive ontology of each inequality, which is crucial to develop good equality policies. Yet, policymakers’ awareness of intersectionality is important to address the concerns of people at the point of intersection between inequalities. Crenshaw’s (1991) concept of political intersectionality has catalyzed scholarly attention on the relevance that intersections between inequalities have for political strategies by discussing how women of color need to intersect two different political agendas which are, at times, in conflict with each other.

Crenshaw’s reflections have revitalized feminist debates on differences among women by placing the attention on the effects that political strategies focusing on one inequality can have on other inequalities, the advantages and disadvantages that intersections have for different women (Weldon 2008), and the dynamics of competition and alliances that arise between groups concerned about particular inequalities (Lombardo and Verloo 2009b; Walby 2007a, 2007b). In the EU, for instance, some feminists feared that with the broadening of the list of other inequalities requiring protection against discrimination, gender would suffer a loss of attention and resources (EWL 2007; Stratigaki 2008). While cognizant of the constraints that attention to multiple inequalities can entail, in this article we wish to explore whether the EU antidiscrimination approach has improved the quality of gender equality policies for which concerns the attention paid to people at the point of intersection between different inequalities. In this sense, we interpret the EU antidiscrimination approach as an opportunity for developing gender equality policies that better address the concerns of different women.

While there exists a great number of studies on the EU antidiscrimination legal framework (Bell 2002, 2000, 1999; Ellis 2005; Fredman 2005; McCrudden 2005; Shaw 2004, 2005), two developing fields of study are the institutionalization of political intersectionality in the EU (Kantola and Nousiainen 2009; Lombardo and Verloo 2009a; Verloo 2006; Walby 2007a) and the intersectional
dynamics between civil society and institutions that take place in the EU (Lombardo and Verloo 2009b; Rolandsen Agustí 2008; Williams 2003). The European Commission (2007) has addressed intersectionality and multiple discrimination in a report which reflects the strengthened institutional awareness of different kinds of discrimination and their interrelations. However, the analysis of how intersectionality is framed in the EU is an area that is still less explored. Some research on the framing of intersectionality in the EU policy discourse has been conducted in the European MAGEEQ project and collected in Verloo (2007) and Lombardo and Verloo (2009b). Findings showed that political intersectionality is at an embryonic stage in European policy-making and that gender equality policies include racist, ethnic, or homophobic biases. There seems to be a need for studies on the framing of intersectionality in the EU that could fill the existing gap in the literature, and this article intends to be a step in this direction.

Methodological Notes on the Framing of Intersectionality

Some methodological notes are needed to understand the argument we develop in the article and the way we proceeded to analyze the framing of intersectionality in EU gender equality policies. We focused on three policy issues (within which we selected a number of sub-issues): GBV, which includes any form of violence rooted in gender inequalities (domestic violence, sexual harassment, trafficking); IC, which concerns policies that regulate intimate relations (divorce, marriage, and separation; sexual orientation discrimination; reproduction rights); and NE, which considers employment and other related policies (tax and benefit policies; care-work; reconciliation of family and work; gender pay gap and equal treatment) through an inverted perspective on how these policies construct subjects who are considered as legitimately employed or non-employed, and what the gender implications of this construction are (Dombos, Krizsan, and Zentai 2008). For each of the sub-issues we chose a sample of documents to analyze, making sure that we had at least one law, one policy plan, one parliamentary debate, and one civil society text, in order to have a sample of the most relevant institutional and civil society voices speaking on a particular issue.

Three main rules were followed in the selection of the documents (Krizsan and Verloo 2007): the list of selected texts had to capture the most important documents and the frames articulated in these; the sample should include texts giving voice to the main actors participating in the debates; and the texts to analyze should capture major changes within the chosen period 1995–2007. In the latter
case, to ensure a selection of texts more likely to reflect some attention to intersectionality, the sampling privileged the most recent policy documents. Overall, we coded sixty-six texts, twenty-six for NE, seventeen for IC, and twenty-three for GBV (see Appendix 2 for a list of coded texts and intersectional frames).

The sampled documents were analyzed through frame analysis, a methodology that explores the dimensions in which a policy problem can be represented (Verloo 2007). According to this methodology, policy problems usually include a diagnosis (“what is/are the problem/s?”) and a prognosis (“what is/are the solution/s?”) of the issue at stake. To identify the ways in which the problem is represented, the sampled documents were coded on the basis of a set of standardized questions (Krizsan and Verloo 2006). We will mention here only the questions related to intersectionality and gender. The questions explore, first, whether gender and any other inequality (class, ethnicity/race, sexual orientation, disability, age, religion/belief, marital/family status, nationality/citizenship status, or regional belonging) are addressed in a given document. Secondly, they address the relationship between the inequality categories that appear in the text, distinguishing whether it was additive, competing, separate, intersecting, or hierarchical, and whether intersectionality was clearly articulated. This analysis aimed at detecting the extent to which gender was seen to intersect in the policy measures considered, and if so, how, and with which other inequalities (see Appendix 1 for an overview of codes). Another set of questions asked whether the documents referred to consultation processes with civil society actors and whether these included women’s organizations.

To present our findings on intersectionality in EU gender equality policy documents, we do not only take into account the presence of intersectional frames, which are extremely rare. We also pay attention to the references to inequality dimensions coded in the texts which, despite their lack of articulation as intersectional frames, reveal the occurrence of intersectional ideas. We consider there to be different degrees of intersectionality: intersectional ideas may be present in a text without there being reference as to how the relation between the inequality dimensions is articulated. We call this inarticulate intersectionality. We may also find texts which articulate the intersectional dimensions as additive or mutually constitutive. These are more elaborated notions of intersectionality. While we count occurrences of mutually constitutive and additive intersectional codes, this is not, in itself, sufficient to be able to say that intersectionality is made explicit: occurrences need to be cross-checked in the context of the document where they appear. Evidence of
explicitness and articulation is greater when intersectional frames; (1) can be detected, (2) can be found in more than one document, and (3) are considered to be particularly relevant. Overall, we found only seven intersectional frames (two in NE, five in IC, and none in GBV). They are usually found in one or two texts and tend to have low relevance. Due to the higher presence of references to intersectionality in civil society documents, it seems important to assess the role played by civil society in promoting intersectionality in EU policies. For this reason, we analyze the extent to which texts mention inclusive policy-making processes whereby civil society and women’s organizations are consulted. Details of the intersectional ideas and frames found are discussed in the Main Trends in the Framing of Intersectionality in EU Gender Equality Policies section.

Assessing the Quality of Intersectionality in EU Gender Equality Policies

Quality Criteria for Intersectionality

The frame analysis of intersectionality in the selected EU gender equality policy texts has enabled us to identify a number of recurring trends that we assess according to the following set of quality criteria for “good intersectionality” in policies: explicitness and visibility of certain inequalities as well as inclusiveness of a wide range of inequality categories; extent of articulation of intersectionality; gendering of policy issues and intersecting inequalities; transformative approach to intersectionality; structural understanding of inequality; awareness/challenging of privileges; avoiding the stigmatization of specific groups; and consultation of civil society in the policy-making process.

The level of explicitness, visibility, and inclusiveness with which the inequalities and intersections are named as problems in the policy texts is important to assess quality (Dombos, KriZsan, and Zentai 2008). Intersectionality scholars have discussed the need of including a comprehensive list of inequality categories (Kantola and Nousiainen 2009). Crenshaw (1991) considers visibility as a quality criterion when she shows that the experience of Black women, at the point of intersection between gender and race, was made invisible by both gender and anti-racist activists, with the result that the problems of domestic violence experienced by Black women remained untackled. Independently of how articulated a reference to intersectionality is, in order for the problem to be addressed, it must first be made explicit in some way (Verloo 2007). The mere naming of the problem gives it visibility and provides a term to define the
phenomenon. This opens up possibilities for discussing the problem and finding solutions to it. Visibility has also been questioned as a quality criterion, considering that it is the outcome rather than the naming of policies which needs to be scrutinized (Walby, Armstrong, and Strid 2009). While in this article we consider visibility as a quality criterion, this remains open to discussion.

The level of articulation refers both to the way in which intersectionality is named in the text and to the way it is dealt with (Dombos, Krizsan, and Zentai 2008). The latter concerns the way in which the relations between the intersecting categories are understood and the extent to which these relations are explained in an articulated way in the texts. In our frame analysis of EU documents, we distinguish between additive categories, where multiple inequalities are considered as adding double or multiple disadvantages, and mutually constitutive categories, where the intersections of inequalities that emerge generate substantially different results than the sum of the categories which they include (Crenshaw 1991; Hancock 2007; Walby 2007a; Walby, Armstrong, and Strid 2009). In the cases where no explanations or understandings of the nature of the relationship between the categories are expressed, we consider the relation to be inarticulate (Dombos, Krizsan, and Zentai 2008). We consider articulation as a quality criterion because, by providing accurate and elaborated accounts of the role of intersectional relations in the diagnosis and prognosis of a policy problem, it increases the chances that policies will address the concerns of subjects at the point of intersection between inequalities.

The gendering/degendering of the policy documents as part of an intersectionality dimension is a complex issue in terms of the quality perspective. In our analysis, we have considered gendering, that is, explicit references to gender (i.e., both male and female categories), as a sign of good quality policies (see Dombos, Krizsan, and Zentai 2008; Jalušić 2009). Gender tends to disappear as an explicit category when other intersectional dimensions enter the policy texts. This degendering, understood as the absence of explicit references to gender, is a flaw in the quality of the policies when gender is considered to be a fundamental category and therefore relevant to any policy (following the gender mainstreaming approach). Yet, considerations regarding the adequacy of working with a diversity mainstreaming strategy (Squires 2005) raise the question whether the centrality of gender is indispensable, and whether degendering is necessarily a sign of poor quality (see Weldon 2008). Walby, Armstrong, and Strid (2009) argue that whether gendering or degendering has been successful in including inequalities in a particular policy process is an empirical rather than a normative question.
While we are aware of this controversy, we here conceive gendering as a quality criterion because it enhances the likelihood that gender equality is treated as an aim in itself, and that this goal is not lost when other inequalities enter the agenda.

The structural understanding of inequalities is a quality criterion in terms of the depth of the understanding of the problem and the transformative potential this understanding has for changing unequal structures. It addresses both the asymmetrical power hierarchies that are at the core of inequalities and looks not only to the individual but also to the collective level (Walby 1990, 2009). In terms of the latter, it can be argued that the individual and the group dimension of intersectionality are simultaneously necessary: when it comes to combating discrimination and defending antidiscrimination rights, the perspective will often be individual (based on litigation) (Skjeie and Langvasbråten 2009). On the collective level, however, there is a group dimension to the structural discrimination suffered by certain groups that cannot be overlooked (see Squires 2008). The notion of systematic disadvantage should not be lost by addressing only individual-based discriminations (Ferree 2009), because this would weaken the understanding of inequalities as systemic and shaped by the interaction among different domains (Walby 2009). This in turn would affect the possibility of formulating more transformative policies that are able to address structural inequalities and unsettle existing power hierarchies.

Avoiding the stigmatization of specific groups and challenging privileges of dominant groups has been one of the main motives behind the development of intersectionality theory. The articulation of intersectional relations can be used to address policy problems affecting particular groups. However, the naming of these groups as particular problem holders can also stigmatize them in the policy discourse and in public opinion (Crenshaw 1991; Roggeband and Verloo 2007). Depending on how policies are framed, highlighting a certain group may have counterproductive and unintended effects on the groups which the policies aim to address. This is particularly relevant when dealing with the dimension of intersectionality in the specific area of policy-making. To counteract potentially sexist, homophobic, racist, or ethnocentric biases in policy-making, the lack of stigmatization of specific groups and the challenging of existing privileges of dominant groups appear as important quality criteria.

We consider the quality criterion of consulting civil society organizations that have expertise on an issue (see Dombos, Krizsan, and Zentai 2008), because it enables policy actors to develop shared criteria on intersections to be tackled. It also increases the possibility of policy documents including a more explicit, articulated,
transformative, and less-biased approach to intersectionality since the inclusion of embodied subjects expressing different concerns can promote greater self-reflexivity on one’s own biases (Bacchi 2009). Furthermore, it adds a “user-oriented” approach whereby the target groups of the policy measures can be included in the policy formulations through the civil society organizations (Young 2000). One of the pitfalls is the risk of including only some privileged groups in the consultation processes, represented by the main EU umbrella organizations, thus marginalizing the minorities within civil society and limiting the capacity of more disadvantaged groups to include their inequality concerns on the agenda. Another concern is that the perspective of the most powerful actors (e.g., employers vs. labor unions, social partners vs. women’s organizations) might prevail in consultations (Walby, Armstrong, and Strid 2009; Young 2000).

In conclusion, the criteria we have discussed enable us to address the quality of intersectionality in policies in terms of the nature of the intersectional relation (whether it is explicit, visible, inclusive, articulated, gendered, and/or transformative), the use of specific categories (addressing structural inequality, showing awareness of privilege and/or refraining from stigmatizing certain groups), and the policy-making process (consulting different groups). Overall, the application of these criteria would require from policymakers an increased awareness of their own position and biases which may influence the policy formulations (Bacchi 2009). We will return to this point in our conclusions, after discussing the empirical findings from the frame analysis of EU gender equality policies.

Main Trends in the Framing of Intersectionality in EU Gender Equality Policies

In this section, we outline the main trends on intersectionality framing that we have identified in EU gender equality policies and, on the basis of the aforementioned criteria, we assess the implications of these trends for the quality of intersectionality in policies. Although references to other inequalities than gender are present in the sampled documents, intersectional frames are rare and intersectional relations are in general poorly articulated; they seldom adopt a structural understanding of the problem of inequality nor do they present transformative solutions that challenge existing privileges. Texts tend to shift towards a degendered language when other inequalities than gender appear, and few references to consultations of women’s organizations are made. In general, while attention for other inequalities is increasing in the EU gender equality policies, this is still embryonic and far from providing evidence of quality intersectionality.
Explicitness, Visibility, and Inclusiveness of Intersecting Categories

In our EU sample, only a few occurrences and frames explicitly address intersectionality. In the sixty-six coded texts, there are thirty-four occurrences of intersectional codes in the diagnosis of sixteen texts and eleven occurrences in the prognosis of six texts, which means at best two intersectional references per each of the sixteen texts. The frames found are generally present only in one document (rather than in several documents) and are not so relevant (see table 1). In the NE issue, the frame transform division of labor gender + equality voiced by civil society and parliamentarians refers to groups representing different social inequalities, and mentions predominantly sexual orientation and age, but also citizenship status and disability (NE8, NE11, NE12). Intersectional inclusion is a NE frame voiced by civil society that concerns the need to protect female workers through positive actions for women facing greater difficulties in the labor market, such as disabled women, ethnic minority, and migrant women, and single mothers (NE17). Age is made visible in a couple of NE texts that centre the problem and the solution on the improvement of family well-being in relation to the problem of demographic aging (NE5, NE6). In texts on IC, visibility is given to intersectionality through the frame nondiscrimination against LGBT individuals that expresses the need to protect the rights of LGBT persons (IC6, IC7). The intersectional frame protect equality and freedom mentions family status, gender, and religion in relation to restrictions on family reunification of polygamous households in the EU as hindering the realization of gender equality (IC12). Children for all is a frame in IC that intersects gender, family status, and disability by arguing that disabled women should enjoy equal rights to have children (IC2). Finally, gender and power in partnerships is an IC frame that intersects gender and migration in relation to matters of power within partnerships (IC3).

The presence of specific inequalities and intersections shows that some visibility is given to intersectional categories, but there is a tendency to focus on specific inequality axes. Gender/age is the most predominant intersection in the NE documents. In texts on GBV, the references to intersecting categories are mainly directed towards gender and age (girls in the subissues of domestic violence and trafficking), and gender and class (women workers in the subissue of sexual harassment). Gender, citizenship status, regional belonging, and class are also mentioned in the trafficking subissue through references to migration policies and economic and regional inequalities.
Inclusiveness of several inequalities is rare; we found only two texts that are widely inclusive. One is a civil society text by the European Women’s Lobby (EWL) that refers to several intersectional inequalities, by mentioning women from ethnic minorities, migrant women, lesbian women, young girls, disabled women, and transgender persons (IC12). The other is an IC law text that explicitly commits to “antidiscrimination” on a wide range of grounds (sex, race, color, ethnic or social origin, genetic characteristics, language, religion or beliefs, political or any other opinion, membership of an ethnic minority, property, birth, disability, age, or sexual orientation) (IC5).

Articulation of Intersectionality

As mentioned in the section on methodology, we consider that the articulation of intersectionality is greater when the coded relation appears mutually constitutive rather than inarticulate or separate. In general, intersectionality is poorly articulated in the selected EU policy texts on gender equality. In the sixty-six coded texts, we found seventeen occurrences of mutually constitutive relations in the diagnosis of documents and five in their prognosis, while we detected thirty-nine occurrences of inarticulate and separate relations in the diagnosis and fifty-six in the prognosis of documents. The intersectional relations in both civil society and institutional documents are, thus, mainly inarticulate whereas additive relations are more rare (thirty occurrences). Moreover, the occurrences of mutually constitutive relations are concentrated in one or two texts rather than widespread in different texts, which means that they are rather isolated (see table 1). Even in the intersectional frames, such as intersectional inclusion (NE17), and in the intersectional references identified in GBV, the relation among the intersections is not deeply articulated.

Social inequalities are mentioned as separate categories and not addressed in their relation with gender. Age-gender in NE, and age-gender and gender-class in IC are the most articulated intersections found. The GBV subissue of domestic violence shows some examples of mutually constitutive intersecting categories: this is the case of gender–age–marital status–citizenship status when texts discuss the lack of means of defense of immigrant single mothers and their children (GBV2). However, in GBV, the intersectional relations are usually inarticulate and the relationship between them is not explained.

The Gendering of Policies

The EU sampled documents are gendered in the sense that the main problems and solutions represented relate to gender equality. Female and/or male categories are mentioned explicitly in several
texts and gender occurrences are by far the most referred ones (125 occurrences in diagnosis and 101 in prognosis, while other inequalities range from a minimum of 3 occurrences for disability or religion and a maximum of 26 occurrences for marital status). Overall, the focus of the gendering is, nevertheless, referred to women, with few references to men’s involvement in promoting gender equality.

At a closer look, EU documents reveal a tendency to *degender* the problems and the language as soon as texts consider a greater range of inequalities. The explicit references to gender tend to disappear and language tends to refer to general groups. This happens in NE, which employs degendered notions, such as old or young workers (without any gender specification), when other categories such as age, class, and citizenship status/nationality are mentioned. It also occurs in IC when intersections of family–marital status–citizenship status appear (IC1). Even GBV, which is the most gendered issue, sometimes shows some degendering especially in the gender–age intersections, where the standard notion of “children, young persons and women” is used extensively (GBV1). Another typical way of degendering is the use of generic terms when referring to “victims” or “perpetrators”, for instance. This happens especially when certain groups or individuals are held responsible for the problems. Thus, there are more references to nongendered “active actors”, such as perpetrators, spouses, or clients (forty-one occurrences in thirty-two documents) than to gendered ones (women and men, for example) (twenty-five occurrences in nineteen documents). However, if we look at the passive actors, i.e., the ones who are affected by the problem, the tendency is the reverse: there are more gendered passive actors (for example, male/female prostitutes, single mothers, ethnic minority women, or female domestic workers) (293 in 121 documents) than nongendered ones (victims, children, citizens) (91 in 124 documents).

*Transformation and Structural Inequalities*

The presence of a *structural* understanding of dimensions of inequality is not a widespread trend in the EU policy documents analyzed. In GBV, texts on trafficking show a slightly greater structural understanding of the problem, as causes of inequality are more explicitly discussed in the diagnosis in some documents (GBV11, GBV12, GBV13), and in the domestic violence subissue, violence is conceived as a matter of gender inequality (GBV2). In the other issues, the structural dimension of inequalities is not particularly developed, and when it is voiced, it is mainly done by civil society actors and members of the European Parliament (MEPs).

The *transformative* intersectionality, whereby existing supposedly unequal structures or systems are urged to be changed, is also...
marginal in the overall EU framing of gender equality policies and usually only voiced by civil society and/or parliamentarians. The latter occurs in the frame *gender and power in partnership* detected in an IC parliamentary debate where one voice argues that to solve the unequal situation of migrant women in partnerships, migrant women should acquire an independent legal status from that of their husbands as a way to increase their economic independence and favor their equal integration in European societies (IC3). Civil society and parliamentary voices also express the frame *transformative equality of LGBT individuals* that challenges national legislation that excludes LGBT people and demands equal rights (IC7, IC8). Finally, one IC text produced by civil society articulates a more transformative discourse calling for gender equal rights as concerns the recognition of lesbians’ maternity rights, the abolition of traditional harmful practices towards female bodily integrity, and the guarantee of free access to information for women who do not have a valid residence permit (IC12).

*Lack of Stigmatization and Challenging Privileged Groups*

In the EU texts, we did not find explicit stigmatization of certain groups, but we also found very few references to texts that *recognize/challenge privileges*. Some MEPs and civil society IC texts from ILGA Europe recognize privileges as regards sexual orientation—marital/family status and challenge privileges of heterosexual individuals and couples (IC7, IC8). In the groups identified as normative in all texts for the three issues, we found only four occurrences of “married couples” in three different texts and two occurrences in two texts of “traditional family” and “heterosexual marriage.” This shows a rather limited recognition of the privileges of heterosexual, married people, not to mention the lack of recognition of privileges enjoyed by white people. Overall, the EU texts do not present a big challenge to the male norm, neither in the labor market, nor in intimate relations. We found only seven occurrences in four texts across all issues that concern men whose status as a normative group is considered to be a problem, and six occurrences of male workers in four NE documents. Some appeals to changing male privileges in gender relations appear in the NE subissues of care-work and reconciliation, mainly by civil society actors and MEPs (NE8, NE11, NE12). In the GBV issue, the male norm is usually not challenged explicitly but some references to necessary changes do occur, for instance in the case of the public/private division in legal judgments on violence crimes and the need to address the demand side in the subissue of trafficking through a change in the clients’ attitudes (GBV2, GBV12).
**Inclusive Policy-making**

In the study, we analyzed eleven documents from a number of European civil society organizations working with gender and other inequality issues (four text in NE, three in IC, and four in GBV). The analysis shows a much greater consideration for intersectionality in civil society documents; 82 percent of the civil society texts contain intersectionality references (thirty-one occurrences in nine texts) as opposed to 51 percent of the remaining texts. If we consider the presence of transformative equality considerations, awareness of power hierarchies, articulation, and explicitness of inequalities, we notice that the sampled civil society documents are the most progressive and potentially challenging ones. Even in the issue of NE, which presents the least intersectional elements when compared with IC and GBV, civil society actors are the voices that predominantly focus on (transformative) intersectionality (NE8, NE12).

Although they show the most articulated and transformative visions of intersectionality, we hardly found any traces of references to consultation of women’s organizations in the analyzed EU texts. In GBV, the consultation of civil society is mentioned in two texts out of twenty-three coded documents (GBV7, GBV9), and reference to women’s organizations is made only in one parliamentary debate in the subissue of domestic violence (GBV3). References to civil society actors in IC appear only in one policy report on sexual orientation out of seventeen coded documents (IC6). In NE, seven documents (NE1, NE5, NE8, NE9, NE11, NE15, NE16) out of twenty-six refer to consultations with civil society organizations, and only one (NE8) refers explicitly to the consultation of women’s organizations. The little mention in our sample of consultations with civil society and women’s organizations show that civil society inputs are not systematically included in the policy documents, or at least they are not mentioned.

**Conclusions**

The EU policy documents analyzed show a tendency to use intersectional dimensions in an implicit way, mainly using a separate or inarticulate approach to the relation between inequality categories. Moreover, structural and transformative understandings of intersectionality are not very present. The documents do not stigmatize any groups but they also do not show awareness of processes of privileging particular categories of people. The civil society documents analyzed are in general more advanced in terms of including intersectionality perspectives in a more explicit and elaborate manner. Policy issues are rather gendered, though there seems to be a tendency towards
degendering when a wider range of inequalities is considered in the documents. Similarly, references to consultation of civil society exist, but few policy documents refer explicitly to women’s organizations. Although the framing of intersectionality in the sample of EU documents does not show a deep articulation or structural understanding of the problem, discourses that deal with other inequalities than gender and give visibility to the problem are increasingly present. This seems a good starting point for reflecting on how to take into account intersecting inequalities in policy-making.

The quality criteria proposed in this article could serve as inputs for improving the design of EU gender equality policies in order to better face the reality of existing mutually constituted inequalities that women and men experience in European societies. Paying attention to the quality criteria of intersectionality based on the analysis of specific policy texts could help policymakers and civil society to question their own pre-assumptions about the way they name the problem and the implications the naming has for the inequalities that are prioritized or marginalized in the policies. This can encourage a reflection on the effects that cultural biases, translated into policies, can have on people’s lives. Whereas the frame analysis of policy documents and the quality criteria for intersectionality do not directly provide evidence of the presence of an attitude of reflexivity in policymakers, they indirectly show where policymakers place the emphasis, how they frame inequality issues, and what or who is missing from their policy design for enhancing the quality of intersectionality.

Our analysis brings more elements to Verloo’s (2006) critique of the Commission’s “one size fits all approach” that supports the need for specific attention to the dynamics of each inequality. In relation to the quality criteria of inclusiveness of multiple inequality categories and articulation, we have assumed in our analysis that the quality of the gender equality policies can be measured according to the more or less comprehensive take on different inequalities. In principle, all potential intersections which are relevant to a given policy issue should be taken into account. However, the “all inclusive” approach may diffuse the policy content, making it less specific or efficient. Such a neutralizing effect on the intersectionality dimension is produced when all conventional categories are mentioned, without any articulation of the relationship between them. This occurs, for instance, when a large number of groups are mentioned as “vulnerable” or “disproportionately at risk” without any further articulation of the actual effect on the groups at specific intersections or the different ways in which they are or may be affected.

The neutralizing of intersectionality caused by the “all inclusive” approach could be contrasted not only by policymakers’ practical understanding of the reality of people’s experience of inequalities,
i.e., the open empirical question discussed by Hancock (2007), but also through a constant attitude of reflexivity regarding the adopted (and proposed) policies’ impact on people (see Bacchi 2009). In the example of the quality criterion of inclusiveness of multiple inequality categories that we are considering here, reflexivity would lead to a reformulation of the criterion so that it is read not only together with the criterion of articulation, but also points both towards the process as well as the result of the policy formulation.

In this sense, the intersectionality quality of the policy lies in the awareness of internal biases and the assessment of potential exclusions which frame analysis helps to identify and quality criteria help to assess: the potential intersections of the policy issue should be taken into account and all dimensions should be assessed for their potential relevance. Each inequality category, thus, serves as a particular lens through which the policy issue can be seen and evaluated and the relevant ones are to be included in the actual policy formulation. This “intersectionality impact assessment” could become a regular practice compatible with the gender impact assessment of EU policies, to be performed before policies are adopted.

This requires, however, an institutional set-up that is more suited for inter-departmental cooperation and a more inclusive civil society consultation in which Commission equality units might consult also nongovernmental organizations (NGOs) that work on other inequalities than the one which is of their specific competence (gender units consulting race and sexuality NGOs as well as gender ones; units on antidiscrimination consulting gender NGOs). We do not mean to say that there is currently no reflexivity at all concerning intersectionality in the EU policy-making processes. The mentioned Commission (2007) report on multiple discrimination shows some policy awareness of these issues. What we suggest is rather a more institutionalized and systematized approach to the inclusion of intersectional considerations in the policy-making process which could strengthen the quality of intersectionality in policies (as this seems to be deficient in the empirical data we have analyzed).

Formulating qualitative gender equality policies in the EU that incorporate intersectionality is certainly not an easy task, but precisely because of its complexity the endeavor requires collective thinking. For this reason, the exchange of views among different policy actors from institutions, civil society (including women’s organizations), and academia through the setting up of consultation processes as part of the EU policy-making can be extremely fruitful. It can promote practices of “gender and intersectionality impact assessment” which could enhance policy actors’ reflexivity on their respective biased positions, to the benefit of the quality of gender and other equality policies.
NOTES

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1. We thank Mieke Verloo, Ana F. de Vega, and all members of the QUING project, as well as the European Commission (FP6) for funding the research (see www.quing.eu). Many thanks also to Susanne Baer, Janet Keim, Lucy Nowottnick, Sylvia Walby, and the anonymous reviewers for their helpful comments on an earlier draft of this article. Emanuela Lombardo thanks the Spanish Ministry of Science and Innovation for funding her research through the Ramón y Cajal Program.

2. It could be argued that the premise that “good treatment” of intersectionality will lead to better gender equality policies needs to be empirically tested by comparing documents with and without intersectionality frames. While we agree that a direct link between intersectionality and quality equality policies could benefit from such testing, we nevertheless argue that taking into account intersecting inequalities potentially improve the design of gender policies by making them more responsive to the concerns of different women and men, on the one hand, and by not treating them as homogeneous categories, on the other hand. We base this argument on scholarly literature on intersectionality (see the Debating Political Intersectionality in the EU section for a partial account of this) which shows how gender policies that fail to incorporate an intersectional dimension end up excluding particular subjects (e.g., Afroamerican women in Crenshaw’s 1991 account) from the possibility of benefiting from policy measures in the way that more privileged women and men do.

3. We consider here only literature on European equality theory written in English.

4. See www.mageeq.net.
5. The frame analysis methodology employed was developed by the QUING research team.

6. The relevance of a frame is based on the major or minor presence of frame elements informing the document. The way to determine a frame’s relevance across an issue is based on the extent to which a frame appears within documents and different voices. The most articulated and comprehensive aspects of the frames have also been selected for determining the predominance or marginal existence of frames in the texts.

7. Since this article focuses on the analysis of policies rather than their implementation, it will simply report whether documents refer to consultations, but not discuss the extent to which institutions conduct broad consultations with civil society and with an adequate mix of organizations. Yet, the mentioning of consultations is considered a first step towards the design of more inclusive policy-making.

8. This section is based on the reports de Vega, Lombardo, and Rolandsen Agustín (2008a, 2008b).

9. Many ideas on quality criteria discussed here emerged in a collective brainstorming on good practices of intersectionality in European equality policies in which all members of the QUING research team participated (QUING workshop, 7–8 November 2008, Vienna).

10. Letter and number combination in the following refers to the list of analyzed documents in Appendix 2.

11. A group is considered normative when the text implicitly or explicitly states that the target group of the policy action should become similar or catch up to this group.

12. This includes specifically the EWL, as the main gender equality-oriented actor in the field, but also other gender organizations, such as the European Women Lawyers Association and the Women Against Violence Europe network, as well as organizations with another focus, i.e., the Social Platform, the International Lesbian and Gay Association ILGA Europe, and the European Trade Union Confederation.
## Table A1. Overview of Codes and Frames on Intersectionality in the EU-selected Documents.

<table>
<thead>
<tr>
<th>Issue</th>
<th>Coded texts</th>
<th>Intersectional code occurrences (number of texts)</th>
<th>Diagnosis</th>
<th>Prognosis</th>
<th>Relation between inequalities occurrences (number of texts)</th>
<th>Diagnosis</th>
<th>Prognosis</th>
<th>Intersectional frames</th>
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<tr>
<td>NE</td>
<td>26</td>
<td>Sexuality 1 (1) Citizenship 2 (2) Marital status 3 (3) Age 3 (3) Class 7 (7) Gender 26 (20)</td>
<td>Regional 1 (1) Class 1 (1) Sexuality 3 (3) Ethnicity/race 4 (3) Disability 5 (4) Citizenship status 5 (4) Marital status 10 (6) Age 9 (8) Gender 33 (22)</td>
<td>Mutually constitutive 3 (2) Additive 3 (3) Inarticulate 3 (3) 6 explicit intersectional occurrences</td>
<td>Separate 2 (2) Additive 2 (2) Inarticulate 16 (10) 2 explicit intersectional occurrences</td>
<td>Transform division of labor gender + equality (less dominant, 3 texts) Intersectional inclusion (minor, 1 text)</td>
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4 civ soc
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<th>17</th>
<th>25 (13)</th>
<th>19 (13)</th>
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<td></td>
<td></td>
<td>Disability 2 (2)</td>
<td>Religion/belief 3 (3)</td>
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<td>Class 5 (4)</td>
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<td>Sexuality 4 (4)</td>
<td>Sexuality 10 (8)</td>
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<td>Marital status 7 (5)</td>
<td>Marital status 9 (9)</td>
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<td>Gender 25 (15)</td>
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<td>Gender 28 (14)</td>
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</table>


**Separate 2 (1)** Additive 4 (3) Inarticulate 16 (11) 4 explicit intersectional occurrences

**Protect equality and freedom (dominant prognostic and less dominant diagnostic, 3 texts)**

**Children for all (less dominant diagnostic and minor prognostic, 2 texts)**

**Gender and power in partnership (minor diagnostic and less dominant prognostic, 2 texts)**

**Transformative equality for LGBT people (dominant, 2 texts)**

**Nondiscrimination for LGBT individuals (dominant, 2 texts)**

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<thead>
<tr>
<th>Issue</th>
<th>Coded texts</th>
<th>Diagnosis</th>
<th>Prognosis</th>
<th>Diagnosis</th>
<th>Prognosis</th>
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<td>Class 11</td>
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<td>Age 21</td>
<td>Age 26</td>
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<td>Citizenship 19</td>
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<td>Sexuality 8</td>
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<td>Gender 125</td>
<td>Gender 101</td>
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</tbody>
</table>

The bold entries refer to the cases in which the greater number of occurrences appear in the texts.
Appendix 2: List of EU-analyzed Documents on Gender Equality Policies

Forty-two selected documents; sixty-six coded texts (each voice in the parliamentary debates was coded as a separate document); the intersectional frames detected are listed in brackets next to the document together with their relevance (dominant, less dominant, minor).

Nonemployment
Seventeen selected documents; twenty-six coded texts (four laws, five policy plans, thirteen voices in parliamentary debates, four civil society texts)

Tax-benefit policies
VOICE 1: Hiltrud Breyer (VERTS/ALE)
VOICE 2: Ilda Figueiredo (GUE/NGL)
VOICE 3: Gerard Batten (IND/DEM)
VOICE 4: Zita Gurmai (PSE)
(No intersectional frames detected)

Care-work
VOICE 1: Vladimír Špidla (EC)
VOICE 2: Marie Panayotopoulos-Cassiotou (PPE)
Reconciliation of work and family life in employment


VOICE 1: Marie Panayotopoulos-Cassiotou (PPE-DE, rapporteur)
VOICE 2: Charlie McCreevy (EC)
VOICE 3: Raul Romeva i Rueda (VERTS/ALE)

Gender pay gap and equal treatment

NE13 Law: Article 141(3) of the EC Treaty.


NE15 Policy plan: Communication from the Commission to the EP, the Council, the EESC and the CoR of 18 July 2007 on tackling the pay gap between women and men (COM (2007) 424 final).


VOICE 1: Angelika Niebler (PPE-DE, rapporteur)
VOICE 2: Benita Ferrero-Waldner (EC)
VOICE 3: Urszula Krupa (IND/DEM)
NE17 Civil society text: EWL Position Paper of 20 March 2003 on European Employment Policies as a core mechanism for achieving equality between women and men.

(Intersectional inclusion [minor frame])

*Intimate Citizenship*

Twelve selected documents; seventeen coded texts (two laws, four policy plans, eight voices in parliamentary debates, three civil society texts).

Divorce, marriage, separation


(Protect equality and freedom [dominant prognostic and less dominant diagnostic frame])


(Children for all [less dominant diagnostic and minor prognostic frame])


VOICE 1: Franco Frattini (EC)
VOICE 2: Hiltrud Breyer (VERTS/ALE)

(Protect equality and freedom [dominant prognostic and less dominant diagnostic frame]; gender and power in partnership [minor diagnostic and less dominant prognostic frame])


(Gender and power in partnership [minor diagnostic and less dominant prognostic frame])

Sexual orientation discrimination


IC6 Policy plan: Communication from the Commission to the Council, the EP, the EESC, and the CoR of 1 June 2005 on
nondiscrimination and equal opportunities for all—a framework strategy (COM(2005)224 final).

(Non-discrimination for LGBT individuals [dominant frame])

VOICE 1: Franco Frattini (EC, both his interventions)
VOICE 2: Sophia in’t Veld (ALDE)
VOICE 3: Michael Cashman (PSE)

(Transformative equality for LGBT people, non-discrimination for LGBT individuals [dominant frames])


(Transformative equality for LGBT people [dominant frame])

Reproduction rights

IC9 Policy plan: FEMM Committee resolution of 6 June 2002 on sexual and reproductive health and rights (2001/2128 (INI)).
IC10 Policy plan: FEMM Committee Report of 22 January 1999 on the report from the Commission to the Council, the EP, the EESC, and the CoR on the state of women’s health in the European Community (COM(97)0224).
VOICE 1: Eva-Britt Svensson (GUE/NGL, rapporteur).
VOICE 2: Marcin Libicki (UEN)
VOICE 3: Edite Estrela (PSE)

(Children for all [less-dominant diagnostic and minor prognostic frame]; protect equality and freedom [dominant prognostic and less-dominant diagnostic frame])

Gender-based Violence

Thirteen selected documents; twenty-three coded texts (three laws, three policy plans, thirteen voices in parliamentary debates, four civil society texts).

Domestic violence

women and to protect victims and groups at risk (803/2004/EC) (DAPHNE II).

GBV2 Policy plan: FEMM Committee report on the current situation in combating violence against women and any future action (2004/2220(INI)).

VOICE 1: Maria Carlshamre (ALDE, rapporteur)
VOICE 2: Franco Frattini (EC)
VOICE 3: Iratxe García Pérez (PSE)
VOICE 4: Urszula Krupa (IND/DEM)


GBV5 Civil society text additional: Blueprint of the CoE Campaign to Combat Violence against women, including domestic violence, 21 June 2006.

(No intersectional frames detected)

Sexual harassment


GBV7 Policy plan: EC Communication of 24 July 1996 concerning the consultation of management and labor on the prevention of sexual harassment at work (COM (96) 373 final).

VOICE 1: Hautala (VERTS/ALE, rapporteur)
VOICE 2: Olle Schmidt (ELDR)
VOICE 3: Klass (PPE-DE)
VOICE 4: Diamantopoulou (EC)

GBV9 Civil society text: Joint letter from ETUC and EWL to Social Affairs Commissioner Diamantopoulou on the proposal for a Directive to amend Directive 76/207 to include a reference to sexual harassment, 15 May 2000.

(No intersectional frames detected)

Trafficking

GBV11 **Policy plan:** FEMM Committee report of 14 December 2005 on strategies to prevent the trafficking of women and children who are vulnerable to sexual exploitation (2004/2216(INI)).

GBV12 **Parliamentary debate:** EP debate on trafficking in women, 18 May 2000

VOICE 1: Patsy Sörensen (VERTS/ALE, rapporteur)
VOICE 2: Valenciano Martínez-Orozco (PSE)
VOICE 3: Boumediène-Thiery (VERTS/ALE)
VOICE 4: Di Lello Finuoli (GUE/NGL)
VOICE 5: Vitorino (EC)

GBV13 **Civil society text:** WAVE Fempower Magazine on the theme of trafficking in women, n° 1 (1/2001).

(No intersectional frames detected)

**REFERENCES**


