



THE PARLIAMENT OF THE CZECH REPUBLIC

SENATE

9th TERM

COMITTEE on EU AFFAIRS

64th RESOLUTION

delivered on the 8th meeting held on 6th March 2013

on the Proposal for a directive of the European parliament and of the Council on improving the gender balance among non-executive directors of companies listed on stock exchanges and related measures

(Senate Press no. N 006/09)

Following introductory information from Mr. Zdeněk Kadlec, Deputy Minister of Labour and Social Affairs and Ms. Zuzana Fišerová, General Director of International Relations Department of the Ministry of Justice, taking into account the opinion of the Committee on Health and Social Policy, after the rapporteur's report by Senator Antonín Maštalíř and after a debate

The Committee

I. Adopts

a recommendation on Proposal for a directive of the European parliament and of the Council on improving the gender balance among non-executive directors of companies listed on stock exchanges and related measures, attached to this Resolution;

II. Recommends

that the Senate of the Parliament of the Czech Republic give a statement on the Proposal for a directive of the European parliament and of the Council on improving the gender balance among non-executive directors of companies listed on stock exchanges and related measures in accordance with the recommendation adopted by the Committee;

III. Appoints

Senator Antonín Maštalíř the Committee's rapporteur at the plenary session of the Senate of the Parliament of the Czech Republic;

IV. Authorises

the Committee Chairperson Senator Miroslav Krejča to submit this Resolution to the President of the Senate of the Parliament of the Czech Republic.

Miroslav Krejča

sign manual

Committee Chairperson

Antonín Maštalíř

sign manual

Committee Rapporteur

Luděk Jeništa

sign manual

Committee Verifier

Recommendation to the Senate of the Parliament of the Czech Republic on improving the gender balance among non-executive directors of companies listed on stock exchanges and related measures

The Senate of the Parliament of the Czech Republic

I.

1. Is highly aware of

long-term significant gender imbalances in senior positions;

2. Recalls

that Article 157, paragraph 3, of the Treaty on the Functioning of the European Union, gives the EU the power to adopt measures to ensure the application of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation, including the principle of equal pay for equal work or work of equal value;

3. Recalls

that the issue of gender imbalance in management positions is intertwined with other issues related to equal opportunities of women and men, with reconciling family and work life, the gender pay gap, overcoming of gender stereotypes, etc.;

II.

1. Realizes

that although women have represented the majority of university graduates for many years, the proportion and representation of women in corporate management is not adequate;

2. Admits, however,

that this apparent imbalance may be caused by other factors, such as relatively high age of supervisory board members (58 years on average) and the absence of women in those segments of senior management of companies, from which members of supervisory boards are generally recruited;

3. Recalls

that women face far greater discrimination in matters of motherhood when, as a consequence of inability to effectively reconcile family and professional life, women, starting from a certain age, begin to lag behind men in their career development, and therefore also in their financial remuneration;

4. Suggests, therefore,

that legislative initiatives of the European Commission should primarily focus on removing barriers that prevent women from realizing their full potential in our society, such as removing discrimination in maternity and parental leave, gender pay gap and the overcoming of gender stereotypes;

5. Is aware of the fact

that some Member States have recently adopted measures that deal with the issue of mandatory female quotas in corporate management; however, the impact of these measures is not yet known;

6. Believes, therefore,

that it is premature to introduce mandatory objectives regarding female representation in all EU countries because this approach does not take into account different conditions prevailing in individual Member States in the field of business operation, different traditions of boards of directors and supervisory boards, and, in essence, it limits the exercise of ownership rights

by shareholders in their decision-making regarding the composition of senior management of companies which they own;

7. Points to the fact

that the proposal applies only to members of supervisory boards and non-executive board members of listed companies, which significantly limits its real impact on equal opportunities for women and men, and raises doubts about the effectiveness and meaningfulness of this proposal with regard to its intended objective;

8. Is of the opinion

that the efforts for a political solution of the issue of gender imbalance should primarily focus on the question of equal representation in political institutions, public authorities, public law bodies and publicly-owned companies;

9. Calls on the Government

not to give up its efforts to address the issues of equal opportunities for women and men, and to respect the recommendations of international and national institutions pointing out the chronic shortage of care facilities for preschool children, the lack of support for flexible forms of employment for care-taking parents and the problems associated with the return of parents into employment;

III.

1. Requests

the Government to inform the Senate about the way this position was taken into account and to provide the Senate with further information on the proceeding of negotiations;

2. Authorises

the President of the Senate to forward this Resolution to the European Commission.