

**EU-Policies and Fertility:**  
**The Emergence and Implementation of Fertility Issues at the Supra-national Level**

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**Abstract:**

The paper deals with policies and fertility at the European level. During the past decade demographic and fertility issues have come to the fore at the European Union level. The Green Paper “Confronting demographic change: a new solidarity between the generations”, the establishment of an expert group on demographic issues, the European Demography Forum, and the European Demography Reports are signs of the gain in importance of fertility issues at the EU level. So far, the competences to deal with fertility issues have been mainly with the member states. It is not clear whether the recent EU initiatives mark the emergence of a new policy field within the EU or whether established policy issues are now discussed from a demographic perspective. This paper traces the origin and development of fertility relevant initiatives at the European level starting with the Treaty of Rome in 1957 up to the present. It provides a first overview over these initiatives in the context of EU-policy making. It thus allows us to assess to what extent the EU initiatives are steps towards a co-ordinated European effort to tackle low fertility.

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## **Introduction**

During the past two decades the low fertility in Europe has become of increasing concern to policy makers at the national and at the supra-national (EU) level. The number of European countries which state that their fertility levels are too low has risen substantially. More and more countries admit that they have or consider policy measures to raise fertility (Neyer 2012). In several countries, low fertility has become a means of promoting policy changes (Hantrais and Letablier 1996; Hantrais 1999; Letablier 2008; Henninger et al. 2008).

Implicitly or explicitly, fertility issues have also been addressed by the European Union. The suggestions of the Barcelona Summit to increase childcare facilities in EU-member states (Presidency Conclusion 2002), the Green Paper “Confronting demographic change: a new solidarity between the generations” (European Commission 2005), the Communication “The demographic future of Europe - from challenge to opportunity” (European Commission 2006), the establishment of an expert group on demographic issues (European Commission 2007), the biennial European demography forum and European demography report are signs of this development. Since the European Union does not have the authority to pass policies affecting childbearing directly, it has to link its suggestions to areas of EU competences, such as its employment and gender equality strategies. The latter comprise, for example, the reconciliation of paid work and family life, gender equality, and childcare (European Commission 2006; Jacquot et al. 2010; Hantrais 1999, 2007). In turn, issues such as employment and gender equality have been essential in EU-initiatives to further policies which are considered to affect childbearing and fertility development (e.g., parental-leave directive).

Although the recent fertility-related initiatives of the EU have received attention by demographers (Population and Development Review 2006), there exists no systematic overview over the development of such initiatives. There exists also no study that examines which instruments the European Union applied to implement its initiatives, i.e., legally binding norms which must be adopted by the member states or “soft”, non-binding measures which suggest policy directions to EU-member states. Such legal aspects are relevant to determine the range and the consequences of the initiatives.

Our paper aims to close this gap. Starting with the Treaty of Rome (1957), we trace which initiatives and measures the EU has set in policy areas which relate directly or indirectly to fertility. We concentrate on issues of reconciliation of work and family, gender equality, childcare, parental leave, maternity leave, and family and demographic issues related to fertility/childbearing.. We present a systematic overview over the development of these issues and how the EU has addressed them during the past decades.

## **Methods**

To document the development of fertility relevant EU-initiatives since 1957 we have made use of the main databases of the EU that provide information on EU laws and on the legal processes of EU initiatives. To retrieve the relevant documents we used keywords covering the fertility relevant policy areas mentioned above. We systematized the policies on the basis of their main policy domains (e.g., maternity leave, parental leave, organization of working time, equal opportunities between men and women) and we considered their range, i.e., whether the initiative became a binding or non-binding norm.

## **First Results**

The documentation of EU-initiatives since 1957 shows that there has been a substantial increase in fertility-related activities and fertility-based argumentation of policy initiatives since the late

1980s. Fertility argumentations have particularly increased (or have even been newly introduced) in framework policies, such as “demographic renewal”, in labour, employment, and family policies, while fertility and childbearing issues have been rather consistently addressed in the area of gender policies. The majority of initiatives was of a non-binding character. Binding and non-binding policies show a roughly similar development over time, with most initiatives taking place during the 1990s and 2000s. The implementation of an expert group on demographic issues between 2007 and 2012 boost “soft” initiatives, although the trend towards an increased interest of the EU in fertility-related matters had started in the 1990s. This indicates that the recent initiatives of the EU are not a completely new phenomenon, but may suggest a more comprehensive approach of the EU to fertility-related demographic issues.

## References

- Caporali A. and Golini A. (2010), Births and Fertility in Interwar Italy: Trends, Images, Policies and Perception. *Population Review* 49 (2).
- Cross, J. (2011). Interventions and negotiation in the Council of Ministers in the European Union. *European Union Politics* 13(1): 47-69.
- European Commission, 2005. Communication from the Commission - Green Paper "Confronting demographic change: a new solidarity between the generations" - COM(2005) 94 final, Brussels, 16.3.2005.
- European Commission, 2006. Communication from the Commission - “The demographic future of Europe - from challenge to opportunity” - COM(2006) 571 final, Brussels, 12.10.2006.
- European Commission, 2007. Commission Staff Working Document – “Europe’s Demographic Future: Facts and Figures” - SEC(2007) 638, Brussels, 11.05.2007.
- Falkner G., Treib O., and Hartlapp M. (2005). *Complying with Europe: EU Harmonisation and Soft Law in the Member States*. Cambridge University Press: Cambridge.
- Gauthier A. (2005). Trends in policies for family-friendly societies. In: M. Macura, A. MacDonald and W. Haug (eds.). *The New Demographic Regime: Population Challenges and Policy Responses*. United Nations: New York and Geneva.
- Gauthier A. (2007). The impact of family policies on fertility in industrialized countries: a review of the literature. *Population Research and Policy Review* 26 (3).
- Hantrais L. (1999). Socio-demographic change, policy impacts and outcomes in social Europe”, *Journal of European Social Policy* 9 (4): 291–309.
- Hantrais L. (2007). *Social Policy in the European Union*. Palgrave Macmillan: New York.
- Hantrais L., and Letablier M. (1996). *Families and Family Policies in Europe*. Longman: London and New York.
- Henninger A., Wimbauer Ch., and Dombrowski R. (2008). Demography as a push towards gender equality? Current reforms in German family policy. *Social Politics: International Studies in Gender, State & Society* 15(3): 287-314.
- Hough, J. R.(1988). Social Policy and the Birthrate. *International Journal of Sociology and Social Policy* 8(5): 37-50.
- Jacquot S., Ledoux C. and Palier B, (2010). The emergence and changing nature of a polysemic category. European resources in the field of reconciliation between paid work and private life, REC-WP 11/2010 Working Papers on the Reconciliation of Work and Welfare in Europe. RECOWE Publication, Dissemination and Dialogue Centre, Edinburgh.
- Letablier MT (2008). Why France has high fertility: The impact of policies supporting parents. *The Japanese Journal of Social Security Policy* 7(2).
- McDonald P. (2006) Low Fertility and the State: The Efficacy of Policy. *Population and Development Review* 32 (3): 485-510.
- Neyer G. (2003). *Family Policies and Low fertility in Western Europe*, MPIDR Working paper WP 2003-021 July 2003.

- Neyer G. (2012). Welfare states, family policies and fertility in Europe. In: Neyer, G. et al. (Hg.). *The Demography of Europe*. Springer: New York (forthcoming).
- Nugent, N., 2006. *The Government and Politics of the European Union*, 6th edition. Palgrave-Macmillan, Houndmills, Basingstoke, Hampshire.
- Population and Development Review (2006). Policies to reconcile labor force participation and childbearing in the European Union (2006). *Population and Development Review* 32(2): 389-393.
- Presidency Conclusions (2002). Barcelona European Council, 15 and 16 March 2002, SN 100/1/02 REV 1, Part I.