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**Council of Europe
Gender Equality Glossary**

Contents

1. INTRODUCTION	3
2. COUNCIL OF EUROPE GENDER EQUALITY GLOSSARY	4
APPENDIX 1: EXPLANATIONS, MAIN TERMS AND DEFINITIONS USED BY OTHER ORGANISATIONS	14

1. INTRODUCTION

During its fifth meeting, which took place in Strasbourg on 2-5 April 2014, the Gender Equality Commission (GEC) discussed the preparation of a Gender Equality Glossary based on the definitions and terms of Council of Europe instruments and standards. The GEC instructed the Secretariat to prepare an information paper outlining the background relating to the Gender Equality Glossary request, listing existing and known glossaries available and identifying gaps and needs which may require further work. During the sixth meeting of the GEC (19-21 November 2014), the Secretariat presented a [Concept note \(GEC\(2014\)7\)](#)¹ including an overview of existing glossaries. In the discussion that followed, GEC members instructed the Secretariat to prepare a more detailed document including relevant definitions from Council of Europe instruments and standards, providing sources and explanations for discussion at the GEC meeting in November 2015.

This document prepared by the Secretariat is the result of these discussions.

With regard to the notions which were included in this document, it was agreed during the April 2014 meeting of the GEC that lesbian, gay, bisexual and transgender issues would not be included in such a glossary, as LGBTI issues do not come under the remit of the GEC within the Council of Europe. GEC members also agreed during the November 2014 meeting not to create any new definitions in the field of gender equality. In addition, in view of the on-going work at the European Institute for Gender Equality (EIGE) on a thesaurus/glossary on gender equality, the Council of Europe Gender Equality Glossary focuses on existing definitions included in Council of Europe standards or documents. The Glossary is also limited to the current areas of work of the Council of Europe as per the five strategic objectives of the Council of Europe Gender Equality Strategy 2014-2017².

¹ See Appendix 2.

² 1) Combating Gender Stereotypes and Sexism; 2) Preventing and combating Violence against Women; 3) Guaranteeing Equal Access of Women to Justice; 4) Achieving Balanced Participation of Women and Men in Political and Public Decision-Making; 5) Achieving Gender Mainstreaming in all policies and measures.

2. COUNCIL OF EUROPE GENDER EQUALITY GLOSSARY

This Council of Europe Gender Equality Glossary contains solely definitions emanating from Council of Europe standards or reference documents. Appendix 1 to this document contains further explanation concerning some of the more complex notions, as well as definitions used by other organisations.

BALANCED PARTICIPATION (OF WOMEN AND MEN IN POLITICAL AND PUBLIC DECISION-MAKING)	The Balanced participation of women and men is taken to mean that the representation of either women or men in any decision-making body in political or public life should not fall below 40% ³ .
CHILD	Child shall mean any person under eighteen years of age ⁴ .
COUNCIL OF EUROPE CONVENTION ON PREVENTING AND COMBATING VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE (ISTANBUL CONVENTION)	<p>The Istanbul Convention, entered into force on 1st August 2014. The Convention provides a comprehensive legal framework to prevent violence against women and domestic violence, to protect victims and to end with the impunity of perpetrators. It is firmly based on the premise that violence against women cannot be eradicated without investing in gender equality and that in turn, only real or substantive gender equality and a change in attitudes can truly prevent such violence. The Convention explicitly defines violence against women as a violation of human rights and a form of discrimination against women and is also unique in terms of its scope and approach, which is based on a gendered understanding of violence against women and domestic violence. The Convention provides the first legally binding definition of gender (Article 3C).</p> <p>The Convention counts 18 state Parties to date⁵. The Convention's monitoring mechanism consists of a two-pillar system: an independent expert body, the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) and a political body, the Committee of the Parties, which is composed of representatives of the Parties to the Istanbul Convention.</p>
COUNCIL OF EUROPE CONVENTION ON ACTION AGAINST TRAFFICKING IN HUMAN BEINGS	The Council of Europe Convention on Action against Trafficking in Human Beings , entered into force on 1 February 2008. It aims to prevent trafficking in human beings, protect victims of trafficking, prosecute traffickers, and promote co-ordination of national actions and international co-operation. The Convention recognises that trafficking in human being is a heavily gendered phenomenon and contains several strong references to gender equality and gender mainstreaming including in Article 1 (Purpose), Article 5, Article 6 and Chapter III – Measures to protect and promote the rights of victims,

³ Recommendation Rec(2003)3 of the Council of Europe Committee of Ministers to member states on balanced participation of women and men in political and public decision making.

⁴ Council of Europe Convention on Action against Trafficking in Human Beings, Article 4.

⁵ 30 September 2015

	<p>guaranteeing gender equality and Article 17.</p> <p>To-date⁶, the Convention counts 43 Parties. The monitoring system consists of two pillars: the Group of Experts on Action against Trafficking in Human Beings (GRETA) a technical body, composed of independent and highly qualified experts, and the Committee of the Parties, a more political body composed of the representatives in the Committee of Ministers of the Parties to the Convention and representatives of Parties non-members of the Council of Europe.</p>
CRIMES COMMITTED IN THE NAME OF SO-CALLED "HONOUR"	Adapted from Article 42 of the Istanbul Convention: Acts of violence justified by the "claims that the victim has transgressed cultural, religious, social or traditional norms or customs of appropriate behaviour".
DIRECT/INDIRECT DISCRIMINATION BASED ON SEX	<p>Direct discrimination occurs when a difference in treatment relies directly and explicitly on distinctions based exclusively on sex and characteristics of men or of women, which cannot be justified objectively⁷.</p> <p>Indirect discrimination occurs when a law, policy or programme does not appear to be discriminatory, but has a discriminatory effect when implemented. This can occur, for example, when women are disadvantaged compared to men with respect to the enjoyment of a particular opportunity or benefit due to pre-existing inequalities. Applying a gender-neutral law may leave the existing inequality in place, or exacerbate it⁸.</p> <p style="text-align: right;"><i>More information in Appendix 1.</i></p>
DISCRIMINATION AGAINST WOMEN	<p>Any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field⁹.</p> <p>Article 14 of the European Convention on Human Rights secures the enjoyment of rights and freedoms without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.</p>
DOMESTIC VIOLENCE	Article 3B of the Istanbul Convention : "Domestic violence shall mean all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim".
EUROPEAN	The European Convention on Human Rights and Fundamental Freedoms

⁶ 30 September 2015

⁷ Council of Europe Committee of Ministers Recommendation CM/Rec (2007) 17 on Gender equality standards and mechanisms and Explanatory Memorandum (CM (2007)153 add). Source for this term: General Comment No. 16 (2005) – The equal rights of men and women to the enjoyment of all economic, social and cultural rights (Article 3 of the *International Covenant on Economic, Social and Cultural Rights*) of the UN Committee on Economic, Social and Cultural Rights (E/C.12/2005/4, 11 August 2005).

⁸ Ibid.

⁹ Council of Europe Committee of Ministers Recommendation CM/Rec (2007) 17 on Gender equality standards and mechanisms, Explanatory Memorandum (CM (2007)153 add) Article 20. Source for this term: UN Convention on the Elimination of All Forms of Discrimination against Women, Article 1.

CONVENTION ON HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (ECHR)	(ECHR) adopted in 1950 is Europe’s core human rights treaty, guaranteeing civil and political rights (Article 14 of the Convention prohibits discrimination on any grounds, including sex). Protocol No. 12 to the ECHR adopted in 2000 represents an important step forward for building equality between women and men by securing a general prohibition on discrimination by any public authority on inter alia the grounds of sex (Article 1), regarding the enjoyment of any right set forth by law and not only rights and freedoms of the ECHR.
EUROPEAN SOCIAL CHARTER	The European Social Charter is the counterpart of the ECHR in the sphere of economic and social rights. It prohibits discrimination in the implementation of employment and civil rights, which must be ensured without discrimination on the grounds of sex. The Charter addresses the issue of equality for women and men from the perspective of work and family life. It includes provisions on the protection of employees’ maternity, and allows for positive measures to encourage equal opportunities. The Additional Protocol to the European Social Charter establishes the non-discrimination principle including on the grounds of sex in matters of employment and occupation ¹⁰ .
FORCED ABORTION AND FORCED STERILISATION	Article 39 of the Istanbul Convention: “Forced abortion and forced sterilisation refers to intentionally: a) Performing an abortion on a woman without her prior and informed consent; b) Performing surgery which has the purpose or effect of terminating a woman’s capacity to naturally reproduce without her prior and informed consent or understanding of the procedure”. The Istanbul Convention requests parties to criminalise forced abortion and forced sterilisation.
FEMALE GENITAL MUTILATION	Article 38 of the Istanbul Convention: “Female Genital Mutilation (FGM) refers to: a) Excising, infibulating or performing any other mutilation to the whole or any part of a woman’s labia majora, labia minora or clitoris; b) Coercing or procuring a woman to undergo any of the acts listed in point a); c) Inciting, coercing or procuring a girl to undergo any of the acts listed in point a)”. The Istanbul Convention requests parties to criminalise female Genital Mutilation.
FORCED MARRIAGE	Article 37 of the Istanbul Convention: “The intentional conduct of forcing an adult or a child to enter into a marriage”. The Istanbul Convention requests parties to criminalise forced marriage.

¹⁰ Council of Europe, Convention for the Protection of Human Rights and Fundamental Freedoms as amended by Protocols No. 11 and No. 14. Rome, 4.XI.1950: <http://conventions.coe.int/treaty/en/Treaties/Html/005.htm>. Additional Protocol to the European Social Charter 5.V.1988, Part I, Article 1. European Social Charter (revised), 3.V.1996: <http://conventions.coe.int/treaty/en/treaties/html/163.htm>.

GENDER	Article 3C of the Istanbul Convention: “Gender shall mean the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men”. <i>More information in Appendix 1.</i>
GENDER ANALYSIS	The study of differences in the conditions, needs, participation rates, access to resources and development, control of assets, decision making powers, etc. between women and men on their assigned gender roles ¹¹ .
GENDER-BASED VIOLENCE AGAINST WOMEN	Article 3D of the Istanbul Convention: “Gender-based violence shall mean violence that is directed against a woman because she is a woman or that affects women disproportionately”.
GENDER BLIND	Ignoring/failing to address the gender dimension (as opposed to gender sensitive) ¹² . <i>See also gender neutral and gender sensitive.</i>
GENDER BUDGETING	Gender budgeting is an application of gender mainstreaming in the budgetary process. It means a gender-based assessment of budgets, incorporating a gender perspective at all levels of the budgetary process and restructuring revenues and expenditures in order to promote gender equality ¹³ . <i>See also gender mainstreaming.</i>
GENDER EQUALITY / EQUALITY BETWEEN WOMEN AND MEN	Gender equality means an equal visibility, empowerment and participation of both sexes in all spheres of public and private life. Gender equality is the opposite of gender inequality, not of gender difference, and aims to promote the full participation of women and men in society. It means accepting and valuing equally the differences between women and men and the diverse roles they play in society. Gender equality includes the right to be different. This means taking into account the existing differences among women and men, which are related to class, political opinion, religion, ethnicity, race or sexual orientation. Gender equality means discussing how it is possible to go further, to change the structures in society which contribute to maintaining the unequal power relationships between women and men, and to reach a better balance in the various female and male values and priorities ¹⁴ . The Council of Europe Committee of Ministers Recommendation (2007)17 on gender equality standards and mechanisms ¹⁵ , establishes gender equality as principle of human rights and women’s human rights as an inalienable,

¹¹ Council of Europe Manual Supporting Gender Equality Rapporteurs in their role, 2014. Source for this term: European Commission, 100 words for equality - A glossary of terms on equality between women and men, (1998).

¹² Council of Europe Manual Supporting Gender Equality Rapporteurs in their role, (2014). Source for this term: European Commission, 100 words for equality - A glossary of terms on equality between women and men, (1998).

¹³ Council of Europe Committee of Ministers Recommendation CM/Rec (2007) 17 on Gender equality standards and mechanisms and Explanatory Memorandum (CM(2007)153 add). Source for this term: Final report of the Group of Specialists on Gender Budgeting (EG-S-GB), EG-S-GB (2004) RAP FIN, Council of Europe.

¹⁴ Council of Europe Committee of Ministers Recommendation CM/Rec (2007) 17 on Gender equality standards and mechanisms, Explanatory Memorandum (CM (2007)153 add, Article 20. Source for this term: Council of Europe, Gender Mainstreaming conceptual framework, methodology and presentation of good practices - Final Report of Activities of the Group of Specialists on Mainstreaming (2004).

¹⁵ Council of Europe Committee of Ministers Recommendation CM/Rec (2007) 17 on Gender equality standards and mechanisms Articles 1 and 2.

	<p>integral and indivisible part of universal human rights. Gender equality is defined as a requirement for the achievement of social justice and a <i>sine qua non</i> of democracy. Acceptance of these principles implies not only the elimination of all forms of discrimination, legal or otherwise, on the basis of sex, but also the fulfilment of a number of other requirements that must be seen as qualitative indicators of political will to achieve substantive gender equality or <i>de facto</i> equality.</p> <p>The Council of Europe Gender Equality Strategy 2014-2017 adds that gender equality “also means an equal access to and distribution of resources between women and men”¹⁶.</p> <p style="text-align: right;"><i>More information in Appendix 1.</i></p>
GENDER EQUALITY POLICY	<p>Legal standards alone do not guarantee non-discrimination; nor are they sufficient to achieve substantive gender equality. To comply with the commitments made, governments must put in place and efficiently implement proactive policy measures and various strategies which have been recognised by international organisations as indispensable to pursue the objective of gender equality in an effective way. A dual approach to these strategies is commonly accepted: on the one hand, specific actions including positive action/temporary special measures and, on the other hand, apply gender mainstreaming to all policy areas and processes¹⁷.</p>
GENDER GAP	<p>The gap in any area between women and men in terms of their levels of participation, access, rights, remuneration or benefits¹⁸.</p>
GENDER IMPACT ASSESSMENT	<p>A policy tool for the screening of a given policy proposal, in order to detect and assess its impact or effects on women and men, so that possible imbalances can be redressed before the proposal is endorsed. It also helps to compare and assess the current situation and trends with the expected results of the proposed policy. Gender impact assessment can be applied in existing policies and in policy-making processes, from legislation, plans, programmes, budgets, and concrete actions to calls for research¹⁹.</p>
GENDER (OR SEX) DISAGGREGATED DATA	<p>Data on the current situation of women and men, and on current gender relations, are an absolutely necessity for gender mainstreaming. In addition to lack of data and statistics disaggregated by sex, data can also be gender biased.</p> <p>The knowledge of women’s and men’s living conditions must be ensured by routinely working out statistics split up by sex and other background variables depending on the context, for example, age and educational background.</p> <p>This means that data and data collection methods have to be reconsidered [including] which data are split up by sex; what criteria are used to gather data and what assumptions and values lie behind these criteria. Special</p>

¹⁶ Council of Europe Gender Equality Strategy 2014-2017, introduction.

¹⁷ Council of Europe Committee of Ministers Recommendation CM/Rec (2007) 17 on Gender equality standards and mechanisms, Article 62.

¹⁸ European Commission, 100 words for equality - A glossary of terms on equality between women and men, (1998).

¹⁹ Council of Europe Committee of Ministers Recommendation CM/Rec (2007) 17 on Gender equality standards and mechanisms, Explanatory Memorandum (CM (2007)153 add, Article 198.

	attention should be paid to data providing information on the dynamics of gender relations ²⁰ . <i>More information in Appendix 1.</i>
GENDER MAINSTREAMING OR MAINSTREAMING A GENDER EQUALITY PERSPECTIVE	Gender mainstreaming is the (re)organisation, improvement, development and evaluation of policy processes, so that a gender equality perspective is incorporated in all policies at all levels and all stages, by the actors normally involved in policy-making ²¹ . <i>More information in Appendix 1.</i>
GENDER NEUTRAL	Having no differential positive or negative impact for gender relations or equality between women and men. ²² <i>See also gender blind, gender sensitive.</i> <i>More information in Appendix 1.</i>
GENDER PERSPECTIVE	An analysis from a gender perspective helps to see whether the needs of women and men are equally taken into account and served by [a] proposal. It enables policy-makers to develop policies with an understanding of the socio-economic reality of women and men and allows for policies to take (gender) differences into account ²³ . <i>More information in Appendix 1.</i>
GENDER PROOFING	A check carried out on any policy proposal to ensure that any potential gender discriminatory effects arising from that policy have been avoided and that gender equality is promoted ²⁴ .
GENDER SENSITIVE	Addressing and taking into account the gender dimension ²⁵ . <i>See also gender neutral, gender blind.</i>
GENDER STEREOTYPES	Gender stereotypes are preconceived ideas whereby males and females are arbitrarily assigned characteristics and roles determined and limited by their sex. Sex stereotyping can limit the development of the natural talents and abilities of boys and girls, women and men, their educational and professional experiences as well as life opportunities in general (...). Gender stereotyping presents a serious obstacle to the achievement of real gender equality and feeds into gender discrimination ²⁶ . Research has shown that certain roles or stereotypes reproduce unwanted and harmful practices and contribute to make violence against women acceptable. To overcome such gender roles, Article 12 (1) [of the Istanbul Convention] frames the eradication of prejudices, customs, traditions and

²⁰ Council of Europe, Gender Mainstreaming conceptual framework, methodology and presentation of good practices - Final Report of Activities of the Group of Specialists on Mainstreaming (2004), pages 17 and 20.

²¹ Ibid, page 12.

²² Council of Europe Manual Supporting Gender Equality Rapporteurs in their role, 2014. Source for this term: European Commission, 100 words for equality - A glossary of terms on equality between women and men, (1998).

²³ Council of Europe Committee of Ministers Recommendation CM/Rec (2007) 17 on Gender equality standards and mechanisms, Explanatory Memorandum (CM (2007)153 add, Article 20 (paragraph on gender impact assessment).

²⁴ Council of Europe Manual Supporting Gender Equality Rapporteurs in their role, (2014). Source for this term: European Commission, 100 words for equality. A glossary of terms on equality between women and men, (1998).

²⁵ Ibid.

²⁶ Council of Europe Gender Equality Strategy 2014-2017.

	other practices which are based on the idea of the inferiority of women or on stereotyped gender roles as a general obligation to prevent violence ²⁷ .
WOMEN'S/GENDER STUDIES	Women's and Gender studies are a wide-ranging, interdisciplinary academic field dedicated to the investigation of gender relations and the use of gender as a category of analysis in nearly every discipline, from the social sciences to the natural sciences, from law to the arts. Women's studies were born almost simultaneously in many different countries around the world, within and alongside the women's movements, with the purpose of restoring and promoting women's contribution to history, culture, society, politics and knowledge production. Reflecting the emergence of more complex understandings of 'gender', Gender studies explore the gender system in relation with other inequalities (e.g., based on sexual orientation and gender identity, race, ethnicity, class), an approach called intersectionality, in order to produce knowledge that challenges existing power imbalances. Women and Gender studies are a source of information for gender equality work ²⁸ .
INSTITUTIONAL MECHANISMS FOR THE PROMOTION OF GENDER EQUALITY	<p>Institutional mechanisms/national machinery are essential instruments that governments must establish or reinforce to pursue their obligation to eliminate discrimination on the grounds of sex and to achieve gender equality²⁹.</p> <p>Recommendation (2007) 17 on Gender equality standards and mechanisms lists some of the basic requirements for the creation, reinforcement or effective functioning of institutional mechanisms including among others: the location and the status of the mechanisms, their legal basis and clear mandate, their authority and visibility, their political recognition and funding, the need for an interdepartmental structure to co-ordinate gender mainstreaming, that must be constituted by representatives with decision-making powers, the development of gender expertise with the necessary tools and instruments, the establishment of effective channels of communication and co-operation with civil society organisations at every level, as well as with international partners and organisations³⁰."</p> <p>The Council of Europe Committee of Ministers 2007 Recommendation on gender equality standards and mechanisms, states that "Specific actions, including positive actions and temporary special measures, addressed at women and society at large, are recognised as the traditional mandate of national institutional mechanisms for gender equality; however, they must be complemented by gender mainstreaming, a strategy which must involve a</p>

²⁷ Council of Europe Convention on preventing and combating violence against women and domestic violence, Explanatory Report, (CETS No. 210), Paragraph 43 .

²⁸ Smith, Bonnie G. Women's Studies: The Basics. Routledge, 2013. And The Oxford Handbook of Gender and Politics, Edited by Georgina Waylen, Karen Celis, Johanna Kantola, and S. Laurel Weldon, 2013.

²⁹ Council of Europe Committee of Ministers Recommendation CM/Rec (2007) 17 on Gender equality standards and mechanisms, Article 68.

³⁰ Council of Europe Committee of Ministers Recommendation CM/Rec (2007) 17 on Gender equality standards and mechanisms, Explanatory Memorandum (CM (2007)153 add) Articles 205 to 209.

	variety of actors responsible for policies in all sectors and levels of governance ³¹ .”
MULTIPLE DISCRIMINATION	Certain groups of women, due to the combination of their sex with other factors, such as their race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status, are in an especially vulnerable position. In addition to discrimination on the grounds of sex, these women are often subjected simultaneously to one or several other types of discrimination. ³² <i>More information in Appendix 1.</i>
PARITY DEMOCRACY	The full integration of women on an equal footing with men at all levels and in all areas of the workings of a democratic society, by means of multidisciplinary strategies ³³ .
PHYSICAL VIOLENCE	Article 35 of the Istanbul Convention: “The intentional conduct of committing acts of physical violence against another person. The Istanbul Convention requests parties to criminalise physical violence.
POSITIVE ACTION (terms also used: positive action measures, affirmative action or affirmative measures, preferential treatment, special measures, reverse discrimination and positive)	“By positive action... we mean action aimed at favouring access by members of certain categories of people, in this particular case, women, to rights which they are guaranteed, to the same extent as members of other categories, in this particular case men ³⁴ ”. “In some cases, the reason that discrimination is found to occur is due to the fact that the same rule is applied to everyone without consideration for relevant differences. In order to remedy and prevent this kind of situation, governments, employers and service providers must ensure that they take steps to adjust their rules and practices to take such differences into consideration – that is, they must do something to adjust current policies and measures. In the UN context, these are labelled ‘special measures’, while the EU law context refers to ‘specific measures’ or ‘positive action’. By taking special measures, governments are able to ensure ‘substantive equality’, that is, equal enjoyment of opportunities to access benefits available in society, rather than mere ‘formal equality’. (...) The European Court of Human rights has stated ³⁵ that ‘the right not to be discriminated against in the enjoyment of

³¹ Council of Europe Committee of Ministers Recommendation CM/Rec (2007) 17 on Gender equality standards and mechanisms, Article 64. The requirements concerning the organisation and effectiveness of institutional mechanisms for the realisation of gender equality are elaborated in articles 62 to 67 of the Recommendation.

³² Council of Europe Committee of Ministers Recommendation CM/Rec (2007) 17 on Gender equality standards and mechanisms, Section 12 “Specific situation of vulnerable groups exposed to multiple discrimination”, Article 59.

³³ Group of Specialists on Equality and Democracy, Final report of activities, p. 11, Council of Europe Publishing, 1996 used in Council of Europe Committee of Ministers Recommendation CM/Rec (2007) 17 on Gender equality standards and mechanisms, Explanatory Memorandum (CM(2007)153 add, Article 20.

³⁴ Council of Europe Steering Committee for Equality between Women and Men: Positive Action in the field of equality between women and men - http://www.coe.int/t/dghl/standardsetting/equality/03themes/standards-mechanisms/EG_S_PA_2000_7_en.pdf

³⁵ ECtHR, *Thlimmenos v. Greece* [GC] (No. 34369/97), 6 April 2000, para. 44. Similarly, ECtHR, *Pretty v. UK* (No. 2346/02), 29 April 2002, para. 88.

	<p>the rights guaranteed under the [ECtHR] is also violated when States (...) fail to treat differently persons whose situations are significantly different'³⁶".</p> <p style="text-align: right;"><i>More information in Appendix 1.</i></p>
PSYCHOLOGICAL VIOLENCE	<p>Article 33 of the Istanbul Convention: "The intentional conduct of seriously impairing a person's psychological integrity through coercion or threats".</p> <p>The Istanbul Convention requests Parties to criminalise psychological violence.</p>
SEX	<p>Sex refers to the biological characteristics that define humans as female or male. While these sets of biological characteristics are not mutually exclusive, as there are individuals who possess both, they tend to differentiate humans as males and females³⁷.</p>
SEXISM	<p>The supposition, belief or assertion that one sex is superior to the other, often expressed in the context of traditional stereotyping of social roles on the basis of sex, with resultant discrimination practised against members of the supposedly inferior sex³⁸.</p>
SEXIST LANGUAGE	<p>Linguistic usage in most Council of Europe member states whereby the masculine prevails over the feminine³⁹.</p> <p>An Instruction concerning the use of non-sexist language at the Council of Europe contains guidelines to avoid the use of sexist language in all Council of Europe texts, publications and audiovisual materials and at all levels. The guidelines apply to staff members as well as to persons commissioned by the Council of Europe to prepare documents and audiovisual material⁴⁰.</p>
SEXUAL HARASSMENT	<p>Article 40 of the Istanbul Convention: "Any form of unwanted verbal, non-verbal or physical conduct of a sexual nature with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment".</p> <p>The Istanbul Convention requests parties to criminalise sexual harassment or to subject it to other legal sanctions.</p>
SEXUAL VIOLENCE INCLUDING RAPE	<p>According to Article 36 of the Istanbul Convention, sexual violence including rape refers to the following intentional conducts, which the Istanbul Convention requests Parties to criminalise:</p> <p>"a) engaging in non-consensual vaginal, anal or oral penetration of a sexual nature of the body of another person with any bodily part or object; b) engaging in other non-consensual acts of a sexual nature with a person; c) causing another person to engage in non-consensual acts of a sexual nature with a third person.</p>

³⁶ Handbook on European non-discrimination law, European Court of Human Rights and European Union Agency for Fundamental Rights, (2011), page 35.

³⁷ World Health organisation: http://www.who.int/reproductivehealth/topics/sexual_health/sh_definitions/en/

³⁸ INTER PRESS SERVICE (IPS), IPS Gender and Development Glossary 3rd Edition, A Tool for Journalists and Writers (2010).

³⁹ Recommendation No. R (90) 4E of the Committee of Ministers to Member States on the elimination of sexism from language:

<https://wcd.coe.int/com.instranet.InstraServlet?command=com.instranet.CmdBlobGet&InstranetImage=1234348&SecMod e=1&DocId=590474&Usage=2>

⁴⁰ Instruction No. 33 of 1 June 1994 concerning the use of non-sexist language at the Council of Europe: <https://wcd.coe.int/ViewDoc.jsp?id=1144441#>

	Consent must be given voluntarily as the result of the person's free will assessed in the context of the surrounding circumstances". The criminalisation should also apply to the same acts committed against former or current spouses or partners as recognised by internal law.
STALKING	Article 34 of the Istanbul Convention: "The intentional conduct of repeatedly engaging in threatening conduct directed at another person, causing her or him to fear for her or his safety". The Istanbul Convention requests Parties to criminalise stalking.
TRAFFICKING IN HUMAN BEINGS	The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs ⁴¹ .
VIOLENCE AGAINST WOMEN	Article 3A of the Istanbul Convention: "Violence against women' is understood as a violation of human rights and a form of discrimination against women and shall mean all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life"
WOMEN'S HUMAN RIGHTS	The Council of Europe Committee of Ministers Recommendation (2007) ¹⁷ on gender equality standards and mechanisms ⁴² , establishes gender equality as principle of human rights and women's human rights as an inalienable, integral and indivisible part of universal human rights. <i>More information in Appendix 1.</i>
WOMEN	Article 3F of the Istanbul Convention: "For the purposes of the Istanbul Convention, women" includes girls under the age of 18".

⁴¹ Council of Europe Convention on Action against Trafficking in Human Beings, Article 4.

⁴² Council of Europe Committee of Ministers Recommendation CM/Rec (2007) 17 on Gender equality standards and mechanisms, Article 1.

APPENDIX 1

EXPLANATIONS, MAIN TERMS AND DEFINITIONS USED BY OTHER ORGANISATIONS

BEIJING PLATFORM FOR ACTION	<p>The Beijing Platform for Action (BPfA) was adopted at the United Nations Fourth World Conference on Women in September 1995 and made comprehensive commitments under 12 critical areas of concern: Women and Poverty, Education and Training of Women, Women and Health, Violence against Women, Women and Armed Conflict, Women and the Economy, Women in Power and Decision-making, Institutional Mechanism for the Advancement of Women, Human Rights of Women, Women and the Media, Women and the Environment, The Girl-child. Progress and gaps in the implementation of the BPfA are discussed during the annual session of the UN Commission on the Status of Women (CSW), the principal global intergovernmental body exclusively dedicated to the promotion of gender equality and the empowerment of women.</p>
UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN	<p>The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979 by the UN General Assembly, is often described as an international bill of rights for women. Consisting of a preamble and 30 articles, it defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination. All member states of the Council of Europe are party to CEDAW⁴³.</p> <p>The CEDAW is accompanied by an Optional Protocol adopted on 6 October 1999, recognizing the competence of the Committee on the Elimination of Discrimination against Women -- the body that monitors States Parties' compliance with the Convention -- to receive and consider complaints from individuals or groups within its jurisdiction. The Protocol contains two procedures: (1) A communications procedure allows individual women, or groups of women, to submit claims of violations of rights protected under the Convention to the Committee. The Protocol establishes that in order for individual communications to be admitted for consideration by the Committee, a number of criteria must be met; including that domestic remedies must have been exhausted. (2) The Protocol also creates an inquiry procedure enabling the Committee to initiate inquiries into situations of grave or systematic violations of women's rights. In either case, States must be party to the Convention and the Protocol.</p>
DIRECT/ INDIRECT DISCRIMINATION BASED ON SEX	<p>According to the European Court of Human Rights (ECtHR), for and issue of discrimination to arise under Article 14, there must be a 'difference in the treatment of persons in analogous, or relevantly similar, situations', which is 'based on an identifiable characteristic' and 'such a difference in treatment is discriminatory if it has no objective and reasonable justification; in other words, if it does not pursue a legitimate aim or if there is not a reasonable</p>

⁴³ More information: <http://www.un.org/womenwatch/daw/cedaw/>

	<p>relationship of proportionality between the means employed and the aim sought to be realised'⁴⁴.</p> <p>For indirect discrimination to occur, according to the ECtHR, the first identifiable requirement is an apparently neutral rule, criterion or practice. The ECtHR stated that 'a difference in treatment may take the form of disproportionately prejudicial effects of a general policy or measure which, though couched in neutral terms, discriminates against a group'⁴⁵. The second identifiable requirement is that the apparently neutral provision, criterion or practice places a 'protected group' at a particular disadvantage. This is where indirect discrimination differs from direct discrimination in that it moves the focus away from differential treatment to look at differential effects⁴⁶.</p> <p>Definitions used in European Union legislation:</p> <ul style="list-style-type: none"> - <u>Direct discrimination</u>: where one person is treated less favourably on grounds of sex than another is, has been or would be treated in a comparable situation⁴⁷. In addition, the European Court of Justice has established⁴⁸ that as only women can become pregnant, a refusal to employ or the dismissal of a pregnant woman based on her pregnancy or her maternity amounts to direct discrimination on the grounds of sex. On the basis of this principle, the Court has further held that any unfavourable treatment directly⁴⁹ or indirectly⁵⁰ connected to pregnancy or maternity constitutes direct sex discrimination. - <u>Indirect discrimination</u>: 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 necessary⁵¹.
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⁴⁴ ECtHR, *Carson and Others v. UK* [GC] (No. 42184/05), 16 March 2010; para. 61. Similarly, ECtHR, *D.H. and Others v. the Czech Republic* [GC] (No. 57325/00), 13 November 2007, para. 175; ECtHR, *Burden v. UK* [GC] (No. 13378/05), 29 April 2008, para. 60.

⁴⁵ ECtHR, *D.H. and Others v. the Czech Republic* [GC] (No. 57325/00), 13 November 2007, para. 184; ECtHR, *Opuz v. Turkey* (No. 33401/02), 9 June 2009, para. 183; ECtHR, *Zarb Adami v. Malta*(No. 17209/02), 20 June 2006, para. 80.

⁴⁶ Handbook on European non-discrimination law, European Court of Human Rights and European Union Agency for Fundamental Rights, (2011), pages 24 and 29.

⁴⁷ Directive 2006/54/EC of the European Parliament and of 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 (recast), Article 2.

⁴⁸ Cases C-177/88 *Dekker v Stichting Vormingscentrum voor Jonge Volwassenen Plus* [1990] ECR I-3941 and *Hertz C-179/88 Handels- og Kontorfunktionærernes Forbund I Danmark (Hertz) v Dansk Arbejdsgiverforening* [1990] ECR I-3979. Decisions based on Article 2(2) of Directive 2006/54/EC of the European Parliament and of 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 (recast).

⁴⁹ Case C-32/93 *Webb v EMO Air Cargo* [1994] ECR I-3567 in Paragraph 19.

⁵⁰ Case C-421/92 *Habermann-Beltermann v Arbeiterwohlfahrt* [1994] ECR I-1657 in Paragraphs 15-16.

⁵¹ Directive 2006/54/EC of the European Parliament and of 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 (recast), Article 2.

GENDER	<p>Other definitions of “gender”:</p> <ul style="list-style-type: none"> - Gender refers to the social attributes and opportunities associated with being male and female and the relationships between women and men and girls and boys, as well as the relations between women and those between men. These attributes, opportunities and relationships are socially constructed and are learned through socialization processes. They are context/ time-specific and changeable. Gender determines what is expected, allowed and valued in a women or a man in a given context. In most societies there are differences and inequalities between women and men in responsibilities assigned, activities undertaken, access to and control over resources, as well as decision-making opportunities. Gender is part of the broader socio-cultural context. Other important criteria for socio-cultural analysis include class, race, poverty level, ethnic group and age (UN Women)⁵². - Gender is a concept that refers to the social differences between women and men that have been learned are changeable over time and have wide variations both within and between cultures (European Commission)⁵³.
GENDER EQUALITY/EQUALITY BETWEEN WOMEN AND MEN	<p>Other definitions of “gender equality”:</p> <ul style="list-style-type: none"> - Gender equality refers to the equal rights, responsibilities and opportunities of women and men and girls and boys. Equality does not mean that women and men will become the same but that women’s and men’s rights, responsibilities and opportunities will not depend on whether they are born male or female. Gender equality implies that the interests, needs and priorities of both women and men are taken into consideration, recognizing the diversity of different groups of women and men. Gender equality is not a women’s issue but should concern and fully engage men as well as women. Equality between women and men is seen both as a human rights issue and as a precondition for, and indicator of, sustainable people-centred development (UN Women)⁵⁴. - The concept [of gender equality] means that all human beings are free to develop their personal abilities and make choices without the limitations set by strict gender roles; that the different behaviour, aspirations and needs of women and men are considered, valued and favoured equally (European Commission)⁵⁵.
GENDER (OR SEX) DISAGGREGATED DATA	<p>Other definitions of “gender-disaggregated data”: The collection and separation of data and statistical information by gender to enable comparative analysis/gender analysis (European Commission)⁵⁶.</p>
GENDER	<p>Other definitions of “gender mainstreaming”:</p>

⁵² Definition of the Glossary of the UN Women training Centre : <https://trainingcentre.unwomen.org/mod/glossary/view.php?id=36&mode=letter&hook=G&sortkey=&sortorder=&fullsearch=0&page=-1>

⁵³ European Commission, 100 words for equality - A glossary of terms on equality between women and men, (1998).

⁵⁴ Definition of the Glossary of the UN Women Training Centre :

<http://www.un.org/womenwatch/osagi/conceptsanddefinitions.htm>

⁵⁵ European Commission, 100 words for equality - A glossary of terms on equality between women and men, (1998).

⁵⁶ Council of Europe Manual Supporting Gender Equality Rapporteurs in their role, (2014). Source for this term: European Commission, 100 words for equality - A glossary of terms on equality between women and men, (1998).

MAINSTREAMING	<ul style="list-style-type: none"> - Gender mainstreaming is the chosen approach of the United Nations system and international community toward realizing progress on women’s and girl’s rights, as a sub-set of human rights to which the United Nations dedicates itself. It is not a goal or objective on its own. It is a strategy for implementing greater equality for women and girls in relation to men and boys. Mainstreaming a gender perspective is the process of assessing the implications for women and men of any planned action, including legislation, policies or programs, in all areas and at all levels. It is a way to make women’s as well as men’s concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programs in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality. (UN Women)⁵⁷. - [Gender mainstreaming relates to] the systematic integration of the respective situations, priorities and needs of women and men in all policies and with a view to promoting equality between women and men and mobilising all general policies and measures specifically for the purpose of achieving equality by actively and openly taking into account, at the planning stage, their effects on the respective situations of women and men in implementation, monitoring and evaluation (European Commission)⁵⁸.
GENDER NEUTRAL	<p>Other definitions of “gender neutral”:</p> <ul style="list-style-type: none"> - Gender-neutral, Gender-sensitive, and Gender transformative (UN Women)⁵⁹: The primary objective behind gender mainstreaming is to design and implement development projects, programs and policies that: <ol style="list-style-type: none"> 1. Do not reinforce existing gender inequalities (Gender Neutral) 2. Attempt to redress existing gender inequalities (Gender Sensitive) 3. Attempt to re-define women and men’s gender roles and relations (Gender Positive / Transformative) The degree of integration of a gender perspective in any given project can be seen as a continuum from gender negative to gender transformative. - Gender Neutral: refers to anything – a concept, an entity, a style of language – that is un-associated with either the male or female gender. The nature of systemic and embedded or internalized bias is such that, unfortunately often, what is perceived to be ‘gender neutral’ is in fact ‘gender blind’ (UNICEF)⁶⁰
GENDER	Other definitions of “gender perspective”:

⁵⁷ Definition of the Glossary of the UN Women training Centre:

<https://trainingcentre.unwomen.org/mod/glossary/view.php?id=36&mode=letter&hook=G&sortkey=&sortorder=&fullsearch=0&page=-1>

⁵⁸ European Commission, Commission Communication COM (96) 67 final of 21/02/96, Incorporating Equal Opportunities between women and men into all Community policies and activities.

⁵⁹ Definition of the Glossary of the UN Women training Centre :

<https://trainingcentre.unwomen.org/mod/glossary/view.php?id=36&mode=letter&hook=G&sortkey=&sortorder=&fullsearch=0&page=-1>

⁶⁰ UNICEF, GLOSSARY: DEFINITIONS A-Z: <http://www.unicef.org/gender/training/content/resources/Glossary.pd>

PERSPECTIVE	<ul style="list-style-type: none"> - The term ‘gender perspective’ is a way of seeing or analysing which looks at the impact of gender on people's opportunities, social roles and interactions. This way of seeing is what enables one to carry out gender analysis and subsequently to mainstream a gender perspective into any proposed program, policy or organisation (UN Women)⁶¹. - A gender perspective is an instrument for approaching reality by questioning the power relationships established between men and women, and social relationships in general. It is a conceptual framework, an interpretation methodology and critical analysis instrument that guides decisions, broadens and alters views, and that enables us to reconstruct concepts, scrutinise attitudes and identify gender biases and conditionings, for subsequently considering their revision and modification through dialogue (ILO)⁶².
MULTIPLE DISCRIMINATION	<p>Other definitions of “multiple discrimination”:</p> <ul style="list-style-type: none"> - Certain groups of women, in addition to suffering from discrimination directed against them as women, may also suffer from multiple forms of discrimination based on additional grounds such as race, ethnic or religious identity, disability, age, class, caste or other factors. Such discrimination may affect these groups of women primarily, or to a different degree or in different ways than men. States Parties may need to take specific temporary special measures to eliminate such multiple forms of discrimination against women and its compounded negative impact on them (UN Committee on the Elimination of Discrimination against Women)⁶³. - Multiple discrimination describes discrimination that takes place on the basis of several grounds operating separately. Intersectional discrimination refers to a situation where several grounds operate and interact with each other at the same time in such a way that they are inseparable (European Commission)⁶⁴. <p>The term “multiple discrimination of women” is used to refer to any discrimination against a woman which does not only involve gender (European Commission)⁶⁵.</p>
POSITIVE ACTION (terms also used: positive action measures,	<p>Relevant standards of the Council of Europe:</p> <ul style="list-style-type: none"> - Part II, Article 1 of the Protocol to the European Social Charter (1988)⁶⁶: “1. With a view to ensuring the effective exercise of the right to equal opportunities and equal treatment in matters of employment and

⁶¹ Glossary, UN Women Training Centre.

⁶² ILO/ Centro Interamericano para el Desarrollo del Conocimiento en la Formación Profesional (Cinterfor), 1996, cited in Gender Budgeting: practical implementation. Handbook prepared by Sheila Quinn. Directorate General of Human Rights and Legal Affairs, Council of Europe, (2009) and used in Council of Europe Manual Supporting Gender Equality Rapporteurs in their role, (2014).

⁶³ UN Committee on the Elimination of All Forms of Discrimination against Women, General recommendation No. 25 on temporary special measures, (CEDAW Article 4, paragraph 1), (2004).

⁶⁴ European Commission: Tackling Multiple Discrimination. Practices, Policies and Laws, 2009.

⁶⁵ Multiple Discrimination in EU Law, Opportunities for legal responses to intersectional gender discrimination? European Network of Legal Experts in the Field of Gender Equality, Susanne Burri and Dagmar Schiek, European Commission, 2009

⁶⁶ Additional Protocol to the European Social Charter CETS No.: 128.

<p>affirmative action or affirmative measures, preferential treatment, special measures, reverse discrimination and positive)</p>	<p>occupation without discrimination on the grounds of sex, the Parties undertake to recognise that right and to take appropriate measures to ensure or promote its application in the following fields:</p> <ul style="list-style-type: none"> - access to employment, protection against dismissal and occupational resettlement; - vocational guidance, training, retraining and rehabilitation; - terms of employment and working conditions including remuneration; - Career development including promotion. (...) <p>3. Paragraph 1 of this article shall not prevent the adoption of specific measures aimed at removing de facto inequalities. (...)</p> <ul style="list-style-type: none"> - Article 4 §4 of the Convention on preventing and combating violence against women and domestic violence (2011): “Special measures that are necessary to prevent and protect women from gender-based violence shall not be considered discrimination under the terms of this Convention.” - Recommendation of the Council of Europe Committee of Ministers to "member states on balanced participation of women and men in political and public decision making (2003)⁶⁷: “Member states should consider possible constitutional and/or legislative changes, including positive action measures, which would facilitate a more balanced participation of women and men in political and public decision making.” - Recommendation the Committee of Ministers to member states on legal protection against sex discrimination (1985)⁶⁸: “Special temporary measures (positive action): States should, in those areas where inequalities exist, give consideration to the adoption of special temporary measures designed to accelerate the realisation of de facto equality between men and women, where there are obstacles of a constitutional nature, (...).” <p>Other references to and definitions of “positive actions”:</p> <ul style="list-style-type: none"> - Article 4 of the UN Convention on the Elimination of All Forms of Discrimination against Women also foresees such measures: “Temporary special measures are measures aimed at accelerating de facto equality between men and women. They shall not be considered discrimination (...) and shall be discontinued when the objectives of equality of opportunity and treatment have been achieved⁶⁹.” - Article 157§4 of the European Union Treaty allows for positive action in order to ensure gender equality in working life: ‘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
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⁶⁷ Recommendation Rec(2003)3 of the Council of Europe Committee of Ministers to member states on balanced participation of women and men in political and public decision making, Article 1.

⁶⁸ Recommendation No. R (85) 2 of the Committee of Ministers to member states on legal protection against sex discrimination, Article III.

⁶⁹ UN Convention on the Elimination of all Forms of Discrimination against Women, Article 4.

	<p>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”.</p> <p>- The European Commission uses the following definition of positive actions: Measures targeted at a particular group and intended to eliminate and prevent discrimination or to offset disadvantages arising from existing attitudes, behaviours and structures (sometimes referred to as positive discrimination)⁷⁰.</p>
UN WOMEN	<p>Created in July 2010, UN Women is the United Nations Entity for Gender Equality and the Empowerment of Women. UN Women merges and builds on the work of four previously distinct parts of the UN system, which focused exclusively on gender equality and women’s empowerment: the Division for the Advancement of Women (DAW), the International Research and Training Institute for the Advancement of Women (INSTRAW), the Office of the Special Adviser on Gender Issues and Advancement of Women (OSAGI) and the United Nations Development Fund for Women (UNIFEM)⁷¹.</p>
WOMEN’S HUMAN RIGHTS	<p>The articulation and definition of women’s rights as human rights was achieved in a series of international conferences that have produced significant political commitments to women’s human rights and equality, including thanks to the mobilisation of activists throughout the world: the Vienna World Conference on Human Rights in 1993, the Cairo International Conference on Population and Development in 1994 and more prominently, the Beijing Fourth World Conference on Women in 1995, which is considered a significant achievement in explicitly articulating women’s rights as human rights. The concept of women’s human rights puts the spotlight on violations of women’s rights, including violations of women’s bodily integrity and issues related to women’s ability to control their own fertility, which were previously unaddressed in human rights policies and instruments focusing on formal political and civil rights because they were considered part of the private sphere, taboo or simply accepted as an inevitable part of women’s lives⁷².</p> <p>Article 9 of the Beijing Declaration adopted at the Beijing World Conference on Women also affirms the commitment of governments to “Ensure the full implementation of the human rights of women and of the girl child as an inalienable, integral and indivisible part of all human rights and fundamental freedoms and Article 14 states that “Women’s rights are human rights”. These articles express the recognition that women experience injustices, discrimination and violence solely because of their sex.</p>

⁷⁰ European Commission, 100 words for equality - A glossary of terms on equality between women and men, (1998).

⁷¹ More information: <http://www.unwomen.org/en>

⁷² Women’s Rights are Human Rights, United Nations, Office of the High Commissioner for Human Rights, 2014, Chapter II. Global Commitments.