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**GENDER EQUALITY COMMISSION  
(GEC)**

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**TOWARDS GUARANTEEING EQUAL ACCESS OF WOMEN TO JUSTICE**

**FOLLOW-UP TO THE BERN CONFERENCE**

## Introduction

The Council of Europe Gender Equality Strategy 2014-2017 recognises that persisting inequalities between women and men, gender bias and stereotypes also result in unequal access of women and men to justice. Guaranteeing equal access of women to justice is one of its five strategic objectives. This has been in the focus of the work and activities of the Transversal Programme, the Gender Equality Commission and the National Focal Points (NFPs), including the following activities:

- i. The preparation of a [Feasibility Study on Equal Access of Women to Justice](#) (May 2013);
- ii. The organisation of a [Hearing on Access to Justice for Women Victims of Violence](#), in partnership with the French Ministry of Women's Rights (December 2013);
- iii. The organisation of the [seminar "Tackling the gaps in research and the lack of data disaggregated by sex concerning women's equal access to justice"](#) (June 2014);
- iv. The preparation, regular updating and dissemination of a [compilation of case-law of the European Court of Human Rights on gender equality issues](#);
- v. The organisation of a very well-attended and highly appraised Conference: ["Towards guaranteeing equal access of women to justice"](#) (Bern, October 2015) gathering representatives of governments, practitioners, civil society, research and academic institutions as well as other regional and international organisations;
- vi. The collection and dissemination of the [compilation of good practices from member states](#) to reduce obstacles and facilitate women's access to justice (October 2015);
- vii. The study, commissioned by the GEC and prepared by the European Court of Human Rights: ["Equal access to justice in the case-law on violence against women before the European Court of Human Rights"](#) (October 2015);

Furthermore, in April 2015, the Parliamentary Assembly of the Council of Europe (PACE) adopted [Resolution 2054 \(2015\) on "Equality and non-discrimination in the access to justice"](#), calling on member States among others, "to carry out an in-depth analysis of the impact of gender on access to justice, in particular by collecting gender-disaggregated data, and adopt gender-sensitive policies taking account of the specific barriers to access to justice encountered by women".

Discussions, findings, recommendations and measures emanating from the above activities provide the foundation for further action in this area within the Council of Europe's Transversal Programme on Gender Equality.

The GEC is invited to consider and agree on proposals for future activities and follow-up action on this issue for the remaining two years of the implementation of the Gender Equality Strategy (2016-2017):

**1. Addressing gender stereotypes and sexism in the justice system, including judicial stereotyping and the need for targeted training:**

- Dissemination of the training materials of the regional project: “Improving women’s access to justice in five Eastern Partnership countries” (Armenia, Azerbaijan, Georgia, Republic of Moldova and Ukraine)<sup>1</sup> (available end of 2016).
- Explore co-operation with the Office of the High Commissioner of Human Rights (OHCHR) on the issue of judicial stereotyping.
- Dissemination of the training materials and related experience of the Women’s Office of Argentina’s Supreme Court (2016).

**2. Tackle multiple discrimination as a specific barrier for women’s equal access to justice:**

- Propose a joint action with other CoE sectors (Violence against Women, Trafficking in Human Beings, Children’s Rights, discrimination on the grounds of sexual orientation or gender identity (SOGI), Roma, Disability and Migration) to address multiple discrimination in the context of women’s access to justice, including research and good practices.

**3. Information and data:**

- Finalise and disseminate the report on indicators to measure women’s access to justice (in co-operation with UN Women).
- Review and update the factsheet on “Guaranteeing Equal Access of Women to Justice”.
- Follow, and support as needed, the preparation by the European Court of Human Rights (ECtHR), of its Factsheet with case-law on sex-based discrimination.
- Regularly update the compilation of case-law of the ECtHR on gender equality issues prepared by the Gender Equality Unit.

**4. Cooperation with the UN:**

- Explore co-operation opportunities and ensure synergies with the Committee on the Elimination of all Forms of Discrimination against Women (CEDAW) on the implementation of the Council of Europe standards in this area and the CEDAW General recommendation on women’s access to justice<sup>2</sup>.

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<sup>1</sup> Project funded by the EU and implemented by the Gender Equality Unit in the framework of the implementation of the CoE Gender Equality Strategy. The project aims to strengthen the capacity of Eastern Partnership countries to ensure that the justice chain is gender-responsive, including through the preparation of training materials for legal professionals.

<sup>2</sup> The CoE provided input to the drafting process of the Recommendation.