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Towards guaranteeing equal access to justice for women

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REPORT

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**Please see the [Council of Europe Gender Equality website](#) to access all presentations made during the Conference.*

Prepared on the basis of the report by Doina Ioana Străisteanu (General Rapporteur at the Conference and legal expert, Moldova).

Foreword

Women's limited and unequal access to justice is a complex social phenomenon that results from a series of inequalities at the legal, institutional, structural, socio-economic and cultural levels. Ensuring access to justice implies providing women of all backgrounds with access to fair, affordable, accountable and effective remedies so that women and men can enjoy both equal rights and equal chances to assert them.

The guarantee of the right to access to justice is part of numerous instruments within the universal system for the protection of human rights and other relevant regional instruments. The obligation not to discriminate against women and to achieve *de facto* equality between women and men is an essential part of these rights. The [Committee on the Elimination of all forms of Discrimination against Women \(CEDAW\) adopted in 2015 a General recommendation on women's access to justice](#)¹. This Recommendation stresses that the right to access justice is multidimensional. It provides for six interrelated and essential components which are necessary to ensure this right: justiciability, availability, accessibility, good quality, accountability of justice systems, and the provision of remedies for victims.

[Guaranteeing equal access of women to justice](#) is one of the five priorities of the Council of Europe [Gender Equality Strategy 2014-2017](#). The Bern Conference is the third in a series of three events on women's access to justice organised by the Gender Equality Commission of the Council of Europe.

The [first event](#) (Paris, December 2013) focused on access to justice for women victims of violence². The event aimed to raise awareness about the particular barriers faced by women victims of violence to access justice, to discuss the challenges posed by such barriers, and to promote existing standards, including the Council of Europe Convention on preventing and combating violence against women and domestic violence CETS N°210 (Istanbul Convention).

The [second event](#), (Paris, June 2014) focused on existing regional and international standards and initiatives regarding research and data collection in the field of women's equal access to justice, including but not limited to women victims of violence³.

The [third event](#) (Bern, October 2015) took into account previous findings and results and focused on the measures needed to address persistent barriers to women's equal access to justice, including through the work of member states, international and regional organisations, as well as non-governmental organisations. It also launched two new publications of the Council of Europe: a

¹ Committee on the Elimination of Discrimination against Women, General Recommendation No. 33 on women's access to justice, 23 July 2015.

² See more on <http://www.coe.int/en/web/genderequality/paris-9-december-2013>.

³ See more on <http://www.coe.int/en/web/genderequality/paris-9-december-2013>.

[Compilation of good practices to reduce existing obstacles and facilitate women's access to justice](#) (2015) and a report on [Equal access to justice in the case law on violence against women before the European Court of Human Rights](#) (2015), prepared by the European Court of Human Rights (ECtHR).

In April 2015, the Council of Europe Parliamentary Assembly adopted [Resolution 2054 \(2015\) on Equality and non-discrimination in the access to justice](#), calling on Council of Europe member states to take measures to improve women's access to justice.

The Council of Europe's work and activities in this area have highlighted the barriers that prevent women from having equal access to justice. Many of them stem from persistent inequalities between women and men, gender bias and stereotypes. This work has also identified a number of good practices in the member states to address and redress this unequal access. Justice systems need to be at the forefront of guaranteeing and respecting gender equality and therefore it is of the utmost importance that all those involved in justice systems actively strive to include a gender equality perspective in their work.

Removing obstacles faced by women not only facilitates greater accessibility, but is also an essential step towards achieving substantive gender equality. The Council of Europe Gender Equality Commission remains committed to improving women's access to justice in Europe and will continue working with all relevant partners and actors to achieve this goal.

Sergiy Kyslytsya

Chairperson of the Gender Equality Commission of the Council of Europe

Introduction

Equal access to justice for women is a central gender equality issue. Indeed, besides being confronted by structural gender inequalities and violence in most areas of life, women also experience specific barriers and discrimination when seeking redress in the justice system. The justice system, which should be the guardian of fairness and human rights, very often replicates the stereotypes and obstacles present in society as a whole. As in all other areas, groups of women in vulnerable situations are confronted with greater obstacles in accessing justice. In order to secure substantive equality across all fields of human life, it is paramount to ensure equal access to justice for all women.

While gender-based discrimination is not a new phenomenon, in recent years, women have also been disproportionately affected by austerity measures, budget cuts, strict migration laws, as well as by narrowly focused equality provisions which exclude particular fields of human activity in some countries. In this context, the Bern Conference recalled that equal access to justice for women should have at its basis the following four 'A's: adequacy, adaptability, availability and accessibility for all, as developed by CEDAW and the European Court of Human Rights in the case of [Airey v. Ireland \(1979\)](#). These factors and other inequalities impact on women's capacity to access justice and, more generally, on the realisation of gender equality.

Women may be in a particularly vulnerable situation with regards to their health, employment situation, ethnicity, culture and/or other aspects. They may be unable to take action for lack of knowledge, literacy, resources, existing stereotypes or other factors. Women and men in such situations often do not have the authority and power necessary to defend their rights. A justice system that fails to understand such vulnerability will exclude those who need it most.

Equal access to justice is a fundamental component of equality between women and men but, in practice, very few women use their right to go to court for fear of being exposed or dismissed

Alain Berset, Head of the Swiss Federal Department of Home Affairs

Another important barrier that women face is a lack of trust in justice, because of existing bias in the justice system and because, historically, the defence of women's human rights has not been a priority. A justice system that treats women's rights and needs inadequately, including women from particular social groups (women survivors of violence, lesbian/bisexual/transgender women, migrant women, women with disabilities, or women in prison, to mention only a few examples) fails to fulfil its role in a democratic society, including the provision of reparation and redress.

Improving women's access to justice is a complex process as many causes and actors need to be addressed and involved, respectively. This includes addressing the role of different stakeholders, namely the police, social services, civil society

organisations and the justice system itself. It also requires looking at the social context within which justice operates in terms of policy, legislation and social constructions, notably addressing harmful gender-based discrimination, violence and stereotypes.

I see five focus areas for further work: implement existing standards; train and increase the awareness of the justice system about women's rights and needs; tackle the lack of data disaggregated by sex; share good practices; and engage and work together with men to change mentalities and attitudes
Snežana **Samardžić-Marković**, Director General of Democracy, Council of Europe

Raise awareness about the difficulties and barriers to women's equal access to justice

Women's access to justice and shortcomings in this regard, are not well researched and documented. The phenomenon must be measured, in order to better assess the effectiveness of the justice system from a women's rights perspective. This will also help to inform policies and programmes, to monitor and evaluate the results and the progress achieved, as well as compliance with existing standards. In addition, having a clear picture of the situation will be a catalyst for change and increase accountability. Demand for increased data collection and knowledge building on women's access to justice stems from a number of international organisations, including: UN agencies, especially UN Women⁴ and the UN Economic Commission for Europe⁵, the World Bank⁶ and the Council of Europe⁷. CEDAW's General Recommendation No. 33 on women's access to justice also calls for the adoption of indicators and data collection to improve the quality and accountability of justice systems.

UN Women and the Council of Europe have developed a framework for measuring women's access to justice, which governments and other stakeholders can use in order to have a better understanding of existing gaps in equal protection from the law. The proposed indicators relate to aspects of access to justice that, while measurable and easy to understand, capture the specificity of women's experience of the justice system. These include requiring data to be disaggregated by sex (as well as by age, residence and other characteristics, as

⁴ [Progress of the World's Women: In Pursuit of Justice, UN Women 2011](#); [Informal Justice Systems - Charting a Course for Human Rights-Based Engagement](#), UN Women, UNICEF and UNDP, 2012.

⁵ [Beijing+20 Regional Review Meeting, Regional review of progress: regional synthesis](#), ECE/AC.28/2014/3, 2014.

⁶ World Bank, [World Development Report](#), Gender Equality and Development, 2012.

⁷ [Istanbul Convention; Council of Europe Gender Equality Strategy 2014-2017, Analytical study on the 4th round of monitoring of Committee of Minister Recommendation \(2002\)5 on the protection of women against violence](#), 2014; Paper: Ensuring data collection and research on domestic violence and violence against women: Article 11 of the Istanbul Convention (forthcoming, Council of Europe, 2016).

relevant and feasible), the geographic and economic accessibility of courts (including issues related to childcare, for example). In addition, the existence of in-service gender equality training for legal and justice professionals and the need to rely on both objective and subjective data sources for measuring women's access to justice are relevant indicators to measure women's access to justice.

The use of indicators will lead to a better understanding of Women's experience in accessing justice and help tracking compliance with international standards and recommendations, such as the CEDAW's General Recommendation No. 33 on women's access to justice
Teresa Marchiori, Consultant, UN Women

Data collection through police statistics is an important aspect of knowledge building in relation to gender-based discrimination and violence and to the ways these phenomena are addressed by the justice system. Data should allow for a comprehensive analysis of various variables characterising the victim, the perpetrator, the relationship between them, their age, and the context of the aggression among many others aspect. For example in Portugal since November 2014, national criminal justice statistics on domestic violence are regularly collected and made available on the website of the Ministry of Justice. Such data are age- and sex-disaggregated for the victim and the perpetrator, their relationship is specified, as well as other relevant variables (such as the place and hour of the crime, if children were present and if the perpetrator used any kind of weapon).

Improving the knowledge of the general public and of private actors about the causes and consequences of gender-based discrimination is a preventive measure, but it can also encourage victims to claim their rights. Being aware of similar cases and acquiring a better knowledge about the justice system and existing rights will put women and men confronted by discrimination in a better position to go to court. For instance, in Switzerland, three databases have been created to make court judgments more accessible not only to legal experts and law professionals but also to the general public, so that they can learn about court decisions regarding gender-based discrimination claims. This publicity also aims to encourage private companies to take proactive preventive measures against discrimination internally.

If we want our authorities to act on this issue, we need to show them two things: that it is a real problem and the statistics prove it, and that it costs money. It is extremely important to be aware that inequality costs a lot. Doing nothing about it costs money

Sylvie Durrer, Director of the Swiss Federal Office for Gender Equality

The training of legal professionals can also greatly improve women's access to justice. In 2009, the Argentinian Supreme Court created a Women's Office in order to provide training on women's human rights, and contribute to the

achievement of substantial gender equality. The establishment of the Office follows recommendations for the implementation of the Belem do Pará Convention⁸ and the UN Convention on the Elimination of all forms of Discrimination against Women (CEDAW), which clearly state the need for gender-sensitive training of judicial and law enforcement officers and other public officials. Thus, the institution seeks to incorporate a gender equality perspective into both the activities of the justice service as well as in the interpersonal relationships of those working there. The involvement of judges in the design of this training tool represents a significant change in the profession. The Women's Office of the Argentinian Supreme Court considers that only through successfully modifying the behaviour of those who administer justice, will the responses of the judicial system change.

The Women's Office has developed a training tool called "Protocol for workshops on justice with a gender equality perspective", which uses theory as a trigger for a self-examination process that helps make visible the patriarchal bias that need to be addressed. The Protocol's theoretical content provides an accessible approach to gender equality issues through for example the fundamental concepts of gender, patriarchy, and gender stereotypes. It explains the constitutional basis of the right to equality, including concepts like equality, non-discrimination and positive measures.

The Supreme Court of Argentina uses a system of training of trainers to replicate the workshops and multiply the number of final beneficiaries. Trainers-to-be are involved on a voluntary basis and are all working in the judiciary as judges, senior officers or employees. The training is conducted on the basis of ready to use templates available to professionals all over the country through a computer programme. Currently, the training tool is used in six other Latin American countries and is increasingly being recognised at international level.

Ensure comprehensive gender equality legislation and the elimination of barriers to women's access to justice

The lack of comprehensive provisions to protect women from discrimination is a significant barrier to women's equal access to justice. In many countries, equality laws are either limited to particular fields of human activity (employment, education, access to goods and services) or they lack effective remedies. The absence of provisions banning discrimination in the private sphere in some countries, like tenancy, for example, is a major gap in the right to equal protection by law.

In 2014, in an effort to complement its gender equality legislation, Belgium included sexism as a prohibited form of sex discrimination, after a national study showed that 55% of women in Belgium had experienced offensive sexist stereotyping in public spaces. In the new and pioneering legislation, sexism is

⁸ Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, "Convention of Belém do Pará".

defined to be “any gesture or act, (...) that is clearly aimed at expressing contempt towards a person, based on his or her sex, or, for the same reason, to consider that person as inferior or essentially reduced to his or her sexual dimension, resulting in a serious violation of his or her dignity”⁹. The judge will be expected to evaluate whether the attack on the dignity of the person is sufficiently serious as to amount to sexism, taking into account the context and objective facts. Sexism is penalised with either a fine of up to 1,000 euros or imprisonment for up to one year. However, there has been no case-law so far.

In a national survey, 55% of women in Belgium confirmed to have experienced sexist stereotyping in public spaces. This led to the adoption of specific legislation on sexism.

Liesbet Stevens, Institute for Equality of Women and Men, Belgium

In addition to weak substantive provisions in equality laws, procedural barriers can also affect women’s access to justice. Even in cases where court fees are not applicable when a lawsuit is lodged, there are still financial risks that women face during court proceedings, such as legal representation costs and legal expenses to secure evidence and witnesses. Sometimes the State only covers legal expenses after plaintiffs have presented exhaustive evidence of their need for support. These financial risks have a higher impact on women than on men because of their globally lower level of resources.

In the same way, legal aid is allocated only when the income is considered to be insufficient. In some criminal procedures, victims have no right to appeal or the burden of proof in civil cases is sometimes difficult to meet. The length of appeal procedures and the limited amount of compensation can also have a deterrent effect on women’s quest for justice.

Address gender stereotypes and improve the gender sensitiveness of justice systems

Among the many factors that limit women’s opportunities to protect their rights when they face legal challenges, judicial stereotyping has been highlighted as one of the significant barriers for women to access justice equally.

Stereotyping excludes any individual consideration of, or investigation into a person’s actual circumstances and their needs or abilities. When a judge engages in stereotyping, he or she reaches a view about an individual based on preconceived beliefs about a particular social group, rather than based on relevant facts or actual enquiry related to that individual or the circumstances of their case¹⁰. In the context of women’s access to justice, gender stereotyping

⁹ Article 2 of the Act of 22 May 2014 to combat sexism in the public space and amending the Act of 10 May 2007 to combat discrimination in order to punish the act of discrimination, Belgium, Official Gazette of 24 July 2014 (translation provided by the Belgian Institute for the Equality of Women and Men).

plays an important role, in particular existing stereotypes that primarily consider men as bearers of rights, authority and knowledge.

Judicial stereotyping can operate in two ways. Judges may apply, enforce and perpetuate stereotypes in their decision-making by substituting stereotypes for law and facts in evidence. Alternatively, judges may facilitate the perpetuation of stereotypes by failing to challenge stereotyping, for example by lower courts or by parties to legal proceedings¹¹.

Judges' decisions can be affected by judicial stereotyping and, as a result undermine equal access to justice for women in different ways. Firstly, judicial stereotyping affects and compromises the impartiality of judges' decisions. Secondly, judicial stereotyping can influence the judges' understanding of the nature of the crime. For example, judges should apply the law to all equally, including cases of rape of women in prostitution. They should move beyond the prejudice that when women accept to perform sexual acts in exchange for money, consent does not apply and therefore those women should expect and accept any form of violence. In many court cases involving sexual intercourse of a commercial nature, the consent for sexual acts, even those of a violent nature, is taken for granted and judges fail to invoke the lack of consent, which should be the decisive criteria in rape cases.

Judicial stereotyping can also affect judges' views about witness credibility and legal capacity. For instance, the testimonies of women victims of human trafficking are often considered not credible if their narration of events has somewhat changed over time. This fails to take into account the trauma and fear that victims of trafficking experience.

Judges can hold offenders unaccountable for the crimes committed when they expect certain evidence to be presented due to judicial stereotyping. For example judges sometimes request evidence of the victim's physical resistance, rather than require the offender to prove that the victim consented to the sexual intercourse. It is mistakenly believed that it is easy for women to fabricate sexual or physical claims of violence, and therefore evidence of physical resistance is expected, despite the fact that according to legislation in many countries, and to the Istanbul Convention, consent is the main aspect that should prevail.

Judicial stereotyping can also impede access to legal rights and protection. For instance, in custody cases, where there is a history of domestic violence in the family, judicial decisions are too often based on the assumption that the child should maintain contact with his/her father, regardless of the father's violent behaviour. The Istanbul Convention is a useful tool in this case, as it contains legally binding provisions to ensure the safety of victims of violence, including children, in the context of custody rights¹².

¹⁰ Eliminating judicial stereotyping: Equal access to justice for women in gender-based violence cases, by Simone Cusack, submitted to the Office of the High Commissioner for Human Rights, 2014.

¹¹ Ibid.

¹² Article 31 of the Istanbul Convention.

Finally, judicial stereotyping linked to gender is a violation of women's human right to an effective remedy and fair trial. It can lead to miscarriages of justice, failure to secure equality before the law and equal protection from the law. It can be remedied through improving the gender sensitivity of legal professionals, revising laws to make them more gender-sensitive, highlighting the harm of judicial stereotyping through evidence-based research, advocating for legal and policy reforms that specifically address gender stereotypes, and monitoring the impact of such measures. Other solutions include analysing judicial reasoning for evidence of stereotyping, challenging judicial stereotyping through petitions and expert evidence (appealing court decisions, using CEDAW, lodging *amicus briefs*), highlighting good practice examples of judges challenging gender stereotypes and improving the judicial capacity to address gender stereotypes.

We need to raise awareness of the broad-ranging international human rights obligations related to gender stereotypes and stereotyping, in order to secure such obligations and to effectively challenge stereotypes and get proper redress for women victims of abuse.

Veronica Birga, Office of the UN High Commissioner on Human Rights

Provide specialised assistance to facilitate women's equal access to justice

A range of socio-economic and cultural barriers undermine women's access to justice: economic dependence, fear or shame, lack of self-confidence, lack of awareness and knowledge of rights, biased law enforcement (police, public prosecutors, judges).

To overcome these barriers, it is crucial that women are provided with advice and assistance from independent and specialised women's support services¹³. For example, the [Austrian Federal Ministry of Education and Women's Affairs](#) offers round the clock online advice, and the Austrian Office of the Ombudsperson for Equal Treatment advises and assists women who consider that they have been discriminated against. Furthermore, Violence Protection Centres/Intervention Centres against Domestic Violence, offer comprehensive support and assistance at police stations or at court proceedings for victims of domestic violence and stalking. In Austria, women can benefit from legal advice if they are placed in women's shelters or if they are identified as victim of gender-based violence. In addition, a special helpdesk for migrant women and a helpline against violence in various languages, tailored to women from minority ethnic and linguistic groups, have been created. An "Orient Express" helpline also aims to offer support and emergency accommodation to women and girls threatened or affected by forced marriage. Finally, the Intervention Centre for Women

¹³ [Examples of these are given in the Council of Europe Compilation of good practices to reduce existing obstacles and facilitate women's access to justice](#) (2015).

Victims of Trafficking offers two types of assistance in court proceedings: psychological assistance during and after police and judicial questioning, and legal assistance and representation in court by well-trained lawyers.

Specialised support services and help are provided to migrant women and women with disabilities, tailored to their specific needs.

Eva Fehringer, Federal Ministry of Labour, Social Affairs and Consumer Protection, Austria

Equality bodies individually and collectively play a role in ensuring better access to justice in cases of gender-based discrimination and violence. Equality bodies in different European countries have recently led litigation initiatives on topic related to maternity-based discrimination, sexual harassment or access to goods and services.

The [European Network of Equality Bodies](#), Equinet operates as a membership organisation for 42 national equality bodies from 32 European countries. It promotes equality in Europe through supporting and enabling the work of national equality bodies. Equinet's work includes access to justice for victims of discrimination, violence against women and gender stereotypes and sexism. Equinet seeks to engage in advancing equality in practice by facilitating contributions and giving a stronger voice to national equality bodies in the wider European debate.

In 2014, Equinet organised gender equality training on harassment and sexual harassment, including the need to guarantee access to justice to women victims of harassment and sexual harassment. Equinet's Working Group on Equality Law monitors cases communicated by the European Court of Human Rights in order to identify those cases directly relevant for equality and non-discrimination, including for the work of equality bodies. In highly relevant cases, the Working Group submits a third-party intervention to the ECtHR on behalf of Equinet.

Equinet supports equality bodies to be independent and effective as valuable catalysts for more equal societies

Jessica Machacova, European Network of Equality Bodies

The [Belgian Institute for the Equality of Women and Men](#) for example provides information to victims, refers them to appropriate services, provides mediation between the victim and the perpetrator of discrimination and may bring cases before domestic courts on the basis of legislation guaranteeing equality on the basis of sex. The Institute may also provide lawyers or cover lawyers' fees, which can be very important to ensure successful legal protection and access to court.

The Cypriot [Gender Equality Committee in Employment and Vocational Training](#) (EIF) is another relevant example. EIF was set up and operates on the basis of the Equal Treatment of Men and Women in Employment and Vocational Training Law, aimed at the application of the principle of equal treatment for men and

women with respect to employment, access to vocational guidance, vocational education and training and the conditions of their provision, including professional development and the conditions and preconditions of dismissal.

One of the most important competences of EIF is the provision of free legal aid and independent assistance to victims of gender-based discrimination. Their legal advisors' services can include: granting legal advice to victims of gender-based discrimination in employment and vocational training; representation of victims of discrimination before administrative authorities; representation of victims in judicial procedures. By October 2015, legal aid had been granted to 90 persons (89 women and 1 man). 70% of the women beneficiaries of legal aid applied in relation to gender-based discrimination in career development.

Legal aid is provided free of charge in an effort to encourage women to lodge a complaint when they experience discrimination and thus create a Cypriot case-law on gender equality in employment, which is currently very poor.

Ioanna Pilavaki, Gender Equality Committee in Employment and Vocational Training Cyprus

New technologies can also be used in innovative and effective ways to provide support in cases of gender-based violence and discrimination, by combining technical advances with knowledge about the needs and gaps, in relation to the protection of victims. For instance, the Portuguese [Commission for Citizenship and Gender Equality](#) (CIG) –which ensures the implementation of public policies in the field of citizenship, and the promotion of equality between women and men - coordinates a Tele-assistance Programme for victims of domestic violence.

This Programme aims to improve the protection and security of victims, ensuring adequate and free of charge response to emergency and crisis situations 24 hours a day. Victims of domestic violence have access to the Programme whenever they are at risk of re-victimisation, when they have specific security needs or when a court, in criminal proceedings decides on their protection. In addition to a telephone service, the technological support system allows for the geographical tracking of the victim, which is fundamental in emergency/crisis situations. If psychological support and protection are needed, they will be provided by tele-assistance, a system that is especially suited for victims of domestic violence with high re-victimisation risk or with low social support.

Tele-assistance is for both victims in need for protection and to monitor domestic violence aggressors.

Tele-assistance does not require the approval of a judge and currently we have more than 500 women with tele-assistance and 470 men and women supervised.

Marta Silva, Gender-based and Domestic Violence Unit, Portugal

Address the specific challenges faced by irregular migrant women

The experience of irregular migrant women in accessing justice, in today's context of armed conflicts and migration, is an example of the intersection between sex and other forms of discrimination and exclusion, leading to very limited access to justice in practice. The exact number of irregular migrants living in Europe is not known, as they are not registered. According to recent research, in 2008 there were between two and four million irregular migrants in the European Union. Depending on the host country, the proportion of women among them varies from 25% to 60% of the total number of irregular migrants¹⁴.

It has to be stressed that being an *irregular* migrant is not an inherent attribute but rather a condition assigned by immigration laws and procedures when they fail to allocate a residence status to a migrant person. Unfortunately, in many countries the residence status has become the dominant and most important aspect of their identity. As a result, their rights and ability to access justice very often depend on this residence status.

Being an irregular migrant has other legal consequences: no right to work legally, no right to social housing or shelters, and difficulties in accessing health care. Irregular migrants are dependent on undeclared work, support from families, friends and charities for their survival. They live in constant fear of being detected, apprehended and deported, due to police powers to control residence permits in homes, workplaces and on public transport. Irregular migrants are often deported when detected. This means that, in practice, irregular migrant women confronted with gender-based violence or other forms of exploitation or discrimination cannot claim their rights.

Finding accommodation can also be difficult. In some countries where the housing market is highly regularised, it is difficult for irregular migrants to have access to affordable housing. Irregular migrants therefore are often dependant on illegal or exploitative housing practices without access to any legal remedy. Access to health care depends on the structure of the relevant health care system, and on its openness to undeclared residents. Since women are the main providers of child care and caring for other dependants (elderly parents), the additional burden of accessing administrative systems related to social, health and education services often falls onto them.

Irregular migrant women are often dependent on their network (family, friends and employers) or on their living partner for shelter, food or other daily life necessities. Research among irregular migrant women in The Netherlands showed that at least 28% of them suffered from sexual violence, and between 10-20% had faced domestic violence¹⁵. In the case of domestic violence, they often have no escape as they are frequently financially dependent on a violent partner

¹⁴ Figures presented at the Bern conference by Rian Ederveen, [Stichting LOS](#), member of the Platform for International Cooperation on Undocumented Migrants ([PICUM](#)).

¹⁵ Ibid.

and access to justice may depend on their residence status. They may also fear deportation when calling the authorities for protection. There are also risks of unreported and continued violence by employers when irregular migrant women are dependent on their informal employer, especially for live-in carers or those who sleep in accommodation provided by the employer.

The Istanbul Convention contains a specific chapter aimed at ensuring access to justice for migrant women. It introduces the possibility of granting migrant women who are victims of gender-based violence an independent residence status. Furthermore, it establishes the obligation to recognise gender-based violence against women as a form of persecution, and contains the obligation to ensure that a gender-sensitive interpretation is given when establishing refugee status. In addition, it establishes the obligation of introducing gender-sensitive procedures, guidelines and support services during the asylum process. Finally, it contains provisions pertaining to the respect of the *non-refoulement* principle with regard to victims of violence against women¹⁶.

Other groups of women face particular barriers to access justice, for example women victims of violence, women from minority ethnic groups, and lesbian/bisexual/transgender women. Trafficked women, especially women trafficked for sexual exploitation face a wide range of forms of violence and exploitation. At the same time, women victims of trafficking face serious obstacles to access justice because they are usually marginalised and face social stigma and poverty in their countries of origin. For this group, lack of protection is one of the most significant barriers for accessing justice. Victims, witnesses and their families in trafficking cases are often vulnerable to threats and retaliation for cooperating with law enforcement.

In order for all women to be able to escape violence, it is important that effective ways of protection are available. In this respect, the Istanbul Convention provides that implementation of its provisions «in particular measures to protect the rights of victims, shall be secured without discrimination on any ground such as (...)national or social, (...), migrant or refugee status, or other status”¹⁷. This means, among other things, that women’ shelters have to be open for irregular migrant women, who should be guaranteed access to services and protection. It also means that authorities should examine with due diligence a complaint about violence notwithstanding the victim’s residence status. All victims should be able to report domestic violence, or any other form of violence, they are confronted with to the police.

Recognise and strengthen the role of civil society in supporting women’s equal access to justice

Civil society, including women’s organisations, has long been instrumental in supporting women’s equal access to justice. Activities in this context are diverse,

¹⁶ Chapter VII of the Istanbul Convention– Migration and Asylum of the Istanbul Convention.

¹⁷ Article 4§3 of the Istanbul Convention.

ranging from advocacy, support to individual claimants, strategic litigation or providing gender-sensitive training to law enforcement professionals.

The [Women's Human Rights Training Institute](#) (WHRTI) is a good practice and first-of-its-kind programme aimed at building and developing the capacity of young lawyers from Central and Eastern Europe and the Newly Independent States (CEE/NIS) to litigate in cases of violence against women, reproductive rights and employment discrimination. The programme is implemented by the Bulgarian Gender Research Foundation, in partnership with the Centre for Reproductive Rights and the Network of East-West Women. The Institute provides advanced and in-depth training on women's human rights protection in three thematic fields: violence against women, sexual and reproductive health and rights, and employment discrimination. The training proposes an additional focus on intersectional issues and gender stereotypes, practical skills and the development of strategic litigation, through the use of international instruments such as the European Convention on Human Rights and the Optional Protocol to CEDAW. The programme also provides participants with practical skills to use EU standards and the case law of the Court of Justice of the European Union.

The Institute provides advanced and in-depth knowledge on women's human rights protection with an additional focus on intersectional discrimination and gender stereotypes

Genoveva Tisheva, Women's Human Rights Training Institute, Bulgaria

[Women's Link Worldwide](#) illustrates other types of activities carried out by civil society in supporting women's access to justice. The organisation uses law and strategic litigation, in order to create social changes to promote the rights of women and girls, particularly those who face multiple forms of discrimination. Women's Link aims to develop jurisprudence, using a gender equality perspective and an intersectional analysis. At the same time, the organisation works to secure the conditions and capacity necessary to ensure the protection and guarantees for women' and girls' rights. Part of this organisation's work is also to support women's access to justice through training sessions for judges and lawyers, and awareness raising on the importance of eliminating the obstacles to women's access to justice. The organisation also provides a free online information system: Women's Link Gender Justice Observatory, which contains analytical summaries and the full text of judicial decisions with a significant impact on gender issues.

The organisation believes in creating sustainable social changes through and beyond the courts. In order to assess whether social change can be achieved, Women's Link Worldwide has identified four preconditions: an existing rights' framework; a committed judiciary; legal advocates with the capacity to engage in strategic litigation, and a network to support and influence the opportunities presented by litigation.

As an example of strategic litigation, Women's Link represented Ms Ángela González Carreño and took her case to the CEDAW Committee after she spent over twelve years fighting to ensure that the violations of her human rights and those of her deceased daughter, murdered by her father and abusive ex-partner, would not be repeated. In its 2014 decision¹⁸, the CEDAW Committee decided that the State had violated provisions of the CEDAW in relation to domestic violence, child visitation rights and child support. Other recommendations of the Committee included: ensuring that domestic violence is taken into account in custody and visitation matters, and that the best interests of the child prevail in related decisions; ensuring that the authorities exercise due diligence and respond appropriately to domestic violence; and providing mandatory training for judges and administrative personnel on the legal framework concerning domestic violence and gender stereotyping. The Committee considered that laws to combat gender-based violence are necessary, but that it is also important to effectively implement them without the prejudices and the gender stereotypes that normalise, minimize, and perpetuate gender-based violence and which impede women's access to justice.

In Europe we already have an existing women's human rights framework, but in our everyday experience we see cases in which women can't access justice because they face multiple obstacles such as prejudices and gender stereotypes.
Tania Sordo, Women's Link Worldwide, Spain

¹⁸ Angela González Carreño v. Spain . Communication No. 47/20 12, UN Doc. CEDAW/C/58/D/47/2012 (2014).

Recommendations

Based on the relevant legal and policy frameworks, as well as the discussions, good practices and experiences presented, the Bern conference made the following recommendations:

To member states:

1. Adopt comprehensive gender equality laws to:
 - a. reflect existing international and regional standards as regards equal access to justice for women;
 - b. provide compensatory and punitive damages to secure a deterrent effect on offenders;
 - c. address multiple discrimination and the fact that some groups of women are in particularly difficult situations when seeking justice.
2. Adopt clear standards and comprehensive equal treatment legislation in order to ensure the effectiveness and independence of equality bodies.
3. Ensure the full implementation of existing national legislation as well as international and regional human rights treaties and standards to make equal access to justice for women a reality.
4. Develop protection systems and measures to tackle sexism, including through targeted/specific legislation, which would also help fight prejudicial attitudes and negative gender stereotypes.
5. Adopt legal, policy and institutional reforms to address judicial stereotyping through research, monitoring, education, capacity building and the promotion of good practices.
6. Allocate resources to institutional mechanisms for the advancement of women, civil society organisations working in this area, support services and training related to women's rights and gender equality.
7. Ensure gender-sensitive data collection and knowledge building on the different aspects of women's access to justice (judicial stereotyping, practical and legal barriers, etc.).
8. Ensure the effectiveness and independence of national equality bodies so that they can reach out and provide remedies to victims of discrimination (dissuasive, effective, and timely).

To national equality bodies:

9. Prioritise, research, address and remedy gender-based and multiple discrimination as well as gender-based violence.

10. Develop and deliver training on gender-based violence, gender equality issues, and women human's rights (tailored to the needs of justice professionals and members of law enforcement bodies).

To civil society and lawyers' associations:

11. Use collective actions as a possible way to bring forward important issues in relation to gender equality and gender-based violence and build a case law (*action popularis*, public litigation, *amicus curiae*, etc.).

To justice and law enforcement authorities:

12. Use innovative techniques, as appropriate to secure the adequate protection of victims of violence as provided by the Istanbul Convention.
13. Develop tools such as gender-sensitive training or databases of court decisions to raise awareness and ensure a better understanding among legal professionals of issues related to women's access to justice, including judicial stereotypes and protection against gender-based violence and discrimination.
14. Engage with equality bodies and civil society to organise awareness raising and capacity building events aimed to increase understanding of gender equality and women rights' issues.

APPENDIX 1 PROGRAMME

Thursday, 15 October 2015	
8.15 – 9.00 am	Registration of participants
Opening Session Moderator: Kira Appel (Vice-Chairperson of the Council of Europe Gender Equality Commission, Denmark)	
9.00 – 9.40 am	Opening remarks by: <ul style="list-style-type: none"> ➤ Alain Berset, Head of the Federal Department of Home Affairs, Switzerland ➤ Snežana Samardžić-Marković, Director General of Democracy, Council of Europe
Session 1 – Setting the scene: women’s access to justice in Europe Moderator: Kira Appel (Vice-Chairperson of the Council of Europe Gender Equality Commission, Denmark)	
9.40 – 10.00 am	Keynote speech: Access to justice in Europe Francois Tulkens, Member of the Scientific Committee of the EU’s Fundamental Rights Agency, former judge and vice-president of the European Court of Human Rights
10.00 – 10.20 am	Guaranteeing women’s access to justice: how to meet this challenge? François Paychère, President of the European Commission for the Efficiency of Justice (CEPEJ) Working Group on quality of justice, Council of Europe
Session 2 – Standards on women’s access to justice: progress and challenges Moderator: Antje Wunderlich (Member of the Gender Equality Commission, Germany)	
10.20 – 10.40 am	The European Convention on Human Rights: the case-law of the Court Helen Keller, Judge, European Court of Human Rights
10.40 – 11.00 am	The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence Feride Acar, Professor of Political Science and Gender and Women’s Studies, and President of GREVIO
11.00 – 11.20 am	CEDAW’s General Recommendation on Women’s Access to Justice Patricia Schulz, Member of CEDAW
11.20 – 11.40 am	Questions and Discussion
11.40 – 12.10 pm	Coffee (& networking) break

Session 3 – Barriers to women’s equal access to justice Moderator: Charles de Vries (Member of the Council of Europe Gender Equality Commission, The Netherlands)	
12.10 – 12.30 pm	Tackling judicial stereotyping Veronica Birga, Chief, Women's Human Rights and Gender Section, Research and Right to Development Division, Office of the UN High Commissioner on Human Rights
12.30 – 12.50 pm	Tackling discrimination Judith Wyttenbach, Professor of Swiss constitutional and public international law, Faculty of Law of University of Bern, Vice-President of the Swiss Federal Commission for Women’s Issues Rights
12.50 – 1.10 pm	Socio-economic and cultural barriers: the work of Platform for International Cooperation on Undocumented Migrants (PICUM) on access to justice for undocumented women Rian Ederveen, <i>Stichting LOS</i> , Member of PICUM, the Netherlands
1.10 – 2.30 pm	Lunch break
2.30 – 2.50 pm	Questions and Discussion Session 3
Session 4 – Good policies and practices to facilitate women’s access to justice Moderator: Lise Østby (Member of the Council of Europe Gender Equality Commission, Norway)	
2.50 – 3.50 pm	<ul style="list-style-type: none"> ➤ Eva Fehringer, Deputy Head, International and European Social Policy and Labour Law, Federal Ministry of Labour, Social Affairs and Consumer Protection, Austria ➤ Liesbet Stevens, Deputy Director of the Institute for Equality of Women and Men, Belgium ➤ Ioanna Pilavaki, Research Fellow at the Gender Equality Committee in Employment and Vocational Training, Cyprus
3.50 – 4.10 pm	Questions and Discussion
4.10 – 4.40 pm	Coffee (& networking) break
4.40 – 5.20 pm	<ul style="list-style-type: none"> ➤ Marta Silva, Head of Gender-based and Domestic Violence Unit, Portugal ➤ Aner Voloder, Lawyer, Office for Gender Equality of the Municipality of Zurich, Switzerland
5.20 – 5.45 pm	Questions and Discussion
6.00 – 8.00 pm	Reception offered by the Swiss authorities

Friday, 16 October 2015	
Session 5 – Tools to improve women’s access to justice: the work of other international organisations Moderator: Kätlin Sander (Member of the Council of Europe Gender Equality Commission, Estonia)	
9.00 – 9.20 am	Indicators to measure women’s access to justice Teresa Marchiori, Consultant, UN Women
9.20 – 9.40 am	The work of the Organization of American States to promote women’s access to justice: judicial training Gabriela Pastorino, Head, Training Unit, Women’s Office of the Supreme Court, Argentina, Representative of the Inter-American Commission of Women (CIM)
9.40 – 10 am	Discussion
Session 6 – The role of national equality and human rights bodies and civil society in promoting women’s access to justice Moderator: Dragan Knezevic (Member of the Council of Europe Gender Equality Commission, Serbia)	
10.00 – 10.20 am	The role of equality bodies in supporting women’s access to justice Jessica Machacova, Project Officer, European Network of Equality Bodies (Equinet)
10.20 – 10.40 am	Building the capacity of young lawyers to protect women’s rights Genoveva Tisheva, Director, Women’s Human Rights Training Institute, Bulgaria
10.40 – 11 am	The role of civil society in supporting women’s access to justice Tania Sordo Ruz, Staff Attorney, Women’s Link Worldwide, Spain
11 – 11.20 am	Questions and Discussion
11.20 – 11.40 am	Coffee (& networking) break
Closing session Moderator: Kira Appel (Chairperson of the Council of Europe Gender Equality Commission, Denmark)	
11.40 – 12.00 pm	Conclusions and recommendations Doina Ioana Străisteanu , General Rapporteur
12 – 12.30 pm	Closing remarks by: <ul style="list-style-type: none"> ➤ Sylvie Durrer, Director, Swiss Federal Office for Gender Equality ➤ Liri Kopaçi-Di Michele, Director of Human Dignity and Equality, Council of Europe
12.30 pm	End

APPENDIX / ANNEX II

LIST OF PARTICIPANTS / LISTE DES PARTICIPANTS

GENDER EQUALITY NATIONAL FOCAL POINTS AND/OR REPRESENTATIVES/POINTS
DE CONTACT NATIONAUX SUR L'ÉGALITÉ ENTRE LES FEMMES ET LES HOMMES
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APPENDIX III SPEAKERS' BIOGRAPHIES

Opening Session

Alain Berset Federal Councillor, Head of the Federal Department of Home Affairs (Health, Social and Retirement Insurances, Education, Research and Culture Affairs). Alain Berset was born in Fribourg on 9 April 1972. He studied Political Science and Economics at the University of Neuchâtel, graduating in 1996, later obtaining a doctorate in 2005. He is married and the father of three children. While preparing his doctoral dissertation he worked as an assistant lecturer at the Research Institute for Regional Economic Development at the University of Neuchâtel. He then held a post as guest researcher at the Hamburg Institute of International Economics before becoming a strategic advisor at the Department of Economic Affairs of the canton of Neuchâtel. In 2006 he set up his own business as an independent strategy and communications advisor working primarily for associations, businesses and NGOs. In 2003, Alain Berset was elected to the Council of States for the canton of Fribourg and was its president in the year 2008/2009. From 2005 until his election to the Federal Council, he was vice president of the Social Democratic group. He was a member of numerous parliamentary committees, including the Finance Committee, the Committee for Economic Affairs and Taxation, the Legal Affairs Committee and the Finance Delegation. He chaired the Council Office, the Political Institutions Committee and the Delegation to the Assemblée parlementaire de la Francophonie. Before his election to the Council of States, he was president of the Social Democratic group in the Constitutional Council of the canton of Fribourg. Between 2001 and 2003, he was a member of the local parliament of his commune of residence. In addition to his political appointments, Alain Berset was president of the Swiss Tenants' Association - Western Switzerland Section, the Swiss Association for the promotion of AOC/IGP, and 'Les Buissonnets', a foundation for children and adults with disabilities. He was elected to the Federal Council by the United Federal Assembly on 14 December 2011. He has been Head of the Federal Department of Home Affairs since 1 January 2012.

Snežana **Samardžić-Marković** is, since 2012, Director General of Democracy at the Council of Europe, in charge of the Organisation's action promoting democratic innovation, governance, participation and diversity. Her responsibilities include the policy areas of education and youth, local democracy, cultural policies, election assistance, the protection of human dignity, gender equality, children's rights, and the rights of minorities, societal defences against discrimination, democratic citizenship, social cohesion, intercultural dialogue and democratic responses to crisis situations. Previously, Snežana has held numerous positions in the Serbian Government including Deputy Director in the Ministry of Foreign Affairs for Neighbouring Countries, Assistant Minister of Defence (2005-2007) and Co-President of the Serbia-NATO Defence Reform Group, member of the Foundation Board of WADA, Minister of Youth and Sports (2007-2012) and President of the Fund for Young Talents.

Session 1 – Setting the Scene: women’s access to justice in Europe

Françoise Tulkens has a doctorate in law, a degree in criminology and a higher education teaching certificate (agrégation) in law. She has worked as a lecturer at the University of Louvain (Belgium) and has taught in Belgium as well as abroad – as a visiting professor at the Universities of Geneva, Ottawa, Paris I, Rennes, Strasbourg and Louisiana State University – in the fields of general criminal law, comparative and European criminal law, juvenile justice and human rights protection systems. She was a Judge of the European Court of Human Rights from November 1998 to September 2012; she was Section President from January 2007 and Vice-President of the Court from 1 February 2011. Since 2011, she has been an associate member of the Royal Academy of Belgium (Technology and Society Class). She is currently Chair of the Governing Board of the King Baudouin Foundation. In September 2012, she was appointed member of the Human Rights Advisory Panel in Kosovo. Since June 2013, she has been a member of the Scientific Committee of the EU Fundamental Rights Agency. She is the author of numerous human rights and criminal law publications, as well as two reference books: *Introduction au droit pénal. Aspects juridiques et criminologiques* (with M. van de Kerchove), 10th ed., 2010 and *Droit de la jeunesse. Aide, assistance et protection* (with Th. Moreau), 2000. She is doctor honoris causa of the Universities of Geneva, Limoges, Ottawa, Ghent, Liège and Brighton.

François Paychère is an elected member of the Geneva Court of Auditors of which he was the President from 2012 to 2014. He studied law at the Universities of Geneva, Panthéon-Assas University (Paris II), and HSG St. Gallen and graduated with a law degree in 1980. He also obtained a political, economic and social diploma section from the Paris Institute of Political Studies (1982), and a diploma of advanced studies in philosophy of law from Panthéon-Assas University (1983). In 1990, he was awarded a PhD degree from Panthéon-Assas University and received the Dupin Aîné prize for his PhD thesis. He passed the Geneva Bar Exam in 1992. Before joining the Geneva Court of Auditors in 2012, François Paychère held different positions in the judiciary system, among them, the presidency of the Geneva Administrative Court (2004-2008) and Judge at the Geneva Supreme Court (2008-2012). Furthermore, he was a member of the Geneva Supervisory Council of the Magistracy from 2001 to 2007. Since 2006, he has been an expert to the Council of Europe and, since 2008, chair of the GT-QUAL (CEPEJ). François Paychère has published numerous contributions in the fields of public law, philosophy of law and of administration of justice. He frequently lectures for judges and barristers.

Session 2 – Standards on women’s access to justice: progress and challenges

Prof. Dr. iur. Helen Keller, LL.M, Judge at the European Court of Human Rights, was born in 1964 and studied law at the University of Zurich. She was subsequently a research associate at the Institute of Law of the University of Zurich from 1989 to 1993. She obtained her doctorate in 1993, followed by an LL.M. at the Collège d’Europe in Bruges, Belgium, a research fellowship at the European Law Research Center at Harvard Law School in 1995, and a further research fellowship at the European University Institute in Florence in 1996. Helen Keller then held a position as an Oberassistentin at the University of Zurich, in the course of which she led the project to produce a commentary of the Umweltschutzgesetz. In 2001, she was a visiting fellow at the Max Planck Institute for Comparative Public Law and

International Law in Heidelberg. In 2002, she completed her habilitation at the Faculty of Law of the University of Zurich. From 2002 to 2004, she held the position of professor (ordinaria) for constitutional law at the University of Lucerne, Switzerland. She then took a position as a professor at the University of Zurich, where she taught constitutional, European and international law until 2011. Helen Keller spent most of 2009 at the European Court of Human Rights in Strasbourg, where she worked on a research project concerning friendly settlements before the Court. In 2010, she completed a research fellowship at the Centre for Advanced Studies in Oslo, where her research centred on the question of why states ratify human rights treaties. From 2008 to 2011, Helen Keller was a member of the United Nations Human Rights Committee. In April 2011, the Parliamentary Assembly of the Council of Europe elected her as a judge at the European Court of Human Rights, where she has held office as a full judge since October 2011. Helen Keller is married and the mother of two sons; she lives in Strasbourg and Zurich.

Feride Acar is professor of political sociology and gender and women's studies. For many years, she has been working for the promotion and protection of women's human rights, at the international level, as an academic, a researcher and an independent expert. She is currently (2011-2015) member of the UN Committee on the Elimination of Discrimination against Women (CEDAW) where, in the past too (1997-2005), she has served as member, Rapporteur, Vice-Chair and Chairperson (2003-2005). Professor Acar was one of the independent experts of the Council of Europe Task Force that recommended the making of a European Convention on violence against women. She also served (2006-2011) as the Turkish delegate in the negotiations and drafting of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). She has been elected (2015) as member of the GREVIO, the monitoring body of the Istanbul Convention. She is the author of works on women's human rights; women in education and academia; women and Islamist politics; as well as social and political movements and Turkish political life. She received her BS from Middle East Technical University and her MA and Ph.D from Bryn Mawr College, Pa., USA.

Patricia Schulz is a member of the UN Committee on the Elimination of All Forms of Discrimination against Women. She has been re-elected for a second mandate (2015-2018). She also is a member of the Board of Directors of UNRISD (United Nations Research Institute for Social Development). From 1994 to 2010, she was the Director of the Swiss Federal Office for Gender Equality (FOGE). Previously Patricia Schulz worked as a lawyer in Geneva (1972-1976), with the International Labour Office in technical co-operation in Madagascar (1977-1978), before joining the Faculty of Law of the Geneva University, as an assistant and then as a lecturer, in constitutional and general public law (1979-1993).

Session 3 – Barriers to women's equal access to justice

Veronica Birga joined the Office of the High Commissioner for Human Rights (OHCHR) in 1999, after some work in the Balkans (Bosnia and Herzegovina, and Kosovo¹) with the Organization for Security and Cooperation in Europe (OSCE). In OHCHR she has served both at headquarters and in the field, covering a variety of thematic issues and country situations. Before joining the Women's Human Rights and Gender Section, she served as OHCHR Deputy Regional representative for

Central America. She has been heading the Women's Rights and Gender Section since March 2014.

Prof. Dr. Judith Wyttenbach is professor of Swiss constitutional and public international law at the Faculty of Law of University of Bern, Switzerland. She is a specialist in Swiss anti-discrimination law, international human rights law and (public) procedural law. Judith Wyttenbach is a member of the Directorate of the Interdisciplinary Centre for Gender Studies (ICFG) at University of Bern and Vice-President of the Federal Commission for Women's Issues. Her most recent publication related to the conference is: CEDAW. Kommentar zum Übereinkommen der Vereinten Nationen zur Beseitigung jeder Form von Diskriminierung der Frau. Allgemeine Kommentierung, Umsetzung in der Schweiz, Umsetzung in Österreich, Bern 2015 (co-editor and co-author).

Rian Ederveen has worked for 20 years for undocumented migrants in the Netherlands. Educated as a development worker (MSc in Agricultural Engineering from Wageningen University), she discovered migration as a leverage to create more equal opportunities worldwide. She worked for irregular migrant support organisations in two cities in the Netherlands, counselling individual migrants and lobbying at local level. Doing this, she discovered the relevance of co-operation between these different local organisations. In 2003 she established Stichting LOS, an umbrella-organisation for the different local organisations that support undocumented migrants in the Netherlands. At the moment, Stichting LOS focuses on basic rights for undocumented migrants, aliens' detention, and the rights of undocumented women. Stichting LOS is an active member of PICUM, the European network for the rights of undocumented migrants.

Session 4 – Good policies and practices to facilitate women's access to justice

Eva Fehringer is Deputy Director of the Department of International and EU Labour Law, Equality and Anti-Discrimination in the Federal Ministry of Labour, Social Affairs and Consumer Protection. She is a member of the Gender Equality Commission of the Council of Europe and has over 20 years of experience in the field of gender equality. Dr Fehringer holds a doctorate in Law and has vast experience in the area of Labour and Human Rights, policy making and negotiations within the EU, the Council of Europe, ILO, UN and OECD. She is also a member of the European Pensions Forum, of the EU High Level Group on Social Responsibility and is Chair of the Working Group on Fighting Human Trafficking for Labour Exploitation.

Liesbet Stevens has committed herself during her professional career to the creation of an equal society and the protection of vulnerable people. In 1993 she graduated from the Catholic University of Leuven as a baccalaureate (bachelor) in philosophy, and in 2002 she received a PhD in law. In her publications she concentrated mainly on the criminal law framework pertaining to the integrity of people. Since 2002 she has been teaching the course "sexual penal law" at the University of Leuven. From 2004 to 2009 she worked as an advisor in equal rights for the Flemish Minister of Equal Opportunities. In 2008 she became a member of the Board of Directors at the Interfederal Centre for Equal Opportunities. In 2014 she became the Vice Director of the Institute for the Equality of Women and Men.

Ioanna (Anna) Pilavaki, holds a master's degree in Gender Studies of Humanities School in Aegean University in Rhodes-Greece and is a graduate of the Department of Public Administration of Panteion University in Greece. From 1993 to the present, she has been actively involved in gender equality issues in employment and in society in general. She has extensive experience in implementing European programmes in the field of gender equality and labour relations. Since 2011, she runs her own company (Genderstream Consulting Ltd.) and among other things, provides technical support to the Gender Equality Committee in Employment and Vocational Training of the Ministry of Labour, and organises seminars for public and semi-public servants on gender equality laws. She co-operates also with the private sector by providing seminars on gender equality laws and especially on sexual harassment in the work place. Anna has written and edited guides and studies on sexual harassment in the workplace, on equal pay among men and women, on reconciling family and work, on the impact of the economic crisis on women and she was a member of research teams in different investigations concerning the equality of men and women. Anna worked for 26 years in a trade union and participated in many international and European conferences and seminars on gender equality and labour relations. She is also a PhD candidate of the Department of Gender Studies of the University of Cyprus.

Marta Silva holds a degree in Psychology, a Master in Health Psychology and Psychotherapy and is also a graduate of gender mainstreaming in public policy and of Public Administration. She is currently Co-ordinator of the Domestic Violence and Gender-Based Unit of the Commission for Citizenship and Gender Equality in Portugal, and since 2009, coordinates technical activities of the Unit, particularly in terms of the implementation of the National Plan Against Domestic and Gender based Violence. She is also Co-ordinator of the Protection Programme for Tele-assistance to Domestic Violence Victims. Marta is the Representative of Portugal in the Committee of the Parties to the Istanbul Convention and the Representative of Portugal in working groups related to domestic and gender-based violence in various international bodies (Council of Europe, World Health Organization, European Commission).

Aner Voloder holds a Master's degree in Swiss Law from the University of Zurich and a degree of advanced studies in European Law. He has been active in the field of gender equality for many years, especially in: granting equal access to justice to women and men; non-discrimination in employment; combating sexual harassment in the workplace; and domestic violence. From 2006 to 2010 he worked for the Swiss Federal Office for Gender Equality. There he was responsible for the financial support of innovative projects which promote equality at work in accordance with the Swiss Gender Equality Act. Aner Voloder was the Swiss focal point during the Council of Europe's campaign to combat violence against women, including domestic violence (2006-2008). Currently, he works as legal counsel and project manager at the Office for Gender Equality in the City of Zurich. Besides counselling individuals, private companies and public offices in the matters reducing discrimination based on gender, gender identity and/or sexual orientation, he also develops projects accordingly. He speaks Bosnian, German, English, French and Italian.

Session 5 – Tools to improve women’s access to justice: the work of other international organisations

Teresa Marchiori is a gender and justice specialist working on justice systems reform with a focus on women’s access to justice. She has worked extensively on women’s legal empowerment, equitable access to justice in plural legal systems, and women’s legal needs for the past 12 years. Teresa focuses on the design and implementation of qualitative and quantitative justice measurement tools, with particular attention to the assessment of existing gender gaps in access to justice. Her most recent work includes a quantitative and qualitative study on women’s legal needs and access to justice in Afghanistan, and a global study on access to justice indicators with a focus on women’s experience of justice. Teresa’s geographic areas of expertise are Africa, South Asia and East Asia and the Pacific, although she has also often worked on global issues. Teresa contributed to the World Bank’s 2012 World Development Report on Gender Equality and Development and has authored several papers on women’s access to justice and legal pluralism for the World Bank. She earned her law degree summa cum laude at the University of Florence, Italy, an LL.M from Penn State University and a Master of Science in Foreign Service from Georgetown University, where she was in the Dean’s Mention of Honor. Teresa is admitted to practice at the Bar of Italy, where she practiced as an attorney specialising in civil and commercial law.

Gabriela Pastorino, is a lawyer who graduated in 1988 from the Faculty of Law of the University of Buenos Aires who ran her own private law practice from 1988 to 2009. Since 2009, she has been Head of the training unit of Women’s Office of the Corte Suprema de Justicia de la Nación of Argentina. Gabriela Pastorino has co-authored a variety of publications including protocols, guides and training materials relating to domestic violence, gender and justice, and human trafficking for sexual exploitation. In 2014, she lectured in virtual format in Diplomatura sobre “Justicia, Género y Violencia” which was organised by the Inter-American Commission of Women (CIM) providing judges and magistrates with knowledge and analytical tools for an effective defence of women’s human rights.

Session 6 – The role of national equality and human rights bodies and civil society in promoting women’s access to justice

Jessica Machacova joined Equinet - the European Network of Equality Bodies - in February 2015 as Project Officer. She is responsible for supporting membership communication and member capacity-building initiative. She also supports Equinet policy work on various issues such as religion and belief, disability and gender equality. Prior to joining Equinet, Jessica worked at the European Women’s Lobby and at the office of the EU Anti-Trafficking Co-ordinator at the European Commission. She holds a Masters in European politics from the European Studies Institute of the Free University of Brussels.

Genoveva Tisheva has been Managing Director of the Bulgarian Gender Research Foundation since 1998. Since 2004 she is also Director of the Women’s Human Rights Training Institute - a regional educational initiative conducted in English for teaching lawyers from Eastern Europe, South-East Europe and CIS in litigation skills, including teaching on the CEDAW Convention and case law. Since 2009 she has been Chair of the Alliance for Protection against Domestic Violence. She is a legal expert on

gender equality and member of the European Network of Independent Legal experts in the field of Gender Equality, and a member of the European network of legal experts in gender equality and non-discrimination. Among her professional activities, she has lectured and trained lawyers on human rights and women's rights in the framework of the Women's Human Rights Training Institute. Genoveva has also lectured on gender-based violence in the Training Centre for Prevention Violence of the Alliance for Protection against Domestic violence in Bulgaria. She has practiced law since 1982, preparing and supporting legal cases in the field of civil law and anti-discrimination at national level. At the international level, she has worked on cases before the European Court of Human Rights and has been a member of various Boards included the European Women Lawyers Association and Equality Now. Genoveva has published many books and articles on a variety of subjects including eliminating violence against women, domestic violence and gender discrimination.

Tania Sordo Ruz, is a Staff Attorney at Women's Link Worldwide, where she coordinates the Gender Justice Uncovered Awards and the Gender Justice Observatory. Before joining Women's Link, Tania worked as a gender and human rights consultant. She was Advisor to the Executive Director of Prerogatives and Political Parties of the Federal Electoral Institute of Mexico, where she later served as Department Chair.

Tania received her law degree with honors from the Monterrey Institute of Technology and Higher Education in Mexico City. She holds a European Master's Degree in Latin American Studies: Cultural Diversity and Social Complexity, as well as a Master's Degree in Interdisciplinary Gender Studies, both from the Autonomous University of Madrid (Spain). She is about to finish her PhD in Interdisciplinary Gender Studies in the same university. She won the first place in the "Gender and Justice" essay contest in 2011, which was organised by the Gender Equality Program in the Supreme Court of Justice of the Nation of Mexico in conjunction with the Office of the United Nations High Commissioner for Human Rights in Mexico and UN Women. She also won the 15th SIEM "Concepción Gimeno de Flaquer" Award for feminist research from the University of Zaragoza, Spain. She has given numerous presentations and published many articles on gender stereotypes and state responsibility in cases of violence against women based on gender.

Closing session

Doina Strasteanu is a Human Rights Lawyer and Member of the National Equality Council. She previously worked as a lawyer for the Moldovan Helsinki Committee (2000–2004), as Legal Director for Stichting Russian Justice Initiative (2005-2006) and as a lawyer for INTERIGHTS (2007-2009). She has her own law firm since 2010 in the Republic of Moldova, and litigates strategic cases on human rights issues of importance for the region, such as LGBT human rights, gender-based violence, discrimination, mental health and disability, hate crimes and state due diligence obligations, domestic violence, privacy, freedom of expression, right to life, arbitrary detention and fair trial guarantees, prohibition of ill-treatment and mal-practice.

Sylvie Durrer has been director of the Federal Office for Gender Equality since 2011. She previously occupied a similar position in the Canton of Vaud. She has an in-depth knowledge of gender issues and public policy on equal opportunities,

particularly in the areas of employment, training and family. She has been member of the Gender Equality Commission of the Council of Europe and head of the Swiss Delegation to the UN Commission on the Status of Women. She has also chaired various committees at the cantonal and inter-cantonal levels, dealing in particular with issues of equal pay and of domestic violence. She is co-chairman of the Swiss Conference of Gender Equality Delegates. In the first phase of her career, Sylvie Durrer taught and carried out research in French linguistics at the Universities of Lausanne and Zurich, rising to the position of assistant professor. As an academic, she was co-director of the Lake Geneva Gender Studies Doctoral Programme from 2001 to 2004. Sylvie Durrer is the author of many scientific articles and several books. In 2009, in collaboration with Nicole Jufer and Stéphanie Pahud, she published the results of a wide-ranging survey on "The place of women and men in the general-interest print media in French-speaking Switzerland from the 1980s to the present day". She took part in the Global Media Monitoring Project GMMP 2012 which ended up in a publication "Who makes the news in Switzerland? "