

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

22 March 2017

GEC (2017) 3

GENDER EQUALITY COMMISSION

1st Meeting of the Drafting Committee
to prepare a draft recommendation to combat sexism

2-3 March 2017
Paris, Council of Europe offices

REPORT

1. Welcome and introduction by the Secretariat

The Secretariat welcomed participants to the first meeting of the Drafting Committee and recalled the launch of this new activity by the Gender Equality Commission (GEC). The list of participants is attached at Appendix II to this report.

2. Election of Chair

Charles Ramsden (United Kingdom) was unanimously elected Chairperson of the Drafting Committee.

3. Adoption of the agenda

The Drafting Committee adopted its agenda as set out in Appendix I to the present report.

4. Working methods of the Drafting Committee

The Drafting Committee adopted its [working methods](#) and took note of discussions regarding the timeframe for the preparation of the draft recommendation which will be included in the new draft Terms of Reference of the GEC for 2018-2019.

5. Background and objectives of the meeting

The Secretariat recalled the [background and preparatory work](#) leading to the first meeting of the Drafting Committee, including the informal brainstorming meeting and GEC discussions on this issue during its meeting in November 2016.

- *The Drafting Committee agreed the objectives of the meeting as follows: receive expert information on how to address the links between sexism, sex-based discrimination and violence against women; discuss the definition of sexism; review a preliminary draft outline of the future recommendation (focusing on both structure and content); and decide on the scope of work, agenda and expected results for the 2nd meeting of the Drafting Committee.*

6. Compilation of relevant Council of Europe standards to combat sexism

The Secretariat presented a compilation of relevant Council of Europe standards to combat sexism ([document GEC-DC Sexism \(2017\) 2](#)). The Drafting Committee took note of the information and highlighted its importance and contribution to the drafting process. It instructed the Secretariat to update the document to include two additional entries: the Council of Europe Plan of Action on Strengthening Judicial Independence and Impartiality (adopted by the Committee of Ministers in April 2016), and the Guidelines to member States on the Protection and Promotion of Human Rights in Culturally Diverse Societies (adopted by the Committee of Ministers in March 2016).

The Drafting Committee instructed the Secretariat to add to the compilation an Appendix with relevant references to United Nations (UN) and European Union (EU). It was agreed the document will be updated on a regular basis to take note of future developments.

- *The Drafting Committee took note of document GEC-DC Sexism (2017)2 and instructed the Secretariat to update it to include two additional Council of Europe activities and to include an Appendix with relevant United Nations and European Union references.*

7. Exploring the links between sexism, sex-based discrimination and violence against women - Presentations by Susanne Burri (Associate Professor, Utrecht University School of Law) and Alexandra Timmer (Assistant Professor at the Netherlands Institute of Human Rights)

The two expert consultants [presented an overview](#) of relevant links between sexism, gender stereotypes, sex-based discrimination and violence against women, including relevant case-law of the EU's European Court of Justice and the European Court on Human Rights. They addressed the main elements and challenges of direct and indirect discrimination on the basis of sex, and issues for consideration regarding sex-based harassment and the protection of victims. The experts advised the Drafting Committee to:

- a. consider including media and advertising in the draft recommendation;
- b. address structural forms of discrimination;
- c. include "practices" (in addition to acts, gestures and behaviour) in the scope of a possible definition of sexism.

- *The Drafting Committee took note of the presentation and recommendations made by Susanne Burri and Alexandra Timmer from Utrecht University*

8. Conclusions and closing of day one

The Drafting Committee discussed the difference between harmful and negative gender stereotypes. There was agreement not to enter into differentiating between "types" of sexism in the draft recommendation (i.e. "benevolent sexism", "violent sexism", etc.) but rather focus on the objectives of the draft recommendation and define sexism in the context of, and for the purposes of, the draft recommendation. Participants underlined that the draft recommendation should refer to the internet and frame the sexist acts covered, including "low level" sexist behaviour in schools and other public places.

- *The Drafting Committee agreed not to differentiate between types of sexism, but rather focus on the objectives and the definition of sexism in the context of the draft recommendation.*

9. The concept of sexism: elements for a definition

The Drafting Committee took note of the discussion note on the concept of sexism, including elements for a possible definition ([document GEC-DC Sexism \(2017\)1](#)). The Drafting Committee agreed on the need to capture the different sexist behaviours (oral, written, gestures, acts, practices) and to focus on sexist actions in public and private life, while recognising that some fields are more prone to sexism than others. The need to stress the important role of public authorities to combat sexism in certain activities (judiciary, migration officials, law enforcement, social services, etc.) was also highlighted. The Drafting Committee addressed the links between sexism and the continuum of violence against women, the importance of language and non-sexist communication by public authorities, and the need to take into account the impact of sexism at the level of individuals, institutions and society as a whole, including women and men.

- *The Drafting Committee agreed to include elements for a definition of sexism in the draft text to be discussed at the next meeting, with the understanding that the definition is proposed in the context and for the purposes of the draft recommendation.*

10. Tools and measures to combat sexism - Brigitte Grésy (Secretary General of France's *Conseil supérieur de l'égalité professionnelle entre les femmes et les hommes*)

The Secretary General of France's *Conseil supérieur de l'égalité professionnelle entre les femmes et les hommes* presented the work carried out by this Organisation in the area of sexism, with a special focus on efforts to combat sexism in the workplace, the law on social dialogue and employment from 17 August 2015, which established the prohibition of sexist actions in the work place in France This law has also been extended to the French public service (by law of 22 December 2016). She informed the Drafting Committee about the accompanying measures developed to help the implementation of the law, including a [toolkit to act against sexism in the workplace](#), data collection and research to measure sexist behaviour, and campaigns to communicate about sexism. Brigitte Grésy underlined the implications for women to report sexism in the workplace and the fears associated with it (which leads to under-reporting), and the fact that general policies for gender equality have proved not to be enough to combat sexism. She welcomed the initiative to prepare a recommendation on combating sexism and pointed out that Council of Europe standards and work in the area of gender equality provide "the intellectual paths" for standard setting and activities at the national level. The future recommendation will be a very important standard to support measures taken at the national level such as the French law on sexism in the workplace.

- *The Drafting Committee took note of the presentation by Brigitte Grésy Secretary General of France's *Conseil supérieur de l'égalité professionnelle entre les femmes et les hommes*) as well as the toolkit to act against sexism in the workplace.*

11. Preliminary outline of the draft recommendation: Discussion on the structure

The Drafting Committee discussed a [preliminary draft outline of the recommendation](#). It agreed to amend the working title of the draft recommendation so that it covers the prevention of sexism. The Drafting Committee agreed to include a preamble with references to relevant standards and agreed texts, a number of focused operative paragraphs with key measures to prevent and combat sexism in member States, and an Appendix to elaborate on the tools that could be applied to prevent and combat sexism. The Drafting Committee agreed that an Explanatory Memorandum would be useful to clarify concepts and explain the rationale, context and objectives of the draft recommendation.

- *The Drafting Committee agreed to amend the working title of the draft recommendation to include prevention of sexism; to include a preamble with reference to relevant standards, agreed texts, operative paragraphs with key measures to prevent and combat sexism in member states, as well as an Appendix to elaborate on the tools that could be applied to prevent and combat sexism. It was also agreed that an Explanatory Memorandum would be useful.*

12. Preliminary outline of the draft recommendation: Discussion on the content

Participants agreed that in addition to raising awareness, the objectives of the draft recommendation, should also address the pervasiveness/prevalence of sexism. The draft recommendation should also provide tools to prevent and combat sexism in member States, highlight good practices at the national level and target key sectors, such as media, education, political bodies, justice, etc. The draft recommendation should build on existing standards but also bring added value and cover new forms of sexism such as for example "ordinary" or "everyday" sexism not addressed by existing standards. Participants proposed that the scope of the draft recommendation includes men and women, as well as sexism in the private and public spaces (schools, streets, workplace, transport), sexist language, sexist hate speech, sexism in media and advertising. The Drafting Committee agreed to look at the examples and experience of member States with laws and tools to combat sexism (Belgium and France). Participants agreed to encourage member States to collect data and carry out surveys to inform action and policy measures to combat sexism. They also agreed to encourage member States to report on and monitor the implementation of the recommendation.

One delegation opposed the inclusion of references to the Istanbul Convention in the draft recommendation as they "cannot agree" that the Istanbul Convention is an "example of Council of Europe standards in this field", "because it was not adopted by consensus" and "not all the member States are Parties to it". They also consider that there is confusion between the concepts of "stereotypes" and "traditional gender models", and they consider "unacceptable" to "reject traditional roles or present them as something negative".

- *During the discussion on the content of the draft recommendation, it was agreed that it should address the pervasiveness/prevalence of sexism, include tools to prevent and combat sexism, build on existing standards and bring added value and cover new forms of*

sexism, include men and women, as well as sexism in the private and public spaces, sexist language, sexist hate speech, sexism in media and advertising. The Drafting Committee agreed to look at the examples and experience of member States with laws and tools to combat sexism (Belgium and France) and agreed to encourage member States to collect data and carry out surveys to inform action and policy measures to combat sexism and encouraged member States to report on and monitor the implementation of the recommendation.

13. Next steps and closing

The Chairperson of the Drafting Committee will present the report of the meeting to the Gender Equality Commission (April 2017).

A preliminary draft recommendation will be prepared on the basis of discussions, ideas and decisions of the first meeting. It will also take into account feedback from the GEC reporting during its meeting in April. The draft will provide the basis for further discussion and work at the 2nd meeting of the Drafting Committee in June 2017.

The Drafting Committee agreed to invite at its 2nd meeting the Gender Expert of the Council of Europe Conference of INGOs (Anne Nègre) to present the views of civil society on this initiative. The delegate from Denmark will present a new regional study on sexist hate speech commissioned by the Nordic Council.

The Drafting Committee agreed to launch targeted consultations on the draft recommendation in early 2018. The consultations will focus on relevant Council of Europe entities, as well as other regional and international organisations and specialised gender equality bodies and NGOs.

- *The Drafting Committee agreed on the next steps to be taken including the presentation of the report of the meeting to the members of the Gender Equality Commission at its next meeting in April 2017.*

14. Date and place of next meeting

22 (afternoon) - 23 June, in Paris (Council of Europe offices)

APPENDIX I

AGENDA

2-3 March 2017

Room 1, Office of the Council of Europe
(55 Avenue Kléber, 75116 Paris)

Thursday 2 March

2.30 – 2.45 pm Welcome and introduction by the Secretariat

Election of Chair

2.45 – 3.00 pm Adoption of the agenda

Working methods of the Drafting Committee

3.00 – 3.15 pm Background and objectives of the meeting

3.15 – 4.15 pm Compilation of relevant Council of Europe standards to combat sexism

Presentation by the Secretariat
Discussion

4.15 – 4.30 pm *Coffee break*

4.30 – 5.45 pm Exploring the links between sexism, sex-based discrimination and violence against women

Presentations by Susanne Burri (Associate Professor, Utrecht University School of Law) and Alexandra Timmer (Assistant Professor at the Netherlands Institute of Human Rights)

Discussion

5.45 pm Conclusions and closing of day 1

Friday 3 March

- 9.30 – 10.30 am The concept of sexism: elements for a definition
Discussion note prepared by the Secretariat
- 10.30 – 11.15 am Tools and measures to combat sexism
Brigitte Grésy (Secretary General of France's *Conseil supérieur de l'égalité professionnelle entre les femmes et les hommes*)
Discussion
- 11.15 – 11.45 am *Coffee break*
- 11.45 am – 1.00 pm Preliminary outline of the draft recommendation
Presentation by the Secretariat
Discussion on the structure of the draft recommendation:
- Working title
- Preamble
- Operational Part
- Appendix /dices
- Explanatory Memorandum
- 1.00 – 2.30 pm *Lunch break*
- 2.30 – 3.30 pm Discussion on the content of the draft recommendation:
- Definition of sexism
- Manifestations of sexism covered by the recommendation
- Tools and measures to combat sexism
- Integration of an intersectional perspective
- Monitoring
- 4.00 – 4.15 pm *Coffee break*
- 4.15 – 5.00 pm Discussion on the content of the draft recommendation (cont.)
- 5.00 – 5.30 pm Next steps and closing

Appendix II
List of Participants

Representatives / Représentant-e-s

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International Law and Director of the
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London School of Economics (Advisor to
the Drafting Drafting
Committee)/(Conseillère du comité de
redaction)

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professionnelle entre les femmes et les
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Alexandra TIMMER
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ORGANS AND DRAFTING COMMITTEES OF
THE COUNCIL OF EUROPE / ORGANES ET
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Anne NEGRE
Gender Equality Expert / Expert
spécialiste de l'égalité de genre

Youth / Jeunesse
Alice BARBIERI
Gender Equality Rapporteur, Council of
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Member of the Group of Experts on
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