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EUROPEAN COMMITTEE ON CRIME PROBLEMS (CDPC)

GENDER EQUALITY RAPPORTEUR'S INITIATIVES

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Contents

I. Introduction	3
II. The role of CDPC Gender Equality Rapporteur	3
III. Gender Equality Rapporteur’s initiatives	4
IV. Conclusion.....	6

I. Introduction

The European Committee on Crime Problems (CDPC) is entrusted with the responsibility for overseeing and co-ordinating the Council of Europe's activities in the field of crime prevention and crime control¹. Its role in the drafting of legal instruments (conventions, recommendations and reports) in the field of criminal law and the quality of these instruments should be stressed.

However, more emphasis should be given by the CDPC to gender equality standards not only in its policies and multiple activities but also in its internal rules.

The Council of Europe Gender Equality Strategy 2014-2017² aims to consolidate the leading role of the Council of Europe in the field of women's rights and gender equality. This strategy establishes five priority areas³ necessary to achieve gender equality in Council of Europe member States and Council of Europe Committees while supporting the implementation of existing standards.

This document aims at identifying some lines of work to be considered by the CDPC in its future work as regards gender equality. The members of the CDPC are invited to examine this paper and decide on what follow-up should be given by the Committee.

II. The role of CDPC Gender Equality Rapporteur

During the 70th plenary session of the CDPC, Ms Irene Fuentetaja Cobas (Spain) was appointed as CDPC Gender Equality Rapporteur (hereafter, GER) by CDPC representatives⁴. Her mandate is from 2016 to 2018.

According to the Council of Europe Strategy on Gender Equality, GERs should ensure that a gender perspective is properly integrated during the programming process of their respective committees, which can foster gender equality in member States by ensuring that their activities incorporate a gender perspective⁵.

Following the CDPC's Terms of Reference, Ms Fuentetaja Cobas would like to propose that the CDPC concentrate on objectives 1 and 2 of the Strategy on Gender Equality as follows:

¹ European Committee on Crime Problems Terms of Reference valid from: 1 January 2016 until 31 December 2017

² Council of Europe Gender Equality Strategy 2014-2017. Available at:

<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680590174>

³ Combating gender stereotypes and sexism; preventing and combating violence against women; guaranteeing equal access of women to Justice; achieving balanced participation of women and men in political and public decision-making; achieving gender mainstreaming in all policies and measures.

⁴ European Committee on Crime Problems (CDPC), List of Decisions, CDPC (2016) 8. Available at:

[http://www.coe.int/t/dghl/standardsetting/cdpc/CDPC%20documents/CDPC%20\(2016\)%208%20-%20e%20-%20List%20of%20Decisions%20CDPC%20June%202016.pdf](http://www.coe.int/t/dghl/standardsetting/cdpc/CDPC%20documents/CDPC%20(2016)%208%20-%20e%20-%20List%20of%20Decisions%20CDPC%20June%202016.pdf)

⁵ Council of Europe Gender Equality Strategy 2014-2017, page 16

- Strategic Objective 1: “Combating gender stereotypes and sexism”
- Strategic Objective 2: “Preventing and combating violence against women”

Moreover, with the view of maximizing the effectiveness of CDPC decisions and actions on gender equality, two more initiatives focused on organic issues will be proposed.

III. Gender Equality Rapporteur’s initiatives

a) Legal study initiatives:

1. Examining member States’ gender approach to legislation regarding hate crimes

This initiative is covered both by objectives 1 and 2. Regarding the fight against gender stereotypes and sexism, the Strategy makes special reference to “sexism as a form of hate speech”⁶. In respect of the “prevention and combat violence against women”, the consequences and implications of hate crimes are clear. They can be defined as any crime that is targeted at a person because of hostility or prejudice towards that person’s: race or ethnicity, disability, religion or belief, gender or sexual orientation. In the field of gender violence, the crime is motivated by bias or prejudice against a person or people perceived to be a woman.

Following the Strategy on Gender Equality, a legislative approach in the form of a study is proposed because legislative advances are essential to move from legal to real equality, as they are the first step when implementing policies that put gender equality into practice.

With a view to implementing this study, a first phase before drafting it could consist of sending a questionnaire to all CDPC representatives (member and observer States) regarding their legislation on gender-motivated hate crimes. Once the results of this questionnaire are analysed, further initiatives regarding other vulnerable groups could be considered.

2. Including a gender perspective in the CDPC’s work regarding cyberbullying and victims of crime

During its meeting in Warsaw last October⁷, the CDPC Bureau decided to include both cyberbullying and the role of victims within the criminal justice system in the future work programme of the CDPC. Concrete initiatives in this regard will be proposed by the CDPC. However, gender perspective should be considered in this future work.

⁶ Council of Europe Gender Equality Strategy 2014-2017, page 10.

⁷ Warsaw, 10 - 11 October 2016, List of decisions, CDPC-BU (2016) 7

b) Internal initiatives:

3. Meeting with the Gender Equality Unit

As mentioned before, one of the GER's roles is to contribute to gender equality in member States by guaranteeing that their activities integrate a gender perspective. In order to obtain more specific information about how to achieve this objective, it is proposed to organise an internal meeting bringing together the Secretariat of both the Gender Equality Unit, the Gender Equality Commission of the Council of Europe and the CDPC Secretariat. It is important to take advantage of the experience of the Gender Equality Unit which strives to increase the impact and visibility of gender equality standards and to support their implementation in member States and the Council of Europe.

As a second step, CDPC members could also be informed of the Council of Europe's Gender Equality achievements/experience and the best ways to achieve the priorities, objectives and actions developed by the Council of Europe through an intervention of a representative of the Gender Equality Commission of the Council of Europe during a CDPC Plenary meeting. This could take place during the 72nd plenary session of the CDPC.

4. Suspension of mandate for justified reasons

In order to comply satisfactorily with their mandate, GERs should be able to monitor and follow the progress made by their Committees regarding the implementation of the Strategy on Gender Equality and the initiatives proposed.

In case of duly justified reason (such as a maternity leave), consideration should be given to the possibility of suspending the mandate of the CDPC GER during this period. Moreover, this suspension should also be applicable to any member of the CDPC elected to perform any special duty (Bureau member, etc.). An internal rule explaining this situation could also be drafted.

5. Appointment of a second GER within the CDPC

Following the suspension of the GER mandate for justified reasons, and with a view to continuing the monitoring and follow-up of the progress made by the CDPC in the gender equality field, the appointment of a second GER within the CDPC is necessary with a view to carrying out the tasks assigned to the GER during this suspended mandate.

IV. Conclusion

This document details a set of lines where the CDPC is invited to consider in its future work as regards gender equality. However, the opportunity for the CDPC to consider other future initiatives remains open.