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**COMMITTEE OF LEGAL ADVISERS  
ON PUBLIC INTERNATIONAL LAW (CAHDI)**

**3RD EUROPEAN MINISTERIAL CONFERENCE  
ON EQUALITY BETWEEN WOMEN AND MEN**  
(Rome, 21-22 October 1993)

**Report by the Secretary General  
prepared by the  
Directorate of Human Rights**

**INTRODUCTION**

1. The 3rd European Ministerial Conference on Equality between Women and Men was held in Rome on 21 and 22 October 1993 at the invitation of the Italian Government. All the member States of the Council of Europe attended with the exception of Estonia. The following States attended as observers: Albania, Belarus, Canada, Croatia, Holy See, Russian Federation and Ukraine.

2. The Conference was also attended by delegations from the Council of Europe's Parliamentary Assembly and Standing Conference of Local and Regional Authorities of Europe (CLRAE), the Chairpersons of the Steering Committee for Human Rights (CDDH), the Steering Committee on the Mass Media (CDMM), the Council for Cultural Co-operation (CDCC), the Steering Committee on Social Policy (CDPS) and the European Committee on Crime Problems (CDPC), and there was a delegation from the European Community. In addition, representatives from the following organisations attended in an observer capacity: UN, UNESCO, the Nordic Council of Ministers and the European Trade Union Conference (ETUC).

3. The list of the Heads of Delegation at the Conference can be found in Appendix I.

4. The general theme and sub-themes of the Conference were:

Theme: Strategies for the elimination of violence against women in society: the media and other means

Sub-theme I: The causes of violence against women: the role of the media

Sub-theme II: Legal and administrative measures to counter violence against women

5. The Italian government submitted a general introductory report to the Conference. Reports on sub-themes 1 and 2 were submitted by the Greek and Austrian governments respectively. A number of written contributions on the sub-themes were also submitted by the various delegations (sub-theme 1: Netherlands, Switzerland, Turkey and the CDMM; sub-theme 2: Finland, France, Portugal, United Kingdom). Germany and Norway provided a written contribution on the general theme.

6. The documents of the Conference are available from the Secretariat. The Conference agenda appears in Appendix II.

7. The Conference was opened by the Deputy Secretary General of the Council of Europe, Mr Peter LEUPRECHT, in the presence of Ms Fernanda CONTRI, the Minister of Social Affairs of Italy.

8. Ms Tina ANSELMi, President of the Italian National Commission for Equality between Women and Men, introduced the general theme at the same session. The reports on sub-themes 1 and 2 were presented by Mr Vassilios KARATONIS, first Secretary at the Greek Embassy in Rome, and Ms Brigitte BRENNER, Co-ordinator for International women's affairs of the Austrian Minister for Women's Affairs.

9. The Conference was chaired by the Minister of Social Affairs of Italy, Mrs Fernanda CONTRI. Ms Türkan AKYOL, State Minister for Women's Affairs of Turkey, Mrs Elisabeth REHN, Minister of Defence and Minister responsible for Equality Affairs of Finland and Professor Giovanni CONSO, the Minister of Justice of Italy, also took the Chair during the sessions.

10. An informal meeting of the Heads of Delegation of the Council of Europe member States was held at the end of the debates on 21 October to discuss the 4th UN World Conference on Women to be held in Beijing from 4 to 15 September 1995, and in particular the contribution the Council of Europe might make (see point 33 below).

11. At the close of the debates, the Conference adopted the following texts regarding the Conference's themes:

- Declaration on policies for combating violence against women in a democratic Europe
- Resolution on rape and the sexual abuse of women
- Statement on violations of women's rights on territories of former Yugoslavia, (following the proposal of Italy and Austria)
- Statement on the 4th World Conference on Women (Beijing, 4-15 September 1995)(on the proposal of Portugal, supported by Finland)
- Resolution expressing appreciation to the host authorities (see Appendix III for texts adopted).

12. At the end of the Conference, the Ministers agreed to hold their 4th Conference in Turkey in 1996 or 1997, at the invitation of the Turkish Government.

13. Professor Giovanni CONSO, Minister of Justice of Italy, chaired the closing session of the Conference in the presence of Ms Catherine LALUMIÈRE, Secretary General of the Council of Europe, who made a closing address.

14. On the eve of the Conference (20 October), the Italian authorities organised a round table: "A women's Round Table: new strategies for information," with representatives of the media and those delegations which were already in Rome.

## **SUMMARY OF DEBATES**

### **I. General debate**

15. The general debate of the Conference focused on the fact that violence towards women was a universal problem as well as a complex social and cultural issue, the scope and causes of which are still far from being known. On the whole, speeches emphasised the need to condemn this violence categorically. The point of departure for a comprehensive and serious examination of the issue was a thorough assessment of the underlying causes and repercussions. It was stressed that violence against women, both in the home and in society, should be viewed as a problem for the State and for society in that it is a political issue that falls to governments and public services.

16. The opinion expressed in the course of this debate was that violence against women is one of the most serious consequences of the unequal balance of power between women and men. It was also noted that this violence, which takes various forms (ill-treatment, genital and sexual mutilation, incest, sexual harassment, sexual violence, trafficking in women and rape), is on the rise. Some delegations suggested that the reason for this was men's desire to maintain the previous balance of power, and others, particularly delegations from Central and East Europe, underscored the worsening socio-economic conditions as a major factor in the increase of violence.

17. Following a joint proposal from Austria and Italy, the Conference adopted a statement on the violations of women's rights on territories of former Yugoslavia where rape is used in a systematic fashion as a strategy of warfare and ethnic cleansing. In this statement the Conference strenuously condemned these violations of the rights of the woman as one of the most base crimes against humanity and a violation of human rights (see Appendix III).

18. In their speeches the Delegations provided information on the various steps taken in their respective countries, including information and awareness-raising campaigns launched at national level to combat violence against women. A number of these initiatives centre on moves to combat violence within the family. These measures will be detailed later in the report.

19. On the whole, speeches underscored the vital role of international organisations, in particular the Council of Europe, in ensuring that violence against women is recognised as a violation of basic human rights - violation of the right to physical integrity, human dignity, even the right to life and self-determination of women. It was also emphasised that the States have responsibility with regard to acts of violence even private acts of violence if the State does not take action to prevent the violation of rights by means of efficient and swift measures. Furthermore, the role played by the Council of Europe and international organisations and especially non-governmental organisations in unmasking the phenomenon of violence against women was mentioned on several occasions. The Conference was pleased that action by European and international organisations had turned violence against women from a problem of a private nature into an issue where assistance may be given and solutions found, although many victims still do not dare report offences, particularly in cases of family violence. Particular reference was made by some delegations to the situation of migrant women, who, because of their linguistic isolation in the host country, are more vulnerable and at a disadvantage when it comes to exposing their aggressors.

20. Proposals for activities the Council of Europe might undertake to continue the fight against violence against women are set out in the Plan of Action appended to the Declaration on policies for combating violence against women (Appendix III) as well as in later chapters of this report. One idea mooted was that the Council of Europe might set up, within the Organisation, a multidisciplinary group to combat violence, composed of lawyers, police representatives, magistrates, social workers, sociologists and teachers, along the lines of the Pompidou Group which was already operating as part of the Council of Europe.

21. Delegations from the countries of Central and East Europe stressed that the transition to a market economy in their countries brought in its wake a rapid rise in unemployment which affected far more women than men. This undermined women's economic security and increased their vulnerability. The return to an earlier mentality is becoming evident and the idea that equality is not the first priority but is in fact a luxury is making headway. The Delegations' speeches also touched on how difficult it was in the transition period to achieve the right balance between freedom of expression for the media and respect for the dignity of women, whose stereotyped image is now being exploited for commercial gain far more than in the past. These problems are being compounded by the fact that, for the time being, women appear to be far removed from power structures and positions of responsibility. Lastly, economic difficulties have prevented the establishment of adequate structures to assist victims of violence.

## **II. Sub-theme 1: The causes of violence against women: the role of the media**

22. There are two basic observations, already briefly mentioned here, which underlie discussions on this theme: namely the contradiction between freedom of expression and information, which the media must be allowed to enjoy, and the fact that certain programmes notably those for entertainment as well as publicity can contribute to perpetuating stereotyped images of women. In this case, it was emphasised that although there are some productions of the media in circulation (for example programmes with a brutal, violent or pornographic content) which could make acts of violence towards women more likely, the media's indirect contribution to this phenomenon has in no way been accurately and clearly stated.

23. Nevertheless, it was conceded that the media did have an enormous influence on shaping opinion and behaviour. The large sums spent on television advertising suggest that television in particular has a considerable bearing on behaviour including a positive or negative influence on relations between the two sexes. There is no escaping the conclusion that the image of women as portrayed in many television programmes and in particular in advertising is particularly one of a submissive person with little control over her own life. The discussions on this subject prompted the following question: do the media not simply reflect and underpin sexist discrimination and prejudices which are already deeply entrenched in society or are they in fact partly responsible for forming and perpetuating these prejudices? The cause-effect relationship has not yet been adequately proven and this subject would deserve detailed research by the Council of Europe.

24. It emerged from the debates that, in principle, legislation on broadcasting in most countries contains clauses stipulating that programmes may not offend common decency or incite viewers to crime, along with clauses stipulating that programmes must avoid stereotypes. Nevertheless, participants were forced to admit that television often skirt around these regulations, often for reasons of competition. Whilst the Delegations were not able to envisage the introduction of statutory obligations (broadcasters' specifications) to restrict freedom of the media, they stressed that it would be worthwhile encouraging media professionals to behave in a more responsible manner. Whilst media freedom is a basic principle, it should not be exercised to the detriment of human dignity nor in such a way as to convey a degrading or humiliating image of human beings. It was therefore suggested that

the Council of Europe look into the possibility of encouraging media professionals to draw up codes of conduct designed to promote a more independent and positive image of women in the media and to avoid stereotyping in programmes.

25. The other possibility raised as an active means of transforming the image of women in the media was to take steps to help women accede to posts of responsibility where decisions are taken, particularly in the programming sector.

26. Some contributions outlined the possibility of using the media as a tool to protect the dignity and integrity of the human being, in the person of women. They described campaigns to combat violence against women using special programmes or adverts to encourage women who are victims of violence to speak out and to inform them of the possibilities of refuges. Most campaigns are targeted at the women themselves but an interesting example was given of a campaign aimed at adolescent and young men using family situations, particularly those where the aggressor knows the victim. This campaign took the form of video clips, posters etc. Such campaigns would be used for encouragement because they involve men directly and allow to widen the context of a discussion too often exclusively reserved to women.

27. It emerged during discussions on this theme that the issue of the role and responsibility of the media with regard to promoting equality between men and women has not yet been studied closely enough and that this should be done within the Council of Europe. It was stressed that the Council might have an important part to play in drawing up recommendations on this subject, notably as part of the CDMM's work regarding the field of public service and educational broadcasting.

### **III. Sub-theme 2: Legal and administrative measures to counter violence against women**

28. Over and above the issues already touched on in preceding chapters of this report, discussion on this sub-theme made it possible to look at practical steps from a legal and administrative point of view. It emerged that legal and administrative steps had already been taken in several countries - often very recently - or were currently under way to combat, condemn and punish violence against women. However, whilst it was generally accepted that rape is a crime, the sanctions for this or other sexual crimes vary greatly between one country and the next. It has proved more difficult to have sexual harassment or rape within marriage recognised as crimes, although progress either had or was being made in this field. The need for a common European strategy to deal effectively with this problem from a legal point of view was stressed repeatedly and was enshrined by the Ministers in their Declaration on policies for combating violence against women in a democratic Europe, as it appears in Appendix III. Among the recommendations made to the Committee of Ministers of the Council of Europe, it is worth highlighting the drawing up and implementation of a concerted plan of action to combat violence against women, including the elaboration of appropriate legal instruments.

29. It was observed that moves to combat violence against women could only succeed if undertaken as part of a general policy of equality between women and men. Thus many of the participants highlighted the importance of the Council's work in drawing up a possible additional protocol to the European Convention on Human Rights, enshrining the fundamental right of women and men to equality. Similarly as part of a general equality policy a number of delegations suggested that the Council of Europe also consider the possibility of devising a legal instrument to enshrine the right of women to the free choice of maternity and free access to family planning services and contraception, as well as provision for sex education programmes in school curricula and adult education programmes. In this respect the delegations evoked the right to self determination in private life and the fact that the woman who is forced to procreate against her will suffers violence and a violation of her rights. It was recalled that this type of violence is actually being carried out in a barbaric fashion on territories of former Yugoslavia.

30. Various contributions highlighted the importance of complementary measures, particularly with regard to sheltering victims of violence. Steps should not only centre on setting up refuges for women who are victims of violence, but should also look into training police officers, doctors, social workers and socio-educational workers called on to deal with and care for the victims. Generally speaking, measures designed to make it easier for victims of violence to exercise their rights and report offences should be established and both legal assistance - including financial aid if possible - as well as psychological support should be provided. It would appear that in order to do so, co-ordination between the legal profession, the police and social and health services is essential. It was deemed desirable that there be an appropriate number of women on judicial bodies, both national and international, called upon to give a verdict in cases of rape and sexual aggression.

31. With regard to raising awareness of the need to combat the phenomenon of violence, various interesting contributions were made in the course of the Conference. Examples were given of awareness-raising and education campaigns involving associations which work to promote equality, primarily targeted at young people. The role of men in such campaigns would seem to be extremely important. There is clearly still much to be done in this sphere and the Council of Europe could have an important further role to play, inter alia in the framework of its work on education in human rights.

32. It was stressed that moves to prevent violence should take the form of education programmes targeted at the perpetrators of sexual attacks or therapeutic measures to accompany sanctions. Campaigns targeting men, such as those mentioned in paragraph 26, aroused lively interest.

#### **IV. Informal meeting of the Heads of Delegation of Council of Europe member States**

33. At the request of a number of Delegations, the Heads of Delegations of member States met following the closing session on 21 October for an exchange of views in preparation for the 4th UN World Conference on Women to be held in Beijing from 4 to 15 September 1994. Ms MONGELLA, Secretary General of the 4th World Conference on Women, participated in the discussion. The Heads of Delegation insisted on the fact that the Council of Europe prepare a substantial contribution to the 4th World Conference, which would take account of the Council of Europe's specific perspective whereby equality between women and men is regarded as an integral component of human rights and a condition for democracy. Following the meeting, the Conference adopted a declaration on this subject in which it invited the Committee of Ministers of the Council of Europe to convene a conference in anticipation of the 4th World Conference, focusing on the human rights dimension of equality as well as the issue of "equality and democracy", which is also particularly relevant in the European countries involved in building political and economic democracy (see Appendix III).



**APPENDIX I**

**LIST OF MINISTERS AND HEADS OF DELEGATION**

**AUSTRIA / AUSTRICHE**

Mme Johanna DOHNAL, Federal Minister for Women's Affairs, Federal Chancellery, Vienna

**BELGIUM / BELGIQUE**

Mme Anne-Marie SERVAIS, Collaboratrice au Cabinet du Ministre de l'Emploi, du travail, chargée de la politique de l'égalité des chances entre les hommes et les femmes, Bruxelles

**BULGARIA / BULGARIE**

M. Valentin GATSINSKI, Premier Vice-Ministre des Affaires étrangères, Sofia

**CYPRUS / CHYPRE**

Mr Petros MICHAELIDES, Ambassador of the Republic of Cyprus in Italy, Rome

**CZECH REPUBLIC / REPUBLIQUE CZECH**

Mr Pavel KOPP, Chargé d'affaires à l'Ambassade de la République Tchèque, Rome

**DENMARK / DANEMARK**

Ms Jytte ANDERSEN, Minister of Labour, Ministry of Labour, Copenhagen

**FINLAND / FINLANDE**

Ms Elisabeth REHN, Minister of Defence and Minister responsible for Equality Affairs, Helsinki

**FRANCE**

Mme Alix de LA BRETESCHE, Conseillère technique auprès de Mme Veil, Ministre d'Etat, Ministère des affaires sociales, de la santé et de la ville, Paris

Mr FRAGONARD, Chargé de mission auprès de Mme Veil, Ministre d'Etat, Ministère des affaires sociales, de la santé et de la ville, Paris (participated 22 October)

**GERMANY / ALLEMAGNE**

Ms Cornelia YZER, Parliamentary State Secretary, Bundesministerium für Frauen und Jugend, Bonn

**GREECE / GRECE**

Mr Vassilios KARANTONIS, Premier Conseiller, Ambassade de la Grèce, Rome

**HUNGARY / HONGRIE**

Ms Edit PAPACSY-FLUCK, Secretary of State, Ministry of Justice, Budapest

**ICELAND / ISLANDE**

Ms Lara V. JULIUSDOTTIR, Chairwoman of the Equal Status Council, Skrifstofa Althydusambands Islands, Reykjavik

**IRELAND / IRLANDE**

Mr Mervyn TAYLOR T.D., Minister for equality and law reform, Davitt House, Dublin

**ITALY / ITALIE**

Mrs Fernanda CONTRI, Ministre des affaires sociales, Rome

Mr Giovanni CONSO, Ministre de la Justice, Rome

**LIECHTENSTEIN**

M. Günther HOLZKNECHT, Service juridique, Vaduz

**LITHUANIA / LITHUANIE**

Mr Jonas PRAPIESTIS, Minister of Justice, Ministry of Justice, Vilnius

**LUXEMBOURG**

M. Fernand BODEN, Ministre de la famille et de la solidarité, Luxembourg

**MALTA / MALTE**

Mr Louis GALEA, Minister for Home Affairs and Social Development

**NETHERLANDS / PAYS BAS**

Mr Jacques WALLAGE, Secretary of State for Social Affairs and Employment, The Hague

**NORWAY / NORVEGE**

Mr Stig FOSSUM, State Secretary, The Royal Ministry of Children and Family Affairs, Oslo

**POLAND / POLOGNE**

Mr Boleslaw MICHALEK, Ambassador of the Republic of Poland in Italy, Roma

**PORTUGAL**

Mme Eduarda AZEVEDO, Secrétaire d'Etat à la Justice, Ministère de la Justice, Lisbonne

**ROMANIA / ROUMANIE**

M. Mircea Dan POPESCU, Ministre d'Etat, Ministre du travail et de la protection sociale, Bucarest

**SAN MARINO / SAINT MARIN**

Ms M. A. BONELLI, Head of Foreign Department, Ministry of Foreign Affairs, San Marino

**SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUE**

Ms Katarina TOTHOVA, Minister of Justice, Bratislava

**SLOVENIA / SLOVENIE**

Ms Vera KOZMIK, Director of the Office for women's politics of the Government of the Republic of Slovenia, Ljubljana

**SPAIN / ESPAGNE**

Mme Marina SUBIRATS MARTON, Directrice générale de l'Institut de la femme, Ministère des affaires sociales, Madrid

**SWEDEN / SUEDE**

Ms Gun HELLSVIK, Minister of Justice, The Swedish Government, Ministry of Justice, Stockholm

**SWITZERLAND / SUISSE**

Mme Ruth DREIFUSS, Ministre, Chef du Département fédéral de l'Intérieur, Berne

**TURKEY / TURQUIE**

Ms Türkan AKYOL, State Minister for Women's Affairs, Ankara

**UNITED KINGDOM / ROYAUME UNI**

Mr David MACLEAN, Home Office Minister with responsibility for criminal policy and criminal justice, London

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**PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE/ ASSEMBLEE  
PARLEMENTAIRE DU CONSEIL DE L'EUROPE**

Ms Tarja HALONEN, Member of Parliament, Finland

STANDING CONFERENCE ON LOCAL AND REGIONAL AUTHORITIES OF EUROPE (CLRAE)/ CONFERENCE PERMANENTE DES POUVOIRS LOCAUX ET REGIONAUX DE L'EUROPE (CPLRE)

Mrs Doreen FLEMING, Vice-Chairwoman of the Committee on Social Affairs and Health, London

STEERING COMMITTEE FOR HUMAN RIGHTS/COMITE DIRECTEUR POUR LES DROITS DE L'HOMME (CDDH)

Mme Andrée CLEMANG, membre du CDDH, Luxembourg

STEERING COMMITTEE ON THE MASS MEDIA / COMITE DIRECTEUR SUR LES MOYENS DE COMMUNICATION DE MASSE (CDMM)

Mr Jukka LIEDES, Chairman of the CDMM, Helsinki

COUNCIL FOR CULTURAL COOPERATION /CONSEIL POUR LA COOPERATION CULTURELLE (CDCC)

Ms Tanja OREL-STURM, Vice-Chairwoman of the CDCC, Ljubljana

STEERING COMMITTEE ON SOCIAL POLICY / COMITE DIRECTEUR POUR LA POLITIQUE SOCIALE (CDPS)

Mr Ole JORGENSEN, Chairman of the CDPS, Copenhagen

EUROPEAN COMMITTEE ON CRIME PROBLEMS / COMITE DIRECTEUR POUR LES PROBLEMES CRIMINELS (CDPC)

Mr Julian J.E. SCHUTTE, Chairman of the European Committee on Crime Problems (CDPC), The Hague

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COMMISSION OF THE EUROPEAN COMMUNITIES/ COMMISSION DES COMMUNAUTES EUROPEENNES

Ms Nathalie DAVIES, Commission of the European Communities, Brussels

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**OBSERVERS / OBSERVATEURS**

**ALBANIA / ALBANIE**

M. Dashamir SHEHI, Ministre du travail, de l'émigration et de la sécurité sociale, Tirana

**BELARUS**

Ms Valentina PODGROUCHA, Deputy Minister of Justice, Ministry of Justice of the Republic of Belarus, Minsk

**CANADA**

Monsieur De Montigny MARCHAND, Ambassadeur du Canada en Italie, Rome

**CROATIA / CROATIE**

Mr Ivan PARAC, Government of the Republic of Croatia, Ministry of Labour and Social Welfare, Zagreb

**HOLY SEE / SAINT-SIEGE**

S.E. Monseigneur Jorge MEJIA, Vice-Président du Conseil pontifical "Justice et paix", Cité du Vatican

**FEDERATION OF RUSSIA / FEDERATION DE RUSSIE**

Mrs Ludmila F. BEZLEPKINA, Deputy Minister of Social Protection of the Russian Federation Population, Moscow

**UKRAINE**

Mr Anatoli OREL, Ambassadeur de l'Ukraine en Italie, Rome

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**UNITED NATIONS ORGANISATION (UNO) / ORGANISATION DES NATIONS UNIES (ONU)**

Ms Gertrude MONGELLA, Secretary General of the Fourth World Conference on Women, United Nations, Division for the Advancement of Women, New York

**UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANISATION (UNESCO)/ ORGANISATION DES NATIONS UNIES POUR L'EDUCATION, LA SCIENCE ET LA CULTURE**

Mme Wassyla TAMZALI, Chef de l'Unité de coordination des activités relatives aux femmes, UNESCO, Paris

**NORDIC COUNCIL OF MINISTERS / CONSEIL NORDIQUE DES MINISTRES**

Ms Christina ÖSTERBERG, Adviser on equality affairs, Nordic Council of Ministers, Kobenhavn

**MANAGEMENT AND LABOUR / PARTENAIRES SOCIAUX**

**EUROPEAN TRADE UNION CONFEDERATION (ETUC)/ CONFEDERATION EUROPEENNE  
DES SYNDICATS (CES)**

Mme Franca DONAGGIO, Président du Comité des Femmes

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**EXCUSE / APOLOGISED FOR ABSENCE**

ESTONIA / ESTONIE

LATVIA / LETTONIE

MOLDOVA

INTERNATIONAL LABOUR ORGANISATION (ILO) / BUREAU INTERNATIONAL DU TRAVAIL  
(BIT)

ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT (OECD) /  
ORGANISATION DE COOPERATION ET DE DEVELOPPEMENT ECONOMIQUES (OCDE)

UNION OF INDUSTRIAL AND EMPLOYERS' CONFEDERATIONS OF EUROPE / UNION DES  
CONFEDERATIONS DE L'INDUSTRIE ET DES EMPLOYEURS D'EUROPE (UNICE)

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**COUNCIL OF EUROPE / CONSEIL DE L'EUROPE**

Mme Catherine LALUMIERE, Secrétaire Général du Conseil de l'Europe

M. Peter LEUPRECHT, Secrétaire Général Adjoint du Conseil de l'Europe

Mme Jane DINSDALE, Chef de la Division II, Direction des Droits de l'Homme

Mme Olöf OLAFSDOTTIR, Administratrice principale

Mme Karen van EBBENHORST-TENGBERGEN, Administratrice

Mme Diane MURRAY, Assistante administratrice principale

APPENDIX II

AGENDA OF THE CONFERENCE

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1. Opening of the Conference by Mr Peter LEUPRECHT,  
Deputy Secretary General of the Council of Europe
2. Address by Ms Fernanda CONTRI, Minister for Social Affairs of Italy
3. Election of the Chairperson
4. Election of two Vice-Chairpersons
5. Adoption of the Agenda
6. Presentation and discussion of the theme and sub-themes of the Conference

GENERAL THEME: STRATEGIES FOR THE ELIMINATION OF  
VIOLENCE AGAINST WOMEN IN SOCIETY: THE  
MEDIA AND OTHER MEANS

Introduction: Italian Delegation

SUB-THEME I: THE CAUSES OF VIOLENCE AGAINST WOMEN: THE  
ROLE OF THE MEDIA

Introduction: Greek Delegation

SUB-THEME II: LEGAL AND ADMINISTRATIVE MEASURES TO  
COUNTER VIOLENCE AGAINST WOMEN

Introduction: Austrian Delegation

7. Other business
8. Adoption of the Draft Declaration and Draft Resolutions
9. Closing of the Conference

APPENDIX III

Texts adopted by the Conference

**DECLARATION ON POLICIES FOR COMBATING VIOLENCE  
AGAINST WOMEN IN A DEMOCRATIC EUROPE**

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1. The Ministers of the States participating in the 3rd European Ministerial Conference on equality between women and men (Rome, 21-22 October 1993);
2. **Recalling** that the principles of pluralist democracy, the rule of law and respect for human rights - which are the guiding principles of the Council of Europe - constitute the basis for their co-operation;
3. **Recalling** the commitments entered into by the member States of the Council of Europe under the European Convention on Human Rights and in the Declaration on equality of women and men of 16 November 1988;
4. **Affirming** that the effective enjoyment of fundamental rights and freedoms by women on an equal footing with men is an essential principle of democratic societies;
5. **Taking into consideration** physical, sexual and psychological violence carried out by men against girls or women, in the family, at the place of work, or in society, inter alia, battering, genital and sexual mutilation, incest, sexual harassment, sexual abuse, traffic in women and rape;
6. **Affirming** that such violence against women constitutes an infringement of the right to life, security, liberty, dignity, and integrity of the victim and, consequently, a hindrance to the functioning of a democratic society, based on the rule of law;
7. **Denouncing** the practice of rape during armed conflicts, in particular when rape is used as a strategy of warfare, as a particularly serious violation of human rights and a grave breach of international humanitarian law;
8. **Recalling** in this context the United Nations Programme for the prevention of crime and penal justice, the Nairobi forward-looking strategies for the advancement of women and the United Nations' Draft Declaration on the Elimination of Violence against Women;



9. **Recalling** also the Document of the Moscow meeting of the Conference on the human dimension of the CSCE (1991); the Final Solemn Declaration of the first Ministerial Conference on physical and sexual violence towards women (Brussels, March 1991); the Resolutions of the European Parliament on violence towards women (1986) and of the Council of the European Communities concerning the protection of the dignity of women and men at work (1990); the Recommendation and code of practice of the Commission of the European Communities on the protection of the dignity of women and men at work (1991); as well as the Recommendations of the Council of Europe on violence in the family (1985 and 1990) and on the principles relating to the distribution of videocassettes with a violent, brutal and pornographic content (1989);
10. **Noting** with grave concern that violence towards women is a universal phenomenon which is present in all social strata and societies, independent of their level of development, political stability, culture or religion, the scale of which is only now becoming visible;
11. **Noting**, in this context, the emergence of European networks for traffic in women;
12. **Stressing** that such violence, because of its impact not only on the victims, but also on society as a whole, constitutes a major political issue for European countries;
13. **Emphasising** that violence against women, including the refusal of the right to free choice of motherhood, can be seen as a means of controlling women, originating from the unequal power relationship still prevailing between men and women, and is therefore an obstacle to the achievement of genuine equality between women and men;
14. **Considering** in this respect that any policy to combat violence against women must therefore constitute an essential element of policies on equality and education in human rights, focusing on attitudes, behaviour and personal responsibility;
15. **Highlighting** the responsibility of the media in contemporary society vis-a-vis violence directed towards women, as vectors and creators of social concepts, and **stressing** the necessary balance which should prevail in a democratic society between freedom of expression and respect for fundamental human rights;
16. **Stressing** in particular the responsibility of the media with regard to the production, reproduction and distribution of violent, brutal or pornographic products;
17. **Underlining** in this context the positive function the media can assume in refraining from exploitative and sensational media coverage, in bringing to light the problem of violence and the use of rape against women in day to day life or in situations of conflict or tension;
18. **Noting** that the responsibility of States is engaged with regard to acts of violence carried out by public officials and that it may also be engaged with regard to private acts of violence if the State does not take action with sufficient swiftness to prevent the violation of rights or investigate acts of violence, to sanction them and provide support for the victims;

19. **Recognising** the important role to be played by the women's movement, NGOs and Governments in placing the problem of violence against women on the political agenda;
20. **Affirming** that the implementation of a comprehensive concerted Plan of Action and the intensification of international co-operation to combat violence against women are a necessary task of the Council of Europe, in order to assume fully its specific mission regarding the protection and promotion of human rights;
21. **Solemnly CONDEMN** violence against women, which constitutes a violation of human rights and fundamental freedoms;
22. **DECIDE TO COMBAT** violence against women - wherever it occurs, in the family, at the place of work, or in society, and irrespective of whether or not it is perpetrated or tolerated by public officials - by the urgent implementation of a concerted Plan of Action using political, judicial, administrative, educational, cultural and other means;
23. **AGREE** that the strategies to be used in this Plan of Action must be developed in close synergy with policies aimed at establishing genuine equality between women and men;
24. **AGREE** furthermore that this Plan of Action shall include a range of concerted measures concerning research, prevention, education, protection against institutionalised or domestic violence, assistance and support for victims, repressive measures, the instigation of criminal proceedings, as well as the criminalisation of acts of violence committed within marriage, an indicative list of which is appended to this Declaration;
25. **DECIDE**, in implementing this Plan, to accord particular attention to those women who are defenceless in the face of violence;
26. **AFFIRM** the importance of international co-operation, particularly in the compilation of statistics, the exchange of data and the comparison of experiences;
27. **DECIDE** to intensify their co-operation within the Council of Europe and in other international fora;
28. **RECOMMEND** the Committee of Ministers of the Council of Europe to take all necessary measures for the achievement of the objectives set out in this Declaration, in particular:
  - a) the elaboration of a possible Protocol to the European Convention on Human Rights embodying the fundamental right of women and men to equality;
  - b) the elaboration and implementation of a concerted Plan of Action to combat violence against women, including the elaboration of appropriate legal instruments;

- c) **the encouragement of the member States to take the necessary steps fully to implement the human rights as set forth in the relevant international instruments, so that all forms of violence against women are condemned and sanctioned;**
- d) **to support the action of non-governmental organisations working towards the same goals;**
- e) **the promotion of self-regulation within the media;**
- f) **the reinforcement of the equality policy-making in the framework of the Council of Europe.**

Appendix

**Elements for intervention strategies  
to be included in a Plan of Action to  
combat violence against women**

I. RESEARCH AND EVALUATION

- a) Encouragement and support for **research into the phenomenon** (particularly the compilation of reliable and up-to-date statistics and data on the scale of the phenomenon, the nature, forms, seriousness and consequences of violence against women, the perpetrators and the phenomenon itself);
- b) **Appraisal**, at a national and European level (multilateral evaluation survey) of the legislation in force, programmes carried out, and measures taken to eliminate violence against women;
- c) Action to **promote dialogue** between the researchers and organisations concerned in the various countries and to facilitate the dissemination of the results of the research.

II. LEGISLATIVE, JUDICIAL AND POLICE ASPECTS

- a) Criminal, public and private law **sanctions** for the various forms of violence against women considered as offences. Violence against women within the family (including rape within marriage) must be dealt with as severely as violence outside the family;
- b) Recognition in national legislation of the **psychological and social needs of the victim**, and the study of the **most effective measures of repression and redress**, in particular alternatives to prosecution and imprisonment for the authors of violence;
- c) **Continual up-dating of national legislation** in line with stricter norms adopted at an international level;
- d) Possibility of **free legal aid** for the victim;
- e) Adequate treatment of cases of violence against women by the **police** (reception by women police officers) and assistance for the victims : compulsory registration of the complaint, positive attitude towards the victim, giving the victims information on their rights and the availability of aid; the possibility of rapid and effective intervention (e.g. removing the perpetrator of the violence from the marital home);
- f) **Criminal procedure** which guarantees the protection of the victim's dignity and privacy;

- g) Development of appropriate domestic legal **sanctions** and intensification of international co-operation between police and judicial authorities with a view to prosecuting and dismantling transnational networks of traffic in women.

### III. PREVENTION AND EDUCATION

- a) Measures to **encourage change in the socio-cultural attitudes and behaviour** of men and women and promote awareness of the problems related to violence against women;
- b) **Public information and awareness-raising campaigns** to be carried out by the authorities to gain public backing for measures to combat the phenomenon;
- c) **Education** of young people, adults and the personnel of the public services concerned with the problem of violence against women;
- d) **Awareness raising among men** to encourage them to analyse and dismantle the mechanisms of violence with a view to finding alternative modes of behaviour, particularly in situations of conflict;
- e) **Awareness raising among women** to report acts of violence of which they are victims, so that action can be taken;
- f) **Training of those who come across the problem of violence against women in the course of their work** (civil servants responsible for the application of policy on the matter, doctors, social workers, the police) in methods of detecting cases and preventing repetition;
- g) **Making the media aware** of the role that they can play in prevention (promotion of a positive image of women) and their responsibility in the perpetuation of patterns which generate violence. Encouragement of the establishment of codes of professional conduct;
- h) **Measures to reinforce public safety**, particularly in the context of town planning (installation of telephone boxes, lighting etc);
- i) Devising and implementing policies and practices in the public sector, to serve as examples for the private sector, to prevent, to stop and punish **violence in the workplace**;
- j) Parental education programmes as a means of preventing violence;
- k) Family mediation as a means of preventing violence.

IV. ASSISTANCE

- a) Appropriate attention and social, economic and psychological assistance from the **authorities** (including local authorities) for women who have been subjected to violence;
- b) Co-operation and **coordination of the various bodies** involved in assistance (judicial authorities, professionals in the medical and social services, police force, support organisations) in order to provide an appropriate response to the varied needs of the victims;
- c) Material support and support under whatever other form from the authorities for the creation and operation of **emergency aid services** (shelters for battered women, support groups) and for voluntary organisations which help the victims and the perpetrators of violence.

## RESOLUTION ON RAPE AND THE SEXUAL ABUSE OF WOMEN

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1. The Ministers of the States participating in the 3rd European Ministerial Conference on Equality between Women and Men, held in Rome on 21-22 October 1993;
2. **Considering** that rape and sexual abuse are still today, as in the past, used by men to impose their power and authority over women, and as an instrument of intimidation;
3. **Recalling** and endorsing the recent declarations and statements of the international community condemning the systematic use of rape of women within the context of a strategy of warfare and ethnic cleansing;
4. **Considering** that such declarations and statements have contributed towards alerting public opinion to these particularly serious violations of human rights;
5. **Believing** it is equally important to alert public opinion to the numerous and multifarious individual acts of rape and sexual abuse occurring within society;
6. **Noting** that, under exceptional conditions, women can be particularly vulnerable, such as in the case of armed conflicts, situations resulting from political and economic deterioration (refugees, migrants, displaced persons, etc) or when they are deprived of their liberty;
7. **Drawing** attention to the scale and number of individual acts of rape and sexual abuse of women both within and outside the family;
8. **Considering** it essential to lift the silence which surrounds such acts;
- I. **AFFIRM** that rape and the sexual abuse of women:
  - a) are always an infringement of the dignity, liberty and integrity of women, having serious social, psychological and other consequences;
  - b) are therefore serious violations of human rights and fundamental freedoms, and, as such, should be sanctioned by national and international penal tribunals;
  - c) when resulting from the abuse of discretionary power by public officials, engage the responsibility of States under international human rights instruments;

II. **APPEAL** to participating States to take steps of a preventive nature to eradicate rape and the sexual abuse of women, to encourage actively women to report cases of rape and sexual abuse and to take vigorous action so that such acts are effectively sanctioned and support is provided for the victims;

III. **RECOMMEND** that members of national and international judicial bodies called on to handle cases of rape and sexual abuse are given specific training and that such bodies should comprise an appropriate number of women;

IV. **AGREE** to intensify their co-operation to that end both within the Council of Europe and other European and international fora.



**STATEMENT  
ON THE 4TH WORLD CONFERENCE ON WOMEN  
(BEIJING, 4-15 SEPTEMBER 1995)**

The Ministers of States participating in the 3rd European Ministerial Conference on equality between Women and Men, being held in Rome, on 21 and 22 October 1993;

**Noting** the forthcoming United Nation's 4th World Conference on Women, to be held in Beijing in September 1995;

**Noting** that the preparatory meeting to the 4th World Conference for the European region, to be organised by the European Economic Commission for Europe of the United Nations, will focus on the main themes of the World Conference: "Actions for Equality, Development and Peace";

**Noting** that other European meetings in anticipation of the Conference, in particular those of the European Community and the Nordic Council of Ministers will focus principally on issues related to the role of women in the economy and their participation in the labour market;

**Emphasising** the specific approach of the Council of Europe to the question of equality, based on the idea that equality between women and men is principally a human rights issue and that equality is a requirement for democracy;

**Stressing** the pioneering work of the Council of Europe in this field and the need to ensure that the human rights dimension of equality between women and men is injected into the work of the World Conference and the final documents thereof;

1. **Urge** the Committee of Ministers of the Council of Europe to take the necessary steps to ensure that the Council of Europe brings a major contribution to the 4th World Conference, and to that end;
2. **Invite** the Committee of Ministers of the Council of Europe to convene a conference in anticipation to the 4th World Conference, focusing on the human rights dimension of equality as well as the question of equality and democracy which are also particularly relevant in the countries in transition in Europe;
3. **Recommend** that this Conference should promote practical and action-oriented strategies to be implemented;
4. **Recommend** that the Parliamentary Assembly and the Standing Conference of Local and Regional Authorities of Europe and non governmental organisations be associated with the Council of Europe's Conference;
5. **Agree** that all relevant non governmental organisations should be involved in the preparation and proceedings of the 4th World Conference.

## STATEMENT ON VIOLATIONS OF WOMEN'S RIGHTS ON TERRITORIES OF FORMER YUGOSLAVIA

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The Ministers of States participating in the 3rd European Ministerial Conference on Equality between Women and Men, being held in Rome, on 21 and 22 October 1993;

**Recalling** that, while this Conference is being conducted, a tragic drama is being enacted in territories of former Yugoslavia, where a bloody conflict has led to the annihilation of the values and principles underpinning civil society;

**Stressing** that women are frequently the first victims of the grave violations of human rights perpetrated in this barbaric conflict;

**Emphasising** the terrible physical and psychological privations and suffering - due, notably to enforced displacements of the population and internment in camps - which the conflict has engendered for the whole population, in particular women and children;

**Recalling** with shame and horror that the rape of women is being used systematically by the belligerents on territories of former Yugoslavia, particularly in Bosnia Herzegovina, as a strategy of warfare and ethnic cleansing, and that enforced procreation frequently ensues;

**Stressing** that such acts constitute the negation of the human being, are a particularly grave violation of Human Rights and fundamental freedoms, are a war crime and should be considered as constituting a crime against humanity;

**Recalling** and endorsing the recent declarations, recommendations and statements of the Committee of Ministers, of the Parliamentary Assembly of the Council of Europe, and the international community, condemning such acts;

**Being unable to remain silent** in the face of such abhorrent violations of women's rights;

1. **Vigourously condemn** all violations of Human Rights in territories of former Yugoslavia;
2. **Condemn**, in particular, the physical and psychological privations and exactions of which women are victims;
3. **Condemn** categorically the systematic use of rape of women and enforced procreation in the context of a strategy of warfare and ethnic cleansing as constituting one of the most vile crimes against humanity and the annihilation of the dignity of the human being, be it the victim or the child forceably procreated;

4. **Agree** to co-ordinate their efforts with a view to providing the appropriate moral and material assistance to the victims of these violations of Human Rights;
5. **Urge** that these atrocities cease immediately and that their instigators and perpetrators are prosecuted by an appropriate national or international penal tribunal without delay.

**RESOLUTION EXPRESSING APPRECIATION TO THE  
HOST AUTHORITIES**

The Ministers participating in the 3rd European Ministerial Conference on Equality between Women and Men, held in Rome on 21-22 October 1993;

**Express** their warmest thanks to the Government of Italy for the excellent organisation of this Conference in Rome and for its kind hospitality;

Emphasising the importance of holding regular meetings at Ministerial level to exchange views on developments in the complex area of equality between women and men and to work out any concerted measures which changes may require;

Having learnt with pleasure of the invitation by the Government of Turkey to hold the 4th European Ministerial Conference on Equality between Women and Men in 1996 or 1997,

**Gratefully accept** this invitation.