

EU / CoE Eastern Partnership Programmatic Co-operation Framework 2015 – 2020

Regional project: *Improving women's access to justice in 5 Eastern Partnership countries*

Countries included: Armenia, Azerbaijan, Georgia, Republic of Moldova and Ukraine

Implemented by: Gender Equality Unit/ Equality Division/ Equality and Human Dignity Department/ Directorate of Human Dignity and Equality/ Directorate General of Democracy (DG II)

Duration: 1 February 2015 – 31 December 2016

Funding: 560, 000 Euro

Programmatic Co-operation Framework (PCF)

Access to justice for women

- The requirement of equality, including **gender equality**, is at the centre of the meaning, the exercise and the fulfilment of the right to justice
Four major treaties provide the core CoE gender equality standards pertaining to equal access to justice for women:
 - **The ‘foundational’:**
 - European Convention on Human Rights;
 - European Social Charter;
 - **The ‘new generation’:**
 - Convention on Action against Trafficking in Human Beings (*entered into force on 1 February 2008*);
 - Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) (*entered into force on 1 August 2014*);
- Extensive set of non-legally binding standards and policy guidelines

Programmatic Co-operation Framework (PCF)

Access to justice for women

Council of Europe Strategy on Gender Equality 2014-2017 provides the strategic framework for the implementation of these standards to bring member states closer to *de facto* gender equality.

Five objectives:

1. Combating gender stereotypes and sexism
2. Preventing and combating violence against women
3. **Guaranteeing equal access of women to justice**
4. Achieving balanced participation of women and men in political and public decision-making
5. Achieving gender mainstreaming in all policies and measures



Programmatic Co-operation Framework (PCF) Access to justice for women

- Through a series of studies and events, the CoE has identified a number of **barriers to women's access to justice**, which comprise:
 - **socio-economic and cultural barriers:**
 - a lack of knowledge about official procedures and available assistance; fear and shame; economic dependence and concern for children; the gendered impact of austerity measures;
 - **legal and procedural barriers:**
 - lengthy criminal proceedings; corruption and low conviction rates; discriminatory practices.

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Key strategic objectives

Improving women's access to justice in 5 Eastern Partnership countries

1. To identify and support the removal of obstacles to women's access to justice;
2. To strengthen the capacity of Eastern Partnership countries to design measures to ensure that the justice chain is gender-responsive, including through the training of legal professionals.



Programmatic Co-operation Framework (PCF) Baseline

- Significant progress in EaP countries in passing legislation and adopting policies to advance gender equality. Specific GE laws: **Azerbaijan** (2006), **Armenia** (2011), **Georgia** (2010), **Republic of Moldova** (2006), and **Ukraine** (2006);
- However, challenges in gaining greater awareness and support for the concept of gender equality and gender-based non-discrimination
- Legislative frameworks on anti-discrimination and preventing and combating violence against women need strengthening, particularly by implementing standards of the Istanbul Convention

Programmatic Co-operation Framework (PCF) Baseline (ct'd.)

- Broad reforms in the judicial systems of EaP countries (some on-going), but **barriers to women's access to justice** persist:
 - Legislative gaps and insufficient development of policy frameworks
 - Lack of sex-disaggregated data across the justice system
 - Particular barriers for women from disadvantaged groups
 - Limited access to free legal aid
 - Beyond the criminal system: shortcomings of women's A2J in divorce cases, concerning alimony, child care and property allocation
 - Persistence of negative attitudes and gender stereotypes among legal professionals
 - Insufficient knowledge of W'sHR and legal procedures to claim redress
 - Under-representation of women among justice and law enforcement professionals, particularly in the police

Programmatic Co-operation Framework (PCF)

Main activities

- Five studies mapping the obstacles to women's A2J in each of the 5 EaP countries & the educational and further training curricula for legal professionals to identify entry points for supporting the inclusion of W'sHR and GE topics in these curricula
- Regional trainings for professionals involved at the different stages of the justice chain (judges, prosecutors, lawyers, law enforcement) to strengthen their capacity in the areas of GE, W'sHR & non-discrimination
- Regional conferences to share common challenges and good practices in the area of women's A2J
- Publications (including information and trainings materials)
- Support for gender equality advocates from civil society to strengthen their capacity to inform women about their rights and support them to access the justice system.



Programmatic Co-operation Framework (PCF) Outlook for 2015

- National studies to be launched in mid-April 2015; consultants are currently being identified, following an open call for expression of interest
- One regional conference and one regional training to be organised as a single event in the second half of 2015 (October/ November)
- National institutional partners for the organisation of follow-up to regional trainings to be identified

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