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For consideration at the 552th meeting
of the Ministers' Deputies
(14 December 1995, B level, item 4.3)

STEERING COMMITTEE FOR EQUALITY BETWEEN WOMEN AND MEN
(CDEG)

10th meeting
(Strasbourg, 23-26 October 1995)

LIST OF ITEMS DISCUSSED AND DECISIONS TAKEN

1. The Steering Committee for equality between women and men (CDEG) held its 10th meeting from 23-26 October 1995 at the Human Rights Building (NPDH), Strasbourg. The meeting was chaired by Ms Elisabeth Kardos-Kaponyi (Hungary). The list of participants appears in Appendix I. The Agenda, as adopted, is set out in Appendix II.
2. The CDEG held an exchange of views on the follow-up to the Conference "Equality and democracy: Utopia or challenge?" (Strasbourg, 9-11 February 1995) and to the United Nations 4th World Conference on Women (Beijing, 4-15 September 1995). It was generally felt that the Council of Europe had made a very useful contribution to the preparations of the World Conference, both in organising the Conference "Equality and democracy: Utopia or challenge?" and by convening the meeting of the Ad hoc Committee of Experts to exchange views on the United Nations 4th World Conference on Women (Strasbourg, 12-13 June 1995). This meeting had made it possible to achieve common positions on some difficult issues before the negotiations on the Platform for Action, adopted in Beijing. **The Committee decided to ask the Committee of Ministers to consider convening, in 1996, an Ad hoc Committee of Experts to exchange views on the follow-up of the Beijing Conference and on the national programmes set up to implement the Platform for Action adopted by this**

3. The Comité examined and discussed the Conclusions of the Hearing of Roma/Gypsy women (Strasbourg, 29-30 September 1995) and the results of the Joint CDEG/CDMG Hearing and the Seminar on "Women and migration: establishing the fundamental right to equality in a setting of cultural diversity" (Strasbourg, 4-5 July 1995). **It decided to forward the Conclusions of the Hearing of Roma/Gypsy women to the Committee of Ministers**, with the request that they be transmitted to the Parliamentary Assembly, the Congress of Local and Regional Authorities of Europe, the ECRI, the CDMG, the CDPS, the CDSP and the CDCC, to the Project on Human dignity and social exclusion as well to the new Group of Specialists on Roma/Gypsies to be established in 1996 under the authority of the CDMG. **The Committee expressed the hope that the Conclusions would be taken into account and implemented in these various bodies, given the extremely difficult situation of Roma/Gypsy women (see Addendum).**

4. The Committee finalised its preparation of the Information Forum on national policies in the field of equality between women and men (Budapest, 6-8 November 1995).

5. The Committee took note of the report of the 2nd meeting of the Group of Specialists for combating violence against women (EG-S-VL) and of the report of the 1st meeting of the Group of Specialists on the right to free choice in matters of reproduction and life styles (EG-S-RP).

6. The CDEG took note of the Draft Intergovernmental Programme of Activities for 1996, held an exchange of views on the events it intends to organise in 1996 (subject to the approval of the Committee of Ministers) and gave some indications as to the priorities for 1997. It also discussed the preparation of the handbook on equality foreseen in the 1996 Programme and nominated its members to the Pilot Group on Equality and Democracy. In this context, the Committee expressed its satisfaction with the professional work of the Secretariat, but stated that there was a pressing need for an increase in staff if this high standard of work was to be maintained. **It urged the Committee of Ministers to examine carefully this question. Reference was made, in this connection, to the commitments recently made by the international community at the Beijing Conference, concerning the provision of resources to guarantee the promotion of equality between women and men.**

7. The Committee examined and adopted the terms of reference for the Group of Specialists on mainstreaming (EG-S-MS) (Appendix III) and the terms of reference for the Group of Specialists on intolerance, racism and equality between women and men (EG-CDEG/ECRI) (Appendix IV). **The Committee of Ministers is invited to approve these terms of reference.**

8. The Committee examined the 4th report of the Secretary General on equality between women and men in the Council of Europe covering the year 1994. **In accordance with the invitation of the Committee of Ministers, it formulated observations and comments thereon, which are set out in Appendix V.**

9. The CDEG held an exchange of views on the date and the theme of the 4th European Ministerial Conference on equality between women and men and decided that it would be held in 1997, and that the theme would deal with the question of democracy, cultural diversity and equality between women and men.

10. According to the ad hoc terms of reference assigned by the Ministers' Deputies to the CDEG at their 538th meeting, the Committee formulated opinions on the Parliamentary Assembly's Recommendation 1269 (1995) on achieving real progress in women's rights as from 1995 (Appendix VI) and on Recommendation 1271 (1995) on discrimination between men and women in the choice of a surname and in the passing of parents' surnames to children (Appendix VII).

11. The Committee examined the CDEM's draft Recommendation on "Reconciling work and family life" and the revised elements towards a preliminary draft Recommendation of the Committee of Ministers to member States on children's participation in family and social life and made some suggestions for amendments.

12. The Committee examined the Plan of Action to combat traffic in women and forced prostitution, drawn up by a consultant on the basis of the work of the Group of Specialists on traffic in women and forced prostitution (EG-S-TP), and decided that it would constitute a good working document for the meeting of the Presidents of the various Steering Committees, foreseen in the 1996 Intergovernmental Programme of Activities.

13. In accordance with the relevant provisions of Articles 17 and 18 of Appendix 2 to Resolution (76) 3, on Committee structures, terms of reference and working methods, the Committee elected Ms Agnete ANDERSEN as Chair and Ms Vera KOZMIK as Vice-Chair, renewed the terms of office of Ms Maro VARNAVIDOU and Ms Brigitte ZAGO-KOCH as Bureau members (expiry terms of office: 31 December 1997), elected to the Bureau Ms Brigitte BRENNER to replace Ms Vera KOZMIK (expiry terms of office: 31 December 1996) and Ms Reet LAJA to replace Ms Anne-Marie SERVAIS, who is no longer a member of the CDEG (expiry terms of office: 31 December 1996).

14. The Committee held a substantive discussion on its relations with NGOs and their role. It was informed about the follow-up of the work of the Group of Specialists to elaborate a fundamental right of women and men to equality (EG-S-DH) and about the Project "Human dignity and social exclusion", took note of recent developments on equality which were of interest to it, determined the items to be placed on the agenda of its 11th meeting and fixed the dates of forthcoming meetings.

15. The CDEG took note of the request of Japan to be granted observer status with the CDEG and decided to postpone a decision on this matter until its 11th meeting (March 1996).

APPENDIX I

LIST OF PARTICIPANTS

ALBANIA/ALBANIE

Ms Margarita GEGA, Ministry of Foreign Affairs - Tirana

AUSTRIA/AUTRICHE

Ms Brigitte BRENNER, Ministry for Women's Affairs at the Federal Chancellery, Vienna

BELGIUM/BELGIQUE

Ms Rita WAELPUT, Ministère de la Communauté flamande, Brussels

Ms Annie DE WIEST, Ministère de la Culture et des Affaires sociales, Communauté française, Brussels

BULGARIA/BULGARIE

Ms Ludmila BOJKOVA, Ministry of Foreign Affairs, Sofia

CYPRUS/CHYPRE

Ms Maro VARNAVIDOU, Ministry of Justice and Public Order, Nicosia

CZECH REPUBLIC/REPUBLIQUE TCHEQUE

Ms Marie ŠORMOVÁ, Ministry of Foreign Affairs, Prague

DENMARK/DANEMARK

Ms Agnete ANDERSEN, Ministry of Labour, Copenhagen

ESTONIA/ESTONIE

Ms Reet LAJA, Ministry of Social Affairs, Tallinn

FINLAND/FINLANDE

Ms Pirkko KIVIAHO, Ministry of Social Affairs and Health, Helsinki

FRANCE

Ms Brigitte ZAGO-KOCH, Ministère de la solidarité entre les générations, Paris

Ms Sylvie CROUZIER, Ministère des Affaires étrangères, Paris

GREECE/GRECE

Ms Ioanna MANGANARA, Ministry of Foreign Affairs, Athens

HUNGARY/HONGRIE

Ms Elisabeth KARDOS-KAPONYI, Présidente du CDEG, Université de Sciences économiques de Budapest, Budapest

Ms Éva HÓDOSI BALOGH, Office of the Prime Minister, Budapest

IRELAND/IRLANDE

Ms Pauline O'SHAUGHNESSY, Department of Equality and Law Reform, Dublin

ITALY/ITALIE

Ms Clara ABATECOLA, Presidenza del Consiglio dei Ministri, Rome

Ms Agata Alma CAPPIELLO, Presidenza del Consiglio dei Ministri, Rome

LATVIA/LETONIE

Ms Vita TÉRAUDA, Ministry of Foreign Affairs, Riga

LIECHTENSTEIN

Ms Helen MARXER-BULLONI, Comité du Gouvernement du Liechtenstein pour l'égalité entre les hommes et les femmes, Vaduz

LITUANIA/LITHUANIE

Ms Violeta SLVILEVIČIENÈ, Women's Issues, Vilnius

LUXEMBOURG

Ms Laurence ZIMMER, Ministère de la Promotion Féminine, Luxembourg

MALTA/MALTE

Ms Angela CALLUS, Ministry for Social Development, St Venera

MOLDOVA/MOLDAVIE

Mr Ion PREGUZA, Vice-Minister of Labour, Social Protection and Family, Chisinau

NETHERLANDS/PAYS-BAS

Ms Anne OFFERMANS, Ministry of Social Affairs and Employment, The Hague

NORWAY/NORVEGE

Ms Sissel SALOMON, Ministry of Children and Family Affairs, Oslo

POLAND/POLOGNE

Ms Eleonora ZIELIŃSKA, University of Warsaw, Warsaw

Mr Stanislaw TURBAŃSKI, Office of the Government Plenipotentiary for Family and Women Affairs, Warsaw

PORTUGAL

Ms Maria Regina TAVARES DA SILVA, Commission pour l'égalité et les droits des femmes, Lisboa

ROUMANIA/ROUMANIE

Ms Anca Maria CONSTANTIN, Ministère du Travail et de la Protection sociale, Bucarest

SLOVAK REPUBLIC/REPUBLIQUE SLOVAQUE

Ms Zuzana VRANOVÁ, Bratislava International Centre for Family Studies, Bratislava

SLOVENIA/SLOVENIE

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

Ms Violeta NEUBAUER, Office for women's politics of the Government, Ljubljana

SPAIN/ESPAGNE

Ms Guadalupe SOTO MORA, Ministère des Affaires sociales, Madrid

SWEDEN/SUEDE

Ms Mona DANIELSON, Ministry of Social Affairs, Stockholm

UNITED KINGDOM/ROYAUME-UNI

Ms Diane CUNLIFFE, Department of Employment, London

COMMISSION EUROPEAN/COMMISSION EUROPEENNE

Ms Caroline VALETTE, Direction Générale Relations extérieures, Europe et nouveaux Etats indépendants, Politique étrangère et de sécurité commune, Brussels

CONGRESS OF LOCAL AND REGIONAL AUTHORITIES OF EUROPE/CONGRES DES POUVOIRS LOCAUX ET REGIONAUX DE L'EUROPE - CLRAE/CPLRE

Ms Doreen FLEMING, Councillor, March, Cambridgeshire

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

Baroness Joyce GOULD, House of Lords, London

OBSERVERS/OBSERVATEURS

CROATIA/CROATIE

Ms Marina MUSULIN, Ministry of Labour and Social Care, Zagreb

FEDERATION OF RUSSIA/FEDERATION DE RUSSIE

Ms Tatiana SMIRNOVA, Ministry of Foreign Affairs, Moscow

REGROUPING "EQUALITY PARITY-WOMEN-MEN"/REGROUPEMENT "EGALITE PARITE-FEMMES-HOMMES"

Ms Marguerite BLANCKE, Présidente du Regroupement, Brussels

"THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA"/"L'EX REPUBLIQUE YUGOSLAVE DE MACEDOINE"

Ms Katica ZAFIROVSKA, Ministry of Foreign Affairs, Skopje

Ms Violeta MALINSKA-PETRUSEVSKA, Ministry of Health, Skopje

Ms Jasmina NIKULJSKA-SPASOVKA, Ministry of Interior, Skopje

UKRAINE

Mr Vadim LYSLKOV, Ministry for Foreign Affairs, Kyiv

HOLY SEE/SAINT-SIEGE

Ms Odile GANGHOFER, Strasbourg

APOLOGISED/EXCUSES

PARTICIPANTS

GERMANY/ALLEMAGNE

OBSERVERS/OBSERVATEURS

OECD/OCDE

UNESCO

SECRETARIAT

Mr Trevor STEVENS, Directorate of Human Rights

Ms Ólöf ÓLAFSDÓTTIR, Section equality between women and men

Ms Karen VAN EBBENHORST TENGBERGEN, Section equality between women and men

Ms Diane MURRAY, Section equality between women and men

Ms Heike ALEFSEN, Unit responsible for relations with countries of Central and Eastern Europe,
Directorate of Human Rights

Ms Agnieszka NACHILO, Secretariat of the Ad hoc Committee on Equality of the Sexes

APPENDIX II

AGENDA

1. **Opening of the meeting**
- I. **ITEMS FOR DECISION**
2. **Adoption of the Draft Agenda**
3. **Report and follow-up of the Conference "Equality and democracy: Utopia or challenge?" (Strasbourg, 9-11 February 1995) and of the United Nations Fourth World Conference on Women (Beijing, 4-15 September 1995)**
4. **Preparation of the Information Forum on national policies in the field of equality between women and men (Budapest, 6-8 November 1995)**
5. **Report of and follow up to the Hearing of Roma/Gypsy women of Western, Central and Eastern Europe (Strasbourg, 29-30 September 1995)**
6. **Hearing with migrant women held by the Joint Group of Specialists on migration, cultural diversity and equality between women and men (EG/MG) (Strasbourg, 3 July 1995)**
7. **Joint CDEG/CDMG Seminar on "Women and migration: establishing the fundamental right to equality in a setting of cultural diversity" (Strasbourg, 4-5 July 1995)**
8. **Report of the 2nd meeting of the Group of Specialists for combating violence against women (EG-S-VL) (Strasbourg, 1-2 June 1995)**
9. **Report of the 1st meeting of the Group of Specialists on the right to free choice in matters of reproduction and life styles (EG-S-RP) (Strasbourg, 18-20 October 1995)**
10. **Draft Intergovernmental Programme of activities for 1996 and identification of priorities for 1997**
11. **Examination of the draft terms of reference of a Group of Specialists on mainstreaming (EG-S-MS)**

12. **Examination of the draft terms of reference of a Group of Specialists CDEG/ECRI on intolerance, racism and equality between women and men (EG-CDEG/ECRI)**
13. **Planning of the handbook on equality**
14. **Fourth European Ministerial Conference on equality between women and men**
15. **Examination of the draft Recommendation on "Reconciling work and family life"**
16. **Fourth annual report of the Secretary General on Equality between women and men in the Council of Europe**
17. **Examination of the Parliamentary Assembly's Recommendation 1269 (1995) on achieving real progress in women's rights as from 1995 and of Recommendation 1271 (1995) on discrimination between men and women in the choice of a surname and in the passing of parents' surnames to children**
18. **Examination of the Revised elements towards a Preliminary draft Recommendation of the Committee of Ministers to member States on children's participation in family and social life ("Childhood policies" project)**
19. **Follow-up to the work of the Group of Specialists to elaborate a fundamental right of women and men to equality (EG-S-DH)**
20. **Follow-up to the work of the Group of specialists on traffic in women and forced prostitution (EG-S-TP) and examination of the Plan of Action to combat traffic in women and forced prostitution**
21. **Project "Human Dignity and Social Exclusion"**
22. **Request for observer status to the CDEG by Japan**
23. **Elections**
24. **Items to be placed on the Agenda of the 11th meeting of the CDEG**
25. **Dates and places of forthcoming meetings**
- II. **EXCHANGE OF VIEWS**
26. **Substantive discussion on relations with NGOs**

III. ITEMS FOR INFORMATION

- 27. **Information on decisions of the Committee of Ministers of concern to the CDEG**
- 28. **Progress of work and recent developments concerning equality of interest to the CDEG**
- 29. **Information on recent developments in the European Commission**
- 30. **Information on and possible discussion of the draft Framework Convention on Bioethics**

IV. OTHER BUSINESS

- 31. **Other business**

V. ADOPTION OF THE LIST OF ITEMS DISCUSSED AND DECISIONS TAKEN

APPENDIX III

TERMS OF REFERENCE OF THE GROUP OF SPECIALISTS ON MAINSTREAMING (EG-S-MS)¹

Specific terms of reference

1. **Name of the Committee:** Group of Specialists on Mainstreaming (EG-S-MS)
2. **Type of Committee:** Select Committee of Experts
3. **Source of terms of reference:** Steering Committee for Equality between women and men (CDEG)
4. **Terms of reference:**
 - i. carry out a survey of measures taken and implemented for the mainstreaming of the gender perspective into general policies, programme planning, as well as into sectoral policies and activities at all levels of society, both in the member States of the Council of Europe and in regional/international organisations;
 - ii. on the basis of this survey, prepare methodologies for mainstreaming equality and identify tools, strategies and actors for integrating the gender dimension in an effective and visible way, as well as for its evaluation and follow-up, with a view to transmitting recommendations to member States and to the different bodies of the Council of Europe.
5. **Composition:**

The Group shall be composed of 8 experts, 2 members of the CDEG (Denmark and Spain) and 6 specialists in the field of equality between women and men (researchers, members of national administrations, etc.). Their expenses shall be borne by the Council of Europe. These specialists shall be appointed by the Secretariat, following suggestions from CDEG members.

The Congress of Local and Regional Authorities of Europe shall be invited to be represented on the EG-S-MS without the right to vote.
6. **Working methods:**

In the framework of its terms of reference, the EG-S-MS may have contacts or consultations with persons and/or organisations possessing specialist knowledge of the subject under consideration. It can also call upon external consultants.
7. **Duration of the terms of reference:**

These terms of reference expire on 31 December 1997.

¹ The term "mainstreaming" means the integration of a gender perspective in all fields of activities and all fields of life.

APPENDIX IV

**TERMS OF REFERENCE OF THE GROUP OF SPECIALISTS
CDEG/ECRI ON INTOLERANCE, RACISM AND
EQUALITY BETWEEN WOMEN AND MEN (EG-CDEG/ECRI)**

Specific terms of reference

1. **Name of Committee:** Group of Specialists on intolerance, racism and equality between women and men (EG-CDEG/ECRI)
2. **Type of Committee:** Select Committee of Experts
3. **Source of terms of reference:** Steering Committee for equality between women and men (CDEG)
4. **Terms of reference:**
 - i. examine the issue of universality versus cultural relativism in regard to the fundamental right of women and men to equality;
 - ii. identify the specific forms of racial discrimination and intolerance which women face on the basis of their sex;
 - iii. study, if it deems necessary, the issue of links between intolerance and sexism;
 - iv. establish, on the basis of the results of the work under i, ii and iii guidelines to be addressed to the Steering Committee on equality between women and men (CDEG) and the European Commission against racism and intolerance (ECRI).
 - v. The Group will take into account, in implementing its terms of reference, the work conducted by the Joint Group of Specialists EG/MG-Fem, as well as the Conclusions of the Hearing with Roma/Gypsy women.
5. **Composition:**

The Group shall be composed of 5 members, 2 nominated by the ECRI and 3 by the CDEG. Their expenses shall be borne by the Council of Europe.

6. **Working methods:**

In the framework of its terms of reference, the EG-CDEG/ECRI may have contacts or consultations with persons and/or organisations possessing specialist knowledge of the subjects under consideration. It can also call upon external consultants.

7. **Duration of the terms of reference:**

The present terms of reference expire on 31 December 1997.

APPENDIX V

**COMMENTS AND OBSERVATIONS OF THE CDEG CONCERNING THE
FOURTH ANNUAL REPORT OF THE SECRETARY GENERAL ON EQUALITY
BETWEEN WOMEN AND MEN IN THE COUNCIL OF EUROPE**

Introduction

1. The CDEG is appreciative of the interest shown by the Committee of Ministers in this field of activity and the support it has given to the activities of the CDEG.
2. The Committee welcomes the political commitment to the promotion of equality between women and men that the Secretary General has demonstrated since he took office. The CDEG notes with interest that, in his introduction to the 4th report, the Secretary General, in referring to the Action Plan on combating racism, xenophobia, anti-Semitism and intolerance, points out that the reinforced discrimination suffered by migrant and minority women is being taken into account in the various bodies set up to implement this Plan. In this context, the CDEG would like to point out that it considers discrimination on grounds of sex as a form of intolerance.
3. The CDEG is appreciative that, in certain areas, the suggestions and comments it made regarding the third report have been noted and acted upon:
 - a) the CDEG is being associated with the work of the CDDH on the possible additional Protocol to the ECHR embodying the right of women and men to equality;
 - b) the Committee has been consulted regarding the CDEM's ongoing work on the reconciliation of family and professional life and has been able to comment on this issue;
 - c) the CDEG welcomes, in particular, Instruction N° 33 concerning the use of non-sexist language in the Council of Europe.
4. The CDEG has drawn up the following suggestions and observations on the present report:

Part I: Activities of the Organisation

A. The Intergovernmental Programme of Activities

5. With regard to the part of the report dealing with the Intergovernmental Programme of Activities, the CDEG notes that, in general, there have been positive developments in the mainstreaming of the gender equality perspective into the work of other Committees. However, it should be pointed out that, in many cases, clear targets still seem to be lacking and it is not always evident in the report whether the Committees were in fact dealing with equality between women and men and whether the activity has given good results. As the CDEG has emphasised in its opinions on previous reports, the presence of the word "women" in the title does not necessarily mean that the activity englobes equality between women and men. The most successful examples of mainstreaming of the gender equality perspective are to be found in Fields II and III (cf. para. 9 infra).

6. As far as **Field I (Democracy, Freedom and the Fundamental Rights of Human Beings)** is concerned, the CDEG reiterates its wish that work on the possible inclusion of the right of women and men to equality in an additional Protocol to the ECHR should advance efficiently and rapidly. It trusts that measurable progress can be made in this area after the Committee of Ministers receives the opinion of the CDDH on the necessity and feasibility of the inclusion of such a Protocol. In the opinion of the CDEG, such a Protocol would constitute a clear sign of the importance that the Council of Europe attaches to equality between women and men as an integral part of human rights, and as such a message both to member States and to those States applying for membership. Furthermore, the existence of such a Protocol would imply that respect of this right would be submitted to international judicial procedures, and a legitimate basis would be provided for positive action to correct subsisting inequalities. In this context, it should be recalled that the Platform for Action adopted by the international community at the United Nations Fourth World Conference on Women (Beijing, 4-15 September 1995) urges Governments to support the process initiated with a view to elaborating a draft of an optional protocol to the Convention on the elimination of All Forms of Discrimination against Women on a right of petition procedure.

7. The Committee also wishes to reiterate the suggestion made in its opinion on the Secretary General's third Report, namely that contacts be made between the bureaux of the CDEG and the CDDH in order to work out a strategy for developing co-operation between the two Committees. In this respect, it should be emphasised that the recently adopted texts of the United Nations Fourth World Conference on Women (Beijing, 4-15 September 1995) explicitly recognise that equality between women and men is an integral and indivisible part of human rights.

8. As regards the European Commission against Racism and Intolerance (ECRI), the CDEG is appreciative of the fact that contacts have been established between the two Committees with a view to further co-operation.

9. With regard to **Field II and III (Media and Communication and Social and Economic Affairs)**, the CDEG wishes to underline that in areas where consultation and/or joint activities have taken place between the CDEG and other Steering Committees or Project Groups, the co-operation has been fruitful and mutually beneficial. This holds true for the fields of media and migration, as well as for the project on Childhood policies. To give an example, the activities conducted in partnership with the CDMM and the CDMG can be considered as excellent examples of mainstreaming in practice. There appears to be evidence that, when such co-operation exists, both parties take the other's work into consideration to a much greater extent. In line with this, the CDEG would welcome the opportunity to be involved in the CDEM's new activity on the social and economic consequences of the restructuring of the economies of Europe. The annual workshops and conferences that the CDEG has organised in Central and East Europe in recent years have given it an important insight into the social and economic problems that women face in connection with the restructuring of the economies in these countries.

10. In **Field IV (Education, Culture, Heritage and Sport)**, the CDEG welcomes the fact that in the fields of higher education and sport the equality dimension seems to be taken increasingly into account. The Committee would suggest that, in the field of sport, attention should be paid to the position of women in the sports media, where the representation of women and men seems to be far

from equal. It considers that a greater effort is necessary in the fields of primary, secondary and adult education, particularly in the areas of civic education and education for democracy, which are of paramount importance in preventing sexist stereotyped views in children and (young) people. With regard to culture, the CDEG regrets the seeming absence of any mention of the equality dimension. The Committee is of the opinion that co-operation should be established between the CDCC, its subordinate committees and the CDEG, particularly given the fact that the CDEG will, in 1996 (subject to the approval of the Committee of Ministers), establish a "think tank" on cultural and sexist stereotypes. A discussion between the Presidents/bureaux of the CDCC and the CDEG would be particularly welcome.

11. As regards **Field V (Youth)**, the CDEG notes with satisfaction that the female-male ratio in the different activities seems now to be around 50:50 and that a certain number of the study sessions have dealt with equality between women and men and the role of women in society.

12. In **Field VI (Health)**, the CDEG would underline, as it has done in its opinions on previous reports, that health education and promotion of health of women throughout Europe is an area which requires particular attention. It expresses the hope that the Group of Specialists on free choice in matters of reproduction and life styles, which began its work in autumn 1995, and on which the European Health Committee is represented, will contribute to the mainstreaming of the equality dimension into the health sector.

13. With regard to **Fields VII and VIII (Environment and Rational Regional/Spatial Management and Local Democracy)**, the CDEG notes that the CEMAT has followed up the work of the CDEG on women's role in urban and regional planning. It welcomes the fact that the Committee of Ministers has agreed that the Congress of Local and Regional Authorities be represented on the CDEG. Links between the two bodies are of primary importance, given the fact that it is often at the local and regional level that women's involvement in political and public life begins. The CDEG regrets, however, that the CLRAE has not yet set up a Working Group on equality between women and men. The work of such a Group would be particularly important for the mainstreaming of equality into all areas of work of the CLRAE.

14. The CDEG is of the opinion that, although the equality dimension is being taken into account in some fields of the Intergovernmental Programme of Activities, especially the activities of those Steering Committees having worked closely with the CDEG, **there is still a need for a specific message - including clear guidelines on what is meant by the "equality dimension and mainstreaming" - from the Committee of Ministers to all Steering Committees.** Such a message should encourage Steering Committees to translate the principle of equality between women and men into concrete action in their respective programmes of activities. The CDEG, which intends setting up, in 1996 (subject to confirmation by the Committee of Ministers), a Group of Specialists on mainstreaming, repeats its offer of co-operation with the drafting of such a message, which should take into account the agreed texts of the international community which reflect the gender-equality perspective, such as the texts adopted at United Nations Conferences on Human Rights (Vienna, 1993), Population and Development (Cairo, 1994), Social Affairs (Copenhagen, 1995), as well as the Platform for Action of the Fourth World Conference on Women (Beijing, 4-15 September 1995).

B. Pan-European Co-operation Programmes

15. The CDEG notes with satisfaction the increasing number of activities concerning equality between women and men in this area. It wishes, however, to reiterate its suggestion that in future reports some account be given of the participation of women in **all aspects of the programmes**. Statistics, similar to those given for the EYC/EYF activities might be given.

C. Activities of the Parliamentary Assembly

16. The Committee is appreciative of the concern for equality between women and men apparent in the work of the Parliamentary Assembly since the creation of the Ad Hoc Committee of the Bureau on Equality between the sexes.

D.E.F.G Statutory Bodies set up under the European Convention of Human Rights, the European Social Charter and the Committee for the Prevention of Torture (CPT)

17. As in previous years, the CDEG notes that the limited provision for the protection against sexual discrimination given in the ECHR is more frequently invoked by men. This would seem to give added weight to the arguments on the need for the additional Protocol mentioned in paragraph 6.

18. The CDEG takes note of the provisions of the revised Social Charter, particularly those which protect and strengthen the position of women in the labour market when they are pregnant or have recently given birth. These modification give added strength to the already existing protection in article 8. As the Committee has always upheld the position that equality concerns both women and men, it can appreciate the logic of replacing the provision of specific protection for women, in such areas as night work, afforded by the Charter of 1961, with measures which give protection to everyone, women and men, in dangerous employment. It welcomes the revision which ensures equal treatment of women and men as regards family reunion of migrant workers as well as the new right of workers with family responsibilities to equal opportunities and equal treatment, guaranteed by the revised Charter.

H. Participation of women in Committees of Experts and other Council of Europe bodies

19. The CDEG notes that, in spite of the inclusion, in convocation letters, of a paragraph drawing attention to Recommendation N° R (81) 6 of the Committee of Ministers on the participation of women and men in an equitable proportion in committees and other bodies set up in the framework of the Council of Europe, the number of women participating has not increased. While in about half the Committees the number of women has risen, in the other half the number has fallen. Only in 4 Committees (CDPS, CDEM, CC-CULT and CDSP) has the number of women attained the parity threshold of 40%, and the following bodies had less than 20% of women among their members in 1994: the CDDS, the CDPE, the CDLR, the CAHDI, the Appeals Board, the Budget Committee, the Board of Auditors, the Ministers' Deputies at both A and B level as well as the administrative bodies of the Social Development Fund. Furthermore, the number of men participating in the CDEG continues

to remain very low. **The situation seems therefore to be similar to previous years, which seems to indicate that further measures should be envisaged to try to ensure a more balanced representation of women and men on the various Committees.** It would also be interesting to provide figures for the Committee of Ministers itself in the next report.

20. The percentage of women in the Court and Commission of Human Rights has fallen again. In fact, with reference to 1990, the percentage of women in the Court has fallen by two thirds. The CDEG is extremely concerned that the percentage of women in both the Commission and the Court is steadily declining and would wish to see a more balanced representation of women and men. It would hope that the implementation of Protocol 11 might give an opportunity for change in this direction, as expressed by the CDEG in 1994 in its Statement on the composition of the Single European Court of Human Rights under Protocol N° 11 to the ECHR.

21. More positive are the figures from the Parliamentary Assembly and the CLRAE, where the number of women members has risen from 1993. The CDEG takes note, in particular, of the rise in the percentage of women in the Parliamentary Assembly to 13,6%, which is the highest yet recorded in the annual reports. It wishes, however, to point out that this percentage is lower than the average percentage in national parliaments of member States, which is around 15%. The CDEG considers that the Parliamentary Assembly and the CLRAE should set an example for the Organisation by setting target figures for the representation of women and men, implying, e.g., that the number of each sex in national delegations should not be lower than 20% or 30%.

22. The CDEG wishes to reiterate the suggestion it already made in 1994, namely that the Committee of Ministers **should propose to member States to ensure a more balanced representation of women and men in experts Committees and other bodies of the Council of Europe.** This could perhaps be included in the message on the necessity of the mainstreaming of the gender dimension into all activities of the Council of Europe, mentioned in paragraph 14.

Part II: The General Secretariat

23. After examining this section of the Report, the CDEG would like to draw the attention of the Committee of Ministers to the following points:

- a) The CDEG considers that the Equal Opportunities Strategy for Secretariat Staff is the expression of a clear political commitment, but notices that progress seems slow;
- b) The graphic representation of staff in all four categories gives a pyramid-like structure, with the number of women everywhere declining in the higher grades. For example in the B grade, often seen as a "feminine" sector of the Organisation, the percentage of men roughly doubles in each category as one moves from B3 to B6.

- c) The CDEG is concerned with the fact that the promotion or the recruitment of women to posts of more senior grades seems to be a very slow process. It notes, in particular, with regret that no women have been promoted to the rank of Director. It is also worried to notice that, within some Directorates, the percentage of women administrators continues to be very low (DELA, Directorate of Information and Administration).
- d) The Committee repeats the suggestion it made in 1994 that in the next report the percentage of women and men **by grade** within each category **in each Directorate** be given. Furthermore, some attempt could perhaps be made by the Equal Opportunities Unit or a similar structure to discover why certain Directorates and certain Divisions have a noticeably lower percentage of women administrators than others.
- e) The setting up of specific training programmes in the areas of career development for women can be counterproductive unless career advancement, particularly from B to A posts, can be envisaged. **The CDEG is of the opinion that advice on recruitment and career patterns might possibly be sought in member States.**
- f) The CDEG hopes that a code of conduct to combat sexual harassment will be drawn up and implemented in the near future. Such a code is of prime importance in ensuring the protection of the dignity of women and men at work.
- g) As the number of people taking advantage of the possibility to work part time seems very low, the CDEG **would suggest that an enquiry on the subject be made among those who do work or have worked part time.** The provisions on part time work could then be reviewed accordingly and possibly amended, in the light of the results of the enquiry.
- h) As regards Instruction N° 33 on the use of non-sexist language in the Council of Europe, the CDEG would suggest that this text should be effectively implemented within the Organisation. Furthermore, measures should be taken to ensure that the Instruction be supplied to experts preparing reports for the Council of Europe.
- i) The CDEG regrets the absence of any reference to the Support Committee, mentioned in the third Report, and reiterates its opinion that such a Committee, which functions efficiently, is an indispensable condition for the success of the Equal Opportunities Strategy.
- j) **The Committee would suggest that a small administrative structure, responsible for implementing the equal opportunities policy, be set up within the Council of Europe.** The unit should have a high degree of autonomy: it should not be made part of an existing Directorate and should report directly to the Secretary General. The Committee considers that this would give such a unit the maximum opportunity to operate efficiently.

24. After examining the whole of the report with interest, the Committee considers that, although the Council of Europe appears to have become more aware of the equality dimension in its staff policies, progress is neither rapid nor steady. The CDEG suggests that, in this context, more attention be paid to working conditions.

25. It would hope that, by the formulation and use of positive measures, the equality dimension could be taken fully into account when policies are devised and activities implemented in the Council of Europe. This would result in a more equal representation and participation of women and men at all levels - both in the Secretariat and in the activities of the Organisation.

APPENDIX VI

OPINION OF THE CDEG ON THE PARLIAMENTARY ASSEMBLY'S RECOMMENDATION 1269 (1995) ON ACHIEVING REAL PROGRESS IN WOMEN'S RIGHTS AS FROM 1995

1. The CDEG welcomes the interest shown by the Parliamentary Assembly in the issue of equality between women and men. It appreciates the fact that the Assembly clearly places the issue of equality in the perspective of human rights and pluralist democracy. In this respect, the CDEG wishes to recall that the Committee of Ministers of the Council of Europe, in a message adopted on 11 July 1995, stated that "it is convinced that the values underpinning pluralist democracy, human rights and the rule of law cannot be fully achieved until equality between women and men has been obtained."

2. The CDEG believes that the Parliamentary Assembly's Recommendation is most timely, given that it coincides with the adoption of the Platform for Action by the 4th World Conference on Women (Beijing, 4-15 September 1995) and could therefore be a valuable contribution in the perspective of the implementation of this Platform in the member States of the Council of Europe.

3. The CDEG welcomes the emphasis that is laid in the Recommendation on the need for equality in terms of participation and representation of women and men in all areas of society, based on the principle of partnership and sharing of rights and responsibilities. The CDEG would like to underline, in this respect, that one of the prerequisites of genuine democracy is the full participation of women, on an equal footing with men, in all walks of life. This is not only a matter of justice and human rights, but also a guarantee for the survival of the democratic system. The CDEG is of the opinion that the Assembly could be instrumental in favouring an equal representation of women and men in political and public life, by e.g. setting target figures within the Assembly. It would like to recall that, in its reply to the Assembly's Recommendation 1229 (1994) on equal rights for men and women, the Committee of Ministers stressed that, insofar as the Parliamentary Assembly is involved in the nomination or election procedures to the bodies set up by the legal instruments in the field of human rights, it can contribute to promoting a more equal representation of women and men on these aforesaid bodies.

4. With regard to paragraph 6 of the Recommendation, the CDEG would like to make the following remarks:

Ad i) The CDEG welcomes the support of the Assembly concerning the need to establish the fundamental right of women and men to equality within the framework of an additional Protocol to the European Convention on Human Rights. The CDDH is currently studying, on the basis of a reasoned proposal from the CDEG, the necessity and the feasibility of including such a right in an additional Protocol to the Convention, and should give its opinion before the end of 1996.

The CDEG wishes to express its firm hope that work on the additional Protocol will advance rapidly. The adoption of such a Protocol would not only amount to an explicit recognition of the fact that equality between women and men is a fundamental principle of human rights, but would also mean that respect of this right would be submitted to international judicial procedures, providing a legitimate basis for positive action to correct subsisting inequalities. Its existence could thus serve as an agent of change at the national level. In this context, the CDEG would like to recall that the Conference "Equality and democracy: Utopia or challenge?", organised by the Council of Europe (Strasbourg, 9-11 February 1995) as its specific contribution to the preparatory process of the United Nations Fourth World Conference on Women (Beijing, 4-15 September 1995), called for the speedy elaboration, adoption and opening to signature of such a Protocol.

Ad ii) The CDEG shares the views of the Assembly concerning the necessity of adopting specific policies and promoting action programmes to address the problems of women, especially those who are the most vulnerable in our societies. In this respect, it should be recalled that the CDEG is in the process of preparing a Pan-European Plan of Action to combat forced prostitution and traffic in women, which will be submitted to the Committee of Ministers in the course of 1996. The Committee of Ministers will then hopefully transmit this Plan of Action to Steering and other Committees as well as to the Parliamentary Assembly, governments of member States as well as other international organisations, as appropriate. The Parliamentary Assembly could play an important role in favouring the implementation of this Plan of Action.

Furthermore, the CDEG has set up a Group of Specialists for combating violence against women, in charge of elaborating a Plan of Action to combat violence against women. This Plan should be ready before the end of 1997. The CDEG is also in the process of setting up (subject to approval by the Committee of Ministers) a Group of Specialists on the mainstreaming of equality, which will be in charge of devising strategies for the incorporation of gender equality as a natural component in all areas of policy and at all levels.

Ad iii) The CDEG notes with satisfaction, the adoption, by the Committee of Ministers, of the Protocol to the European Social Charter providing for a system of collective complaints, which may be lodged with the Charter's supervisory body. The Committee believes that this Protocol will considerably enhance the protection of women's rights, and hopes that it will be signed and ratified by Governments as quickly as possible.

Ad iv) The CDEG shares the view of the Assembly that the explicit recognition of the right of women and men to equality should be enshrined in the Constitutions of member States which do not already have such a provision. It would, in this context, like to underline that the whole legal culture is still predominantly masculine and would need to be changed in a manner which recognises and responds to violations of women's human rights and promotes equality.

Ad v) Concerning this paragraph, the CDEG would like to point out that, in its work during the years, it has constantly favoured an approach to equality between women and men which sees women and men as *individuals in their own rights*. In this respect, it would welcome all measures aiming at reconciling family and professional life for both women and men, both at the individual level and in the organisation and structures of political and public life.

Ad vi) The CDEG welcomes the support of the Assembly concerning the creation at national level of national equality machinery, as this is an issue the Committee has been promoting for several years, in particular in new member States. It refers to the organisation, last year, in Ljubljana, of a Workshop on this issue, aimed principally at Central and East European countries. The CDEG would remark that the Assembly itself could play an important role regarding this issue, by encouraging its members to actively favour and support the establishment/development of equality machinery in their respective countries. The CDEG would like to underline that, where such institutional arrangements exist, they have been instrumental to promoting equality between women and men and preventing discrimination. It should also be pointed out that experience has shown that such equality machinery should be established at the highest political level of government and be granted the powers, authority and resources to enable it to fulfil its functions in the best possible way.

Ad vii) The CDEG supports this recommendation, but would point out that such legislation already exists in many member States, especially in those who are members of the European Union.

Ad viii) This question, on how States can respond to persecution specifically aimed at women, especially refugee or displaced women, was discussed both at the Council of Europe's Conference "Equality and democracy: Utopia or challenge?" and at the Fourth World Conference on Women. The CDEG would like to point out that the Platform for Action, adopted in Beijing, calls for the development of criteria and guidelines to this effect and monitoring to ensure their fair and consistent application.

Ad ix) The CDEG welcomes and fully supports the Assembly's request that all member States, which have not yet signed and ratified the CEDAW, do so before the year 2000 and that those States which have lodged reservations should withdraw them as soon as possible. Already, the Conference "Equality and democracy: Utopia or challenge?" stressed that States which have made reservations to human rights instruments in general, and to the CEDAW in particular, should withdraw them. The Beijing Platform for Action calls upon Governments to "limit the extent of any reservations to the CEDAW; formulate any such reservations as precisely and as narrowly as possible; ensure that no reservations are incompatible with the object and purpose of the Convention or otherwise incompatible with international treaty law and regularly review them with a view to withdrawing them; and withdraw reservations that are contrary to the object and purpose of the CEDAW or otherwise incompatible with international treaty law." The CDEG feels it is important that the Council of Europe, as an Organisation committed to the protection and promotion of human rights, encourages its member States to take action to implement this part of the Platform for Action as soon as possible.

Ad x) Finally, as concerns the adoption of a possible Optional Protocol to the CEDAW, which would empower the Convention's supervisory body to examine individual and group complaints, the Conference "Equality and democracy: Utopia or challenge?" strongly supported this idea. The CDEG wishes to point out that the Beijing Platform for Action also supports the process initiated for the elaboration of such a protocol by the United Nations Commission on the Status of Women.

APPENDIX VII

OPINION OF THE CDEG ON THE PARLIAMENTARY ASSEMBLY'S RECOMMENDATION 1271 (1995) ON DISCRIMINATION BETWEEN MEN AND WOMEN IN THE CHOICE OF A SURNAME AND IN THE PASSING OF PARENTS' SURNAMES TO CHILDREN

1. The CDEG has taken note of Recommendation 1271 (1995) of the Parliamentary Assembly on discrimination between men and women in the choice of a surname and in the passing on of surnames by parents to their children.
2. The Committee agrees that the choice of a name is a matter of considerable importance and that, moreover, the loss of a name can lead to feelings of disorientation and loss of identity. It would draw attention to the fact that, for centuries, in most European countries, women lost their surname upon marriage and have not usually transmitted their surname to their children. Many women have seen this as a discriminatory measure, even if it is based on traditions. The CDEG would like to point out that discrimination between women and men in the choice of a surname and in the passing of parents' surnames to children is clearly a difference of treatment on the sole ground of sex, based on the fact that women are regarded as inferior beings.
3. The Committee welcomes Recommendation 1271, particularly paragraph 5, section i, on strict equality between women and men in the passing on of a surname to their children, and section iii on the elimination of all discrimination in the legal system for conferring a surname between children born in and out of wedlock.
4. As to paragraph 5, section ii, the Committee wonders about its real significance. If it means that there should be a common name for the family, the Committee would ask whether such a practice reflects current trends. The tendency towards later marriage, the fact that the participation of women in professional life has steadily increased during the last twenty years means that many women have already, in a sense, "made a name" for themselves in a professional capacity and many wish to keep their maiden name after marriage. Another more substantive argument would be the right to keep one's own name, both for women and men.
6. Finally, the CDEG welcomes the recommendation contained in paragraph 6, and recalls paragraph 16 (g) of the CEDAW, which stipulates that States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to family relations and in particular shall ensure, on a basis of equality of man and women, "the same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation."