



**Exchange of views with the CEDAW
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**Speaking points for Andreia Lourenço Marques
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Introduction on Gender Equality at the Council of Europe

- Gender equality is an important policy goal of the Council of Europe.
- **Although the legal status** of women in Europe has greatly **improved, there is no *de facto* equality** between women and men.
- For example, **women's labour force participation** rate in Council of Europe member states is 52%, while **gender pay gap** remains around 16% in the European Union. Only 26% of the Parliamentarians (in lower house) in the Council of Europe countries are women, with only a handful of countries reaching the goal of minimum 40% representation of each gender.
- It is clear that we have **not achieved gender equality**. To advance gender equality, it is important to highlight that it is not a women's issue and that this concerns all institutions and all areas of the society.
- The Council of Europe is an intergovernmental political organisation founded on three main values: human rights, democracy and the rule of law. The Council of Europe has three roles, namely, to set standards relating to its values, monitor the implementation of the Council of Europe standards and managing co-operation programmes in the member states.
- The organisation comprises of 46 member states and has adopted multiple international standards concerning gender equality.
- The most relevant of these in relation to women's rights and gender equality are the [European Convention on Human Rights](#) and the relevant case-law of the European Court on Human Rights, [the Istanbul Convention](#) to prevent and combat violence against women and domestic violence, [Anti-human trafficking Convention](#), the [European Social Charter](#), as well as multiple **Committee of Ministers' Recommendations** adopted since 1979 on education, media, sexist language, sport, education, political participation, audio-visual policy and health.
- The most recent of these recommendations are – preventing and combating sexism (2019) and protecting the rights of migrant, refugee and asylum-seeking women and girls (2022).

- There is a comprehensive institutional setting on gender equality in the Council of Europe.
 - [The Gender Equality Commission](#) (GEC) aims to ensure the mainstreaming of gender equality into all Council of Europe policies and to bridge the gap between commitments made at international level and the reality of women in Europe. The GEC, whose members are appointed by member states, agrees standards (recommendations) and monitors their implementation provides advice, guidance and support to other Council of Europe bodies and to member states. The GEC supports the implementation of the six objectives of the Council of Europe Gender Equality Strategy 2018-2023.
 - The Secretariat of the GEC is placed at the Gender Equality Division of the Council of Europe. The division manages the intergovernmental activities and standard setting on gender equality, co-operation projects and gender mainstreaming activities within the Organisation.
 - Concerning violence against women, there is a separate thematic division, which also hosts the Secretariat of GREVIO, the independent expert body responsible for monitoring the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)

Gender Equality Strategy 2018-2023

- The Council of Europe launched its Transversal Programme on Gender Equality in 2012, with the aim of increasing the impact and visibility of gender equality standards and of supporting their implementation in member states and within the Organisation itself. Within this framework, the first Council of Europe Strategy on Gender Equality 2014-2017 was adopted by the Committee of Ministers in November 2013. Building on the strength and successes of this first strategy and taking into account new challenges, the second strategy covering the period 2018-2023 was adopted by the Committee of Ministers in March 2018. The current strategy places a greater emphasis on intersectional issues, on the impact of socio-economic issues, on women's empowerment and on the role of men and boys for the realisation of gender equality. A new objective on migrant women was also added to the strategy, which now sets **six strategic objectives** (SOs):
 - SO1: Prevent and combat gender stereotypes and sexism;
 - SO2: Prevent and combat violence against women and domestic violence;
 - SO3: Ensure the equal access of women to justice;
 - SO4: Achieve a balanced participation of women and men in political and public decision-making;
 - SO5: Protect the rights of migrant, refugee and asylum-seeking women and girls (**new**);
 - SO6: Achieve gender mainstreaming in all policies and measures.
- The strategy is grounded on the belief that a strong commitment to **effective equality** (not just as proclaimed in fundamental principles and legal acts) between women and men at all levels and in all areas will benefit society as a whole, as well as future generations. This is fully in line with the CEDAW, the Beijing Declaration and Platform for Action, and the 2030 Global Agenda for Sustainable Development. The Council of Europe Gender Equality Strategy demonstrates the Organisation's commitment to continue to provide leadership – through legal standards and policy guidance, including regional and global efforts to implement the Beijing Declaration and gender equality-related Sustainable Development Goals (SDGs 5 and 16 in particular).

- The on **intergovernmental work** includes standard setting actions, such as the Recommendation on combatting and preventing sexism and the recently adopted Recommendation on protecting the rights of migrant, refugee and asylum-seeking women and girls.
- The Council of Europe implements **capacity building and co-operation projects** on gender equality and combating violence against women and domestic violence to provide national authorities with information, tools and expertise necessary to comply with relevant standards in these fields, including with the case-law of the European Court of Human Rights.
- Targeted bilateral and regional co-operation projects are in place with member states (Armenia, Azerbaijan, Bosnia and Herzegovina, Georgia, Latvia, Republic of Moldova, Turkey and Ukraine), as well as in Belarus, Kosovo* and the Southern Mediterranean region.
- These projects contribute towards making gender equality a reality in both the member states and within the Organisation.

Looking at the **most recent activities and achievements** of the GEC:

[Recommendation CM/Rec\(2022\)17 on protecting the rights of migrant, refugee and asylum-seeking women and girls](#)

- In May 2022, the Committee of Ministers adopted a new recommendation to protect the rights of migrant, refugee and asylum-seeking women and girls providing measures to better respond to needs and challenges that they face.
- Migrant, refugee and asylum-seeking women and girls form a diverse group varying in nationality, age, legal status, professional and personal situation and characteristics and reasons for migrating.
- Women and girls are often confronted with trafficking, and different forms of gender-based and sexual violence.
- They are also confronted to multiple forms of discrimination, racism and sexism.
- There are particularly high risks for unaccompanied girls, pregnant women, those with small children or women experiencing intersectional discrimination.
- This recommendation is particularly relevant due to the current circumstances. The war in Ukraine, sadly, shows the high risks faced by refugee women and girls.
- This recommendation provides specific advice to our member states on how to better protect women and girls from all forms of violence, to support victims and to ensure accountability of perpetrators.

- Drawing on Council of Europe treaties, including the Istanbul Convention on preventing and combating violence against women and domestic violence and the Convention on action against trafficking in human beings, the recommendation puts together what the GEC considered as the most useful existing provisions to promote the empowerment and rights of migrant, refugee and asylum-seeking women and girls. It addresses issues faced by women and girls: from adequate transit and reception facilities to their health needs or establishing gender-sensitive asylum policies.
- Also drawing on findings from the European Committee on the Prevention of Torture and from relevant United Nations instruments, it provides member states with a checklist of measures to ensure that migrant women's human rights are better protected.
- The recommendation furthermore provides guidance to member states regarding women's needs in terms of social services, employment, education and participation, to ensure that public policies fully contribute to the integration and empowerment of migrant, refugee and asylum-seeking women and girls.

[Recommendation CM/Rec \(2019\)1 of the Committee of Ministers to member States on preventing and combating sexism](#)

- In March 2019, the Committee of Ministers adopted the Recommendation on preventing and combating sexism.
- The recommendation was born as a response to the #MeToo and other recent movements calling for action to tackle sexism and gender inequalities.
- The recommendation includes the **first ever internationally agreed definition of sexism**. Common understanding of concepts, such as silencing behaviour, helps to identify sexist behaviours.
- The recommendation integrates an intersectional approach, identifies particularly vulnerable groups of women, and proposes concrete measures to prevent and eliminate sexism.
- It requests that member states monitor progress in implementing its guidelines and to inform the Council of Europe's GEC of measures taken and progress achieved.
- This recommendation calls for specific action in respect of language and communications; internet and social media; media, advertising and other communication methods; workplace; public sector; justice sector; education institutions culture and sport; private sphere.
- The Council of Europe has also conducted a campaign on sexism called *See it! Name it! Stop it!* to raise awareness on the phenomenon and to tackle it. The materials are available in over 20 languages. The first implementation review exercise will start this year.

The place of men and boys in promoting gender equality

- As part of the Council of Europe Gender Equality Strategy, the GEC wished to look more closely into the place of men and boys in gender equality policies. Accordingly, a Study prepared by two independent experts to inform the GEC's work was approved by the GEC at its April 2021 plenary meeting.
- The study looks at the different roles of men and boys, including in combating violence against women, as agents of change or as persons impacted by gender inequalities.
- Following this exploratory study, the GEC was mandated by the Committee of Ministers to draw up guidelines by the end of 2022 on the place of men and boys in gender equality policies and in policies to combat violence against women. A Working Group composed of member states and observers to the GEC is currently drafting these guidelines, which will be launched at an event under the Icelandic Presidency of the Committee of Ministers of the Council of Europe in 2023.

Artificial Intelligence

- Artificial Intelligence (AI) is a priority issue for the Council of Europe as a whole and the work has included a gender mainstreaming angle from the start, including the active involvement of the GEC.
- In 2020 and 2021, the GEC was active in participating in the work of the Council of Europe [Ad hoc Committee on Artificial Intelligence \(CAHAI\)](#).
- Issues of concern to the GEC regarding AI, include how the use of AI systems can enable the perpetuation and amplification of existing discrimination based on sex/gender; as well as looking at how to address machine learning used to build AI-based systems when it relies on vast datasets, which are by nature biased, as they reflect the discrimination already present in society.
- The **lack of data** about women in the AI sector, as well as the bias of those who collect and analyse the data also raises concerns. In addition, another issue raised was the **lack of gender balance** in most AI-related companies and professions, which heightens the risk that AI systems are developed without due regard to their potentially discriminatory impacts on some individuals and groups in society.
- Following this work, the [Committee on Artificial Intelligence \(CAI\)](#) has been given the mandate to draft a general legal instrument on AI. Gender mainstreaming will be an important aspect of this work as well.
- In addition, the **Steering Committee on Anti-Discrimination, Diversity and Inclusion (CDADI)** and the GEC have been given the mandate to work together on a **study** on the impact of artificial intelligence systems, their potential for promoting equality, including gender equality, and the risks they may cause in relation to non-discrimination. The study is planned to be adopted by summer 2023.
- Depending on the outcome and conclusions of this study, there might be a need to develop a **recommendation on the impact of AI on gender equality**.

Gender mainstreaming

- The Council of Europe was instrumental in developing the concept of **gender mainstreaming** from the 1990's onwards.
- Since then, the gender mainstreaming strategy has been an integral part of the work and activities of the Council of Europe.
- At the Council of Europe, gender mainstreaming is based on an institutional framework and a dual approach of gender mainstreaming and specific policies focusing on the advancement of gender equality.
 - this is done through **Gender Equality Rapporteurs**, appointed within intergovernmental bodies in the Council of Europe, who play a role of gender equality ambassadors within their respective bodies – there are about 50 rapporteurs appointed as of today. In addition, there is a gender mainstreaming team consisting of staff members from various sectors.
- Gender mainstreaming activities include different supporting tools such as training and policy briefs.
- There are also Committee of Ministers' recommendations on gender mainstreaming in specific thematic fields, including sport, health, education, and audio-visual sector.
- There are many good examples of gender mainstreaming at the Council of Europe.
 - The **Pompidou Group**, which provides knowledge, support and solutions for effective, evidence-based **drug policies**, conducted work on the gender dimension of drug abuse. Their study identified women as a "high risk category for non-medical use of prescription drugs". The link between women victims of violence and the abuse of prescription drugs was also identified. This work has shown the need to address the existing **gaps in data** and to understand **gender differences** as a critical requirement for developing effective policy responses.
 - **EURIMAGES**, which is the **European Cinema Support Fund**, has been implementing a comprehensive mainstreaming strategy since 2012. This includes a gender criteria in the allocation of funds to films. This had led to an **increase of women directors and producers** in the films they fund. In 2017, a **Recommendation on gender equality in the audio-visual sector** was adopted.

Challenges and next steps

- The information made available by member states on the implementation of the Gender Equality Strategy shows that the number and intensity of national initiatives on gender equality remains high.
- Several governments treat gender equality and violence against women as governmental priorities, linked to the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).

- Increased efforts will be needed at the national and the international level in respect of the protection of the rights of migrant, refugee and asylum-seeking women and girls, which is an important issue for a number of countries. The same can be said for gender mainstreaming, especially since the co-ordination of national policies to effectively implement a gender-sensitive approach in the broadest range of national policies remains a particular challenge.
- Member states also reported a number of **key challenges and difficulties** to efficiently design and apply gender equality-related policies, starting with the challenges and issues faced in the context of **Covid-19 pandemic** and the fact that all areas of economic and social activity have been affected and will continue to bear the impact in the months and years to come.
- One lesson learned put forward is the need to develop a rapid response system for the protection of women in times of crisis, including the need for sufficient and sustainable funding for support services for women victims of violence.
- Across the European region, **“anti-gender” movements** remain a challenge to overcome for policy makers and civil society organisations working to promote gender equality. **In a number of countries, mindsets and attitudes remain a major barrier to the advancement of women’s rights and more equality between women and men in all aspects of life.** These movements try to return societies to a past of gender-segregated roles for women and men in the public and private sphere.
- We are also witnessing how the terminology of gender equality policies, which had long been agreed and accepted, becomes an important obstacle to adopting further policy and legal instruments at the regional and global levels. A total of 36 member states have ratified the Istanbul Convention, Ukraine most recently, and more ratifications are expected. We still need to stay alert regarding the continuous misinterpretation and spreading of false information in relation to the Istanbul Convention has severely affected the pace of ratification of this important legal instrument.
- The Council of Europe and its partners are addressing these negative narratives and strong opposition to the Istanbul Convention by highlighting the positive impact of this legal instrument on women’s lives and rights.
- Women’s rights and feminist organisations are doing crucial work to support the Istanbul Convention and tackle the backlash. They, however, suffer from lack of resources and shrinking civic space in some countries. It is essential to support their work.
- The digital dimension of violence against women continues to be a growing challenge. The Council of Europe Expert Group on Action against Violence against Women and Domestic Violence (GREVIO) published its General Recommendation No.1 on the digital dimension of violence against women in 2021.
- In monitoring the implementation of the Istanbul Convention, GREVIO has identified that the digital dimension of VAW is often being overlooked in domestic laws and policies. In its [General Recommendation No.1](#), the first it has adopted, it outlines the problem of both gender-based violence against women committed online and facilitated by technology.

- Based on the four pillars of the Istanbul Convention - Prevention, Protection, Prosecution and Co-ordinated Policies - the recommendation proposes specific actions to be taken.
- Reports on challenges also stress that **barriers to substantive gender equality** still exist and that changing social and cultural patterns is a long-term process. These challenges are of a diverse nature, from the discontinuation of a specific national programme for equal opportunities for women and men (instead, gender equality will be planned as a horizontal principle in the programmes of all ministries); to the difficulty of achieving cultural change and change in attitudes regarding gender equality; inadequate resources (at the human, technical and financial levels); difficulties related to understanding and implementing gender mainstreaming in various sectors; the limited availability of statistical data and research on which to base effective gender equality policies.
- The Council of Europe and the GEC will continue its work on advancing gender equality and adapting to emerging issues and needs. Following the ongoing work, a new Gender Equality Strategy will be developed to be adopted for the period commencing in 2024.