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GENDER EQUALITY COMMISSION (GEC)

**Preliminary Draft Factsheet
The Council of Europe's contribution to BEIJING+25**

1. THE COUNCIL OF EUROPE 25 YEARS AFTER BEIJING: COMBATING SEXISM AND VIOLENCE AGAINST WOMEN AND GIRLS

- **Beijing+25 and the 2030 Agenda for Sustainable Development**

The year 2020 marks the 25th anniversary of the Fourth World Conference on Women and adoption of the Beijing Declaration and Platform for Action (BPfA), the foundational policy framework for the achievement of gender equality and women's empowerment.

The BPfA is the first international document in which women in development issues were closely and explicitly linked to women's human rights. It is also the first global political agreement in which the CEDAW Convention is clearly reflected and it includes human rights as one of twelve Critical Areas of Concern.

The Declaration of the BPfA, along with the twelve areas of concern, presents many complementarities with the UN 2030 Agenda for Sustainable Development "Transforming Our World," which recognises the responsibilities of UN Member States in the "achievement of gender equality and the empowerment of women and girls" in its SDG 5 and other gender related targets.¹ The most significant convergences are linked to the recognition of women's human rights in the BPfA, to the precept to "leave no one behind" in the 2030, Agenda and to the measures to eliminate discrimination and violence against women and girls. These measures clearly require the State to act with due diligence to prevent violence at the hands of private individuals and companies, protect women and girls from it, and ensure access to remedies and reparations for survivors.

- **Women's rights and the elimination of discrimination and violence against women and girls**

The BPfA and the adoption of women's rights legislation in the mid-1990s marked a period of unprecedented progress in global gender equality rights. Women's rights activists successfully used the available human rights framework to target international organisations with the claim that "women's rights are human rights," which culminated in the adoption of a number of conventions against violence against women, such as: the Declaration on the Elimination of Violence against Women (1993), the Inter-American Convention for the Prevention, Punishment and Elimination of Violence against Women (Belém do Pará Convention-1995), the Optional Protocol on the Convention on the Elimination of All forms of Discrimination against Women (1999) and, more recently, in 2011, the Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention).

¹ The convergences may be quickly summarised as follows: A. Poverty: SDG Targets 1.2, 1.3, 1.4, and 1.b, 2.2, 2.3; B. Education and training: SDG 4 all targets; C. Health: SDG 3.1; 3.7; 5.6; D. Violence Against Women: SDG 5.2; 5.3 and 16.1; E. Armed Conflict: SDG 16 all targets; F. Employment, Economic Structures SDG 5.4; 8.5, 8.7, 8.8; 10.1,10.2,10.3;G. Power and Decision making: SDG 5.5, 5.a, 16. 7; H. Mechanisms: SDG 5.c, 17.18; I. Human Rights of Women: SDG 5.1; J. Mass Media: SDG 16.10, 17.8; K. Environment: SDG 6, 11, 13; L Girl Child: SDG 4 all, 5.3, 16.2.

Recent years have seen rapid and widespread changes in gender discriminatory laws. International agreements such as the Convention on the Elimination of All Forms of Discrimination Against Women, political changes such as democratic transitions and the cessation of armed conflict, the mobilisation of feminist movements and women in politics, globalisation, and the spread of media have pushed states to reform laws that restrict women's agency, including family and personal status laws, labour laws, and criminal codes, and to expand systems of social provision.

However, over the last decade, oppositional forces to gender equality and women's empowerment have mobilised to contest women's rights, calling for a reinterpretation of human rights in accordance with traditional values, challenging the right of women to equality established in the Universal Declaration of Human Rights and threatening existing international agreements and commitments.

As a result, women's rights and the elimination of discrimination and violence against women and girls are still the main challenges that affect the achievement of gender equality, the empowerment of women and girls, the implementation of the BPfA and the full realisation of the 2030 Agenda for Sustainable Development through a gender perspective.

- **The Council of Europe Contribution**

For the Council of Europe, the European continent's leading human rights organisation, achieving gender equality and women's empowerment is central to its core business: the protection of human rights, the functioning of democracy, respect for the rule of law, economic growth and sustainability.

From the 1980s onwards, the Council of Europe has played a major role in the development of norms and concepts, such as parity democracy, gender budgeting and gender mainstreaming, that have been providing a new approach to gender equality, shaping its development in Europe and at the global level.

The Council of Europe's comprehensive and extensive body of standards and work related to gender equality, as well as regular monitoring of the implementation of these standards by the Council of Europe Gender Equality Commission and the Committee of Ministers, provide important input towards the efforts of the member States to achieve the UN SDGs.

Recognising the intrinsic links between sustainable development and the protection of human rights, the Council of Europe is committed to working with and supporting its 47 member States in implementing the BPfA and UN 2030 Agenda through a wide range of actions:

- providing States and other stakeholders with a platform to discuss achievements and to identify and address challenges in the implementation of the UN 2030 Agenda in Europe, including by supporting the development of benchmarks and indicators at national level to measure progress;
- promoting the implementation of European and global standards, in particular through changes to national legal frameworks and the adoption of integrated policies and other measures;
- providing guidance and support for the implementation of these standards, through

- recommendations, guidelines and resolutions of its various mechanisms and bodies;
- assisting in the collection of data, know-how, information and good practice for the promotion and review of progress towards the SDGs;
- promoting accountability and ascertaining States' level of implementation and compliance through monitoring bodies and committees;
- funding co-operation projects and activities that contribute towards the achievement of the SDGs.

The Council of Europe has produced three ground-breaking, unique and comprehensive conventions in the area of gender equality and human dignity that are all of relevance to the BPfA areas of concern and gender related targets of the SDGs:

- Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).
- Convention on Action against Trafficking in Human Beings.
- Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention).

These conventions have a global outreach. Their provisions inspire normative and policy changes in all regions of the world and all States can become parties to these conventions. For non-States parties, they provide a comprehensive blueprint for action at both global and national level. They provide platforms for international co-operation, review and exchange of experiences, and offer unique guidance in the design of national policies and legislation. Through them, the Council of Europe and its member States can support and contribute to the implementation of Goal 5 (“Achieve gender equality and empower all women and girls”) and Goal 16 (“Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels”).

The 14 indicators agreed upon at the UN-level to measure the implementation of the nine targets included in **Goal 5** (gender equality) cover priority areas of the Council of Europe work to achieve gender equality. The Council of Europe's gender equality strategic documents directly address many of the targets of Goal 5, including the fight against gender inequality and all forms of violence against women; the promotion of the full and effective participation of women in society; the need to guarantee equal access of women to justice, the fight against gender stereotypes; and the need to work in partnerships.

Goal 16 (peace, justice and strong institutions) is also relevant to the Council of Europe's work on gender equality as it refers to providing “access to justice for all”. The Council of Europe addresses this through its work to guarantee women's equal access to justice. Furthermore, Goal 16 includes targets to reduce physical, psychological and sexual violence and related deaths, and to end abuse, exploitation, trafficking and all forms of violence against girls and boys – areas covered by Council of Europe conventions and addressed through activities and co-operation with the 47 member States and the South-Mediterranean countries.

2. ACHIEVEMENTS, SETBACKS AND CHALLENGES

- **The Gender Equality Strategy 2014-2017**

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 supporting their implementation in member States and within the Organisation itself. The programme mobilised all of the Council of Europe's sectors, intergovernmental structures, monitoring mechanisms and partial agreements, as well as external partners - it brings together resources and tools for greater impact and focus.

The Transversal Programme prepared the **Council of Europe Strategy on Gender Equality 2014-2017** (the Strategy), which was adopted unanimously by the Committee of Ministers in November 2013. The Strategy built upon the strengths, specificities and added value of the Council of Europe, and proposed a vision and framework for the Organisation's role and action in promoting gender equality. The overall goal of the Strategy was to achieve the advancement and empowerment of women and hence the effective realisation of gender equality in Council of Europe member States. This was fully in line with the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, 1979), the Beijing Declaration and Platform for Action adopted at the Fourth World Conference on Women in 1995, and the 2030 Global Agenda for Sustainable Development, adopted in September 2015.

The Strategy demonstrated the Organisation's commitment to continue providing a leadership role through its legal standards and policy guidance to regional and global efforts to implement the Beijing Declaration and the Sustainable Development Goal 5: achieve gender equality and empower all women and girls. It promoted a holistic and integrated approach to gender equality and provided policy guidance and support to Council of Europe member States, as well as internal institutional bodies and mechanisms, to tackle the challenges in implementing standards in the area of gender equality.

The Council of Europe's **transversal approach towards gender equality** was led by its institutions, including the **Gender Equality Commission (GEC)**, the **Gender Equality Rapporteurs (GERs)**, the **Gender Mainstreaming Team (GMT)**, the **Gender Equality Unit** and the **seconded Senior Gender Equality Adviser**. They have continued to make progress in advancing awareness of gender equality and gender mainstreaming across the Organisation and many of its intergovernmental committees, monitoring bodies and partial agreements. The GEC provides a unique forum for exchanging experience and good practices on the implementation of the Strategy and other Council of Europe standards in the field of gender equality, not only among member States, but also with non-member States, other international organisations and civil society.

- **The monitoring bodies of the Conventions**

The Council of Europe is playing a leading role in setting standards, promoting legislative and policy measures and practical tools to advance the gender equality agenda and prevent and combat all forms of violence against women. Progress towards the implementation of Council of Europe legally binding and non-binding standards listed below provides a sound basis to measure progress in the member States towards the achievement of the BPfA and gender related targets of the SDGs.

The Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) is the most far-reaching international treaty to tackle this serious violation of human rights. It requires States to condemn all forms of discrimination and violence against women, including girls under the age of 18, and to take the necessary legislative and other preventive measures. It also requires States to take steps to introduce teaching materials on matters of gender equality (Article 14(1)). Follow-up on the implementation of the Istanbul Convention is ensured by its monitoring bodies, the **Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)** and the **Committee of the Parties**.

The Convention on action against trafficking in human beings aims at preventing and combating trafficking in women, men and children for the purpose of sexual, labour or other types of exploitation, as well as at protecting the victims and prosecuting traffickers. It includes a non-discrimination provision in Article 3, and the obligation for parties to promote gender equality and use gender mainstreaming in the development, implementation and assessment of measures to implement the convention. The convention established an **independent monitoring mechanism** to assess how its provisions are put into practice by States parties. This monitoring mechanism consists of two pillars: the **independent Group of Experts on Action against Trafficking in Human Beings (GRETA)** and the **Committee of the Parties**.

The Convention on the protection of children against sexual exploitation and sexual abuse (Lanzarote Convention) is the first treaty to criminalise all forms of sexual offences against children, notably: engaging in sexual activities with a child, child prostitution, child pornography, the solicitation of children for sexual purposes (“grooming”) and “sex tourism”. The Lanzarote Convention establishes that individuals can be prosecuted for certain offences even when the act is committed abroad. Preventive measures outlined in the convention include the screening, recruitment and training of people working in contact with children, making children aware of the risks and teaching them to protect themselves, as well as monitoring measures for offenders and potential offenders. **The Committee of the Parties to the convention (Lanzarote Committee)** is the body established to monitor its implementation.

Other Council of Europe standards and mechanisms are included in the following Recommendations:

- Recommendation No. R(79)10 on women migrants
- Recommendation No. R(85)2 on legal protection against sex discrimination
- Recommendation No. R(90)4 on the elimination of sexism from language
- Recommendation No. R(96)51 on reconciling work and family life
- Recommendation No. R(98)14 on gender mainstreaming
- Recommendation Rec(2002)5 on the Protection of Women against Violence
- Recommendation Rec(2003)3 on balanced participation of women and men in political and public decision-making
- Recommendation Rec(2007)13 on gender mainstreaming in education. The compilation of good practices shows how to promote an education free from gender stereotypes and identifies ways to implement the measures which are included in the recommendation

- The factsheet “Combating gender stereotypes and sexism in and through education” is a useful tool to measure progress based on standards and benchmarks in this area.
- Recommendation Rec(2007)17 on gender equality standards and mechanisms
- Recommendation Rec(2008)1 on the inclusion of gender differences in health policies
- Recommendation Rec (2010)10 on the role of women and men in conflict prevention and resolution and in peace building
- Recommendation Rec (2012)6 on the protection and promotion of the rights of women and girls with disabilities
- Recommendation Rec (2013)1 on gender equality and media – including a handbook to help member States with its implementation
- Recommendation Rec (2015)2 on gender mainstreaming in sport
- Recommendation CM/Rec (2017)9 on gender equality in the audio-visual sector
- Recommendation CM/Rec(2019)1 on preventing and combating sexism.

- **Setbacks and Challenges**

The Council of Europe’s comprehensive and extensive body of standards and work, carried out under the aegis of the Organisation’s Gender Equality Strategy, provides important input towards the efforts of member States to achieve the UN 2030 Agenda for Sustainable Development, in particular Sustainable Development Goals 5 (“Achieve gender equality and empower all women and girls”) and 16 (“Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels”). Furthermore, its intergovernmental platforms, notably the GEC, provide unique opportunities for exchanging information and experience on progress made towards the SDGs.

Implementation of the Gender Equality Strategy 2014-2017 confirmed the prominent global role of the Council of Europe in the field of women’s rights and gender equality. The Council of Europe has engaged in the promotion and evaluation of standards in order to identify gaps and obstacles to their implementation - as well as in the development of activities, tools and co-operation programmes to address such gaps and support member States to apply relevant standards.

Regular monitoring and research have shown that progress towards de facto gender equality is very slow. The challenges that Council of Europe member States face in implementing the Strategy are related to the wider global and regional context, including **shrinking resources** and a **backlash against women’s human rights** that contributes to widening the gap between gender equality standards and their implementation. Violence against women remains the most pronounced expression of the unequal power relations between women and men – as both a violation of women’s human rights and a major obstacle to gender equality. We also continue to face **misconceptions about the concept of “gender”**.

Gender equality and women's rights policies and measures are being increasingly attacked under the **misleading label of "gender ideology"**, which is used both to undermine progress towards equality between women and men, to jeopardise the rights of LGBTI persons, and to **spread misconceptions about the Istanbul Convention, thus diverting attention from its primary goal: to protect women and girls from violence.**

The prevalence of gender stereotypes and prejudices within society continues to pose a critical challenge, hindering progress on gender equality and affecting women and men, girls and boys. Member States are concerned about the impact and consequences of increasing, widespread online sexist hate speech and other forms of sexual violence, and look to the Council of Europe to develop work to counter such threats. Work undertaken to prepare a recommendation to prevent and combat sexism online and offline is an example of a co-ordinated response by the member States at the level of the Council of Europe.

Budgetary cuts and austerity measures affecting gender equality authorities and bodies continue to directly affect the activities and impact of institutional mechanisms for gender equality in implementing relevant gender equality standards and commitments at the national, regional and local level.

The governmental institutional machinery for gender equality needs strengthening, as gender equality bodies play a critical role in providing impetus and coherent management of gender equality policy, including monitoring and evaluation of progress, and co-ordination and support to gender equality and gender mainstreaming actions carried out by other government departments and civil society organisations.

Improving the awareness, knowledge and skills of policy makers to successfully integrate a gender equality perspective in all sectoral policies remains an important challenge shared by national authorities, international organisations and other stakeholders. It is widely acknowledged that success in achieving real equality between women and men will rely to a large extent on making sufficient progress towards gender mainstreaming.

This requires political engagement on the part of all relevant actors, as well as adequate investment in time and expertise across policies. Addressing **gender stereotypes in the judiciary, in all fields of law, including in the prosecution and punishment of violence against women, and the redress of victims**, will be critical to making progress in preventing and reducing the prevalence of this violation of human rights.

Other challenges affecting European societies, as highlighted by member States, include: women's economic independence; the barriers to achieving reconciliation between private and public life for both women and men; the difficulties in ensuring that all women benefit equally from gender equality policies; and the need to address the rights of migrant, refugee and asylum-seeker women in Europe.

3. THE STRATEGY 2018-2023 AND THE NEW AND EMERGING PRIORITIES

- **The new Gender Equality Strategy 2018-2023**

Based on the findings of the monitoring activities, the new Strategy builds upon the vast legal and policy “acquis” of the Council of Europe as regards gender equality, as well as the achievements of the first Council of Europe Gender Equality Strategy 2014-2017. It links them to both the current economic context and the political leverage within the Council of Europe, including the overarching priorities of the Organisation.

The new Strategy outlines the goals and priorities of the Council of Europe on gender equality for the years 2018-2023, identifying working methods and main partners, as well as the measures required to increase the visibility of results.

The new Strategy recognises the important challenge of ensuring that **all women benefit from gender equality policies** and the protection provided by relevant instruments, including disadvantaged groups of women (such as Roma women, women with disabilities, migrant and refugee women). To that end, it also pays due attention to **intersecting grounds of discrimination**, which reflects a shift in the debate from a focus on multiple discrimination towards including multiple identities and intersectionality.

Intersectional discrimination on the grounds of ethnicity, age, disability, sexual orientation or gender identity, among others, disproportionately marginalises particular groups of women. Therefore, intersectionality is addressed as a transversal issue across the priority objectives of the new Strategy. Furthermore, discrimination on the ground of sex has a structural and horizontal character that pervades all cultures and communities, at all levels. Gender inequalities also “add up” during the course of a life, so that certain disadvantages experienced in younger years accumulate throughout the life cycle and can cause subsequent difficulties later in life. A life cycle approach to gender equality policies is therefore necessary to capture this reality.

The new Strategy supports member States and the international community at large in their efforts to implement both the Beijing Platform for Action and the UN 2030 Agenda for Sustainable Development, by meeting the Sustainable Development Goals.

Natural partners in the implementation of the Gender Equality Strategy include: parliaments; national governments; local and regional authorities and their associations; gender equality bodies; human rights institutions; professional networks (in particular in the fields of justice, journalism, education, health and social services); trade unions and employers’ associations; the media; the private sector.

The new Strategy also seeks to involve, engage and use the **experience and expertise of civil society organisations**, in particular those specialising in women’s rights and gender equality issues, in the development, implementation and assessment of policies, programmes and activities.

- **Goals and Priorities of the New Strategy**

Although the legal status of women in Europe has undoubtedly improved during recent decades, effective equality is far from being a reality. Even if progress is visible (educational achievement, labour market participation, political representation), gender gaps persist in many areas, maintaining men in their traditional roles and constraining women's opportunities to affirm their fundamental rights and assert their agency. Women are still marginalised in political and public life, suffer discrimination in employment or difficulties in reconciling private, family and professional life, are paid less for work of equal value and find themselves victims of poverty and unemployment more often than men. The most pronounced expression of the uneven balance of power between women and men is violence against women, which is both a human rights violation and a major obstacle to gender equality.

A change in gender relations, women's empowerment and combating gender stereotypes are key to achieving gender equality and would benefit entire societies, including men, and for future generations. As extensive research has shown in a multitude of contexts, when women have equal chances with men to be socially and politically active, economies and societies thrive. Overall, women's more balanced participation in decision-making contributes to positive transformative processes for societies, such as changes in laws, policies, services, institutions, and social norms.

To this end the overall goal of the new Strategy is to achieve the effective realisation of gender equality and to empower women and men in the Council of Europe member States, by supporting the implementation of existing instruments and strengthening the Council of Europe *acquis* in the field of gender equality, under the guidance of the Gender Equality Commission (GEC). The focus for the period 2018-2023 **will be on six strategic areas**:

- 1) Prevent and combat **gender stereotypes and sexism**.
- 2) Prevent and combat **violence against women and domestic violence**.
- 3) Ensure the **equal access of women to justice**.
- 4) Achieve a **balanced participation of women and men in political and public decision-making**.
- 5) Protect the **rights of migrant, refugee and asylum-seeking women and girls**.
- 6) Achieve **gender mainstreaming in all policies and measures**.

These priority areas build on and further develop the existing body of work carried out by the Council of Europe and the member States, bringing added value to actions taken by other regional and international organisations. In addition, they will sustain the Council of Europe and member States' activities in the field of gender equality in order to achieve tangible results during the period covered by the new Strategy.

The beneficiaries of the new Strategy are women and men, girls and boys, living in the 47 Council of Europe member States, and society as a whole. The governments of member States drive the implementation of the new Strategy at national and local levels, in close co-operation with gender equality institutions, equality bodies and civil society.

- **Sexism and discriminatory stereotypes persist and undermine women's rights**

Recent women's movements, such as #METOO and #NIUNAMENOS, have heightened awareness of persistent, far-reaching sexism in all sectors of society. In response the Council of Europe has adopted the CM/Recommendation Rec(2019)1 to prevent and combat sexism. This Recommendation provides for the first international definition of sexism, i.e. "any sexist act, gesture, visual representation, spoken or written words, practice or behaviour based upon the idea that a person or a group of persons is inferior because of their sex, and which intentionally or not violate the dignity of others, or result in harm, or create an intimidating environment". This makes the link between "acts of everyday sexism" and violence against women and girls as part of a continuum that creates a climate of intimidation, fear and discrimination mostly affecting women and girls.

The Recommendation comprises a comprehensive catalogue of measures both to prevent and to condemn sexism, and it calls for specific action in the following areas:

- language and communications,
- internet, social media and online sexist hate speech
- media, advertising and other communication products and services
- workplace
- public sector
- justice sector
- education institutions
- culture and sport
- private sphere

Rec(2019)1 also provides for a regular, detailed review and reporting by member States of the steps taken to implement anti-sexism policies at national level. The Recommendation on Sexism represents a tool for taking forward the principles of gender equality and the empowerment of women as stated in the BPfA and the SDGs of the 2030 Agenda on Sustainable Development.