



September 2020

GEC-MIG (2020) Information document

## **GENDER EQUALITY COMMISSION (GEC)**

### **Drafting Committee to prepare a draft Committee of Ministers Recommendation on migrant and refugee women (GEC-MIG)**

### **Compilation of instruments related to migrant and refugee women**

The present information document has been prepared by the Gender Equality Division to support the drafting Committee of Ministers Recommendation on migrant and refugee women (GEC-MIG). The document includes a list of instruments and policy documents from the Council of Europe/European Union/United Nations/other international institutions related to migrant and refugee women.

## Table of Contents

<b>I.</b>	<b>COUNCIL OF EUROPE INSTRUMENTS</b> .....	3
<b>1.</b>	<b>Conventions</b> .....	3
<b>2.</b>	<b>Committee of Ministers Recommendations</b> .....	3
<b>3.</b>	<b>Parliamentary Assembly (PACE)</b> .....	5
<i>a)</i>	<i>Resolutions</i> .....	5
<i>b)</i>	<i>Recommendations</i> .....	5
<b>4.</b>	<b>Congress of Local and Regional Authorities</b> .....	5
<b>5.</b>	<b>Commissioner for Human Rights</b> .....	5
<b>6.</b>	<b>Special Representative of the Secretary General on Migration and Refugees</b> .....	6
<b>7.</b>	<b>European Committee for the Prevention of Torture (CPT)</b> .....	6
<b>8.</b>	<b>European Commission against Racism and Intolerance (ECRI)</b> .....	6
<b>9.</b>	<b>Group of Experts on Action Against Trafficking in Human Beings (GRETA)</b> .....	6
<b>10.</b>	<b>European Committee of Social Rights (ECSR)</b> .....	6
<b>II.</b>	<b>UNITED NATIONS STANDARDS AND RELATED MATERIALS</b> .....	7
<b>III.</b>	<b>INTERNATIONAL LABOUR ORGANIZATION (ILO) CONVENTIONS</b> .....	8
<b>IV.</b>	<b>EUROPEAN UNION STANDARDS</b> .....	8

## I. COUNCIL OF EUROPE INSTRUMENTS

### 1. Conventions

- [European Convention on Human Rights \(1950\)](#)  
- [Guide on case-law, Immigration, ECHR \(April 2020\)](#)
- [Council of Europe Convention on preventing and combating violence against women and domestic violence](#) (Istanbul Convention) ETS N° 210 (2011)
- [Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse](#) (Lanzarote Convention) ETS N° 201 (2007)
- [Council of Europe Convention on Action against Trafficking in Human Beings](#) ETS N° 197 (2005)
- [Convention on Cybercrime](#) ETS N° 185 (2001) and its protocols including the [Additional Protocol](#) concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems
- [European Convention on Nationality](#) ETS N° 166 (1997)
- [European Convention on the legal status of migrant workers](#) (1997)
- [Convention on the Recognition of Qualifications concerning Higher Education in the European Region](#) (Lisbon Recognition Convention) ETS N° 165 (1997)

### 2. Committee of Ministers Recommendations

- [CM/Rec\(2019\)11](#) Recommendation of the Committee of Ministers to member States on effective guardianship for **unaccompanied and separated children in the context of migration**
- [CM/Rec\(2019\)1](#) Recommendation of the Committee of Ministers to member States on **preventing and combating sexism**
- [CM/Rec\(2017\)10](#) Recommendation of the Committee of Ministers to member States on **improving access to justice for Roma and Travellers in Europe**
- [CM/Rec\(2012\)10](#) Recommendation of the Committee of Ministers to member States on the **protection of child and young athletes from dangers associated with migration**
- [CM/Rec\(2011\)13](#) Recommendation of the Committee of Ministers to member States on **mobility, migration and access to health care**
- [CM/Rec\(2011\)5](#) Recommendation of the Committee of Ministers to member States on **reducing the risk of vulnerability of elderly migrants and improving their welfare**
- [CM/Rec\(2011\)2](#) Recommendation of the Committee of Ministers to member States on **validating migrants' skills**
- [CM/Rec\(2011\)1](#) Recommendation of the Committee of Ministers to member States on **interaction between migrants and receiving societies**
- [CM/Rec\(2008\)10](#) Recommendation of the Committee of Ministers to member States on **improving access of migrants and persons of immigrant background to employment**
- [CM/Rec\(2008\)5](#) Recommendation of the Committee of Ministers to member States on **policies for Roma and/or Travellers in Europe**
- [CM/Rec\(2008\)4](#) Recommendation of the Committee of Ministers to member States on **strengthening the integration of children of migrants and of immigrant background**

- [CM/Rec\(2007\)10](#) Recommendation of the Committee of Ministers to member States on **co-development and migrants working for development in their countries of origin**
- [CM/Rec\(2007\)9](#) Recommendation of the Committee of Ministers to member States on **life projects for unaccompanied migrant minors**
- [CM/Rec\(2006\)10](#) Recommendation of the Committee of Ministers to member States on **better access to health care for Roma and Travellers in Europe**
- [CM/Rec\(2006\)9](#) Recommendation of the Committee of Ministers to member States on the **admission, rights and obligations of migrant students and co-operation with countries of origin**
- [CM/Rec\(2004\)14](#) Recommendation of the Committee of Ministers to member States on the **movement and encampment of Travellers in Europe**
- [CM/Rec\(2005\)4](#) Recommendation of the Committee of Ministers to member States on **improving the housing conditions of Roma and Travellers in Europe**
- [CM/Rec\(2004\)2](#) Recommendation of the Committee of Ministers to member States on the **access of non-nationals to employment in the public sector**
- [CM/Rec\(2002\)5](#) Recommendation of the Committee of Ministers to member States on the **protection of women against violence (2002)**
- [CM/Rec\(2000\)15](#) Recommendation of the Committee of Ministers to member States concerning the **security of residence of long-term migrants**
- [CM/Rec\(90\)14](#) Recommendation of the Committee of Ministers to member States on the **preparation of an information brochure of the social security rights and obligations of migrant workers and of their families**
- [CM/Rec\(88\)14](#) Recommendation of the Committee of Ministers to member States on **migrants' housing**
- [CM/Rec\(88\)6](#) Recommendation of the Committee of Ministers to member States on **social reactions to juvenile delinquency among young people coming from migrant families**
- [CM/Rec\(84\)18](#) Recommendation of the Committee of Ministers to member States on the **training of teachers in education for intercultural understanding, notably in a context of migration**
- [CM/Rec\(84\)9](#) Recommendation of the Committee of Ministers to member States on **second-generation migrants**
- [CM/Rec\(84\)7](#) Recommendation of the Committee of Ministers to member States on the **maintenance of migrants' cultural links with their countries of origin and leisure facilities**
- [CM/Rec\(80\)14](#) Recommendation of the Committee of Ministers to member States concerning the **vocational re-integration of migrant workers who return to their countries of origin**
- [CM/Rec\(79\)10](#) Recommendation of the Committee of Ministers to member States concerning **women migrants**

### 3. Parliamentary Assembly (PACE)

#### a) Resolutions

- [Resolution 2324 \(2020\)](#) Missing refugee and migrant children in Europe
- [Resolution 2299 \(2019\)](#) Pushback policies and practice in Council of Europe member States
- [Resolution 2290 \(2019\)](#) Towards an ambitious Council of Europe agenda for gender equality
- [Resolution 2244 \(2018\)](#) Migration from a gender perspective: empowering women as key actors for integration
- [Resolution 2243 \(2018\)](#) Family Reunification of refugees and migrants in the Council of Europe member states
- [Resolution 2176 \(2017\)](#) Integration of refugees in times of critical pressure: learning from recent experience and examples of best practice
- [Resolution 2174 \(2017\)](#) Human rights implications of the European response to transit migration across the Mediterranean
- [Resolution 2159 \(2017\)](#) Protecting refugee women and girls from gender-based violence
- [Resolution 1921 \(2013\)](#) Gender equality, reconciliation of private and working life and co-responsibility
- [Resolution 1765 \(2010\)](#) Gender-related claims for asylum

#### b) Recommendations

- [Recommendation 2056 \(2014\)](#) The alternatives to the immigration detention of children
- [Recommendation 1970 \(2011\)](#) Protecting migrant women in the labour market
- [Recommendation 1940 \(2010\)](#) Gender-related claims for asylum

### 4. Congress of Local and Regional Authorities

- [Resolution 411 \(2017\)](#) and [Recommendation 394 \(2017\)](#) From reception to integration: the role of local and regional authorities facing migration

### 5. Commissioner for Human Rights

- [Lives saved. Rights protected.](#) Bridging the protection gap for refugees and migrants in the Mediterranean (2019)
- Issue Paper. [Realising the right to family reunification of refugees in Europe](#) (2017)
- Human Rights [Comment](#) on human rights of refugee and migrant women and girls (March 2016)

## 6. Special Representative of the Secretary General on Migration and Refugees

- Issue paper: [Human rights aspects of immigrant and refugee integration policies](#). A comparative assessment in selected Council of Europe member states (2019)
- [Activity Report of the Special Representative](#) (Ambassador Tomáš Boček) covering his first mandate, 1 February 2016 to 31 January 2018.

## 7. European Committee for the Prevention of Torture (CPT)

- [CPT/Inf\(2017\)3](#) Immigration detention

## 8. European Commission against Racism and Intolerance (ECRI)

- General Policy recommendation [N° 5](#) on **combating intolerance and discrimination against Muslims** (2000)
- General Policy Recommendation [N° 7](#) (revised) on **national legislation to combat racism and racial discrimination** (2002, revised 2017)
- General Policy Recommendation [N° 16](#) on **safeguarding irregularly present migrants from discrimination** (2016)

## 9. Group of Experts on Action Against Trafficking in Human Beings (GRETA)

- [GRETA\(2020\)08](#) Compendium of **good practices in addressing trafficking in human beings for the purpose of labour exploitation** (2020)
- [Family reunification](#) for refugee and migrant children standards (2020)
- Thematic chapter 8th general report: [Assistance victims](#) (2019)

## 10. European Committee of Social Rights (ECSR)

- Conclusions of the European Committee of Social Rights on [Children, family and migrants](#) (2019)
- [European Social Charter](#) (revised) ETS N° 163 (1961):

## II. UNITED NATIONS STANDARDS AND RELATED MATERIALS

- UN General Assembly Resolution 73/195 [Global Compact for Safe, Orderly and Regular Migration](#) (2018)
  - UN General Assembly Resolution 73/151 [Global Compact for Refugees](#) (2018)
  - [Beijing Declaration](#) and UN Platform for Action (1995)
  - [Declaration on the Elimination of Violence Against Women](#) (1993)
  - [Convention on the Rights of the Child](#) (CRC) (1989)
  - [Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment](#) (UNCAT) (1984)
  - [Convention on the Elimination of All Forms of Discrimination Against Women](#) (CEDAW) (1979)
  - [Convention on the Elimination of All Forms of Racial Discrimination](#) (1965)
  - [Convention relating to the Status of Refugees](#) (1951) and its 1967 Protocol
  - [Universal Declaration of Human Rights](#) (UDHR) (1948)
- 
- UNHCR [Gender Equality Toolkit](#) (2020)
  - UNHCR [Policy on Age, Gender and Diversity](#) (2018)
  - From 1975 to 2013: UNHCR's [Gender Equality Chronology](#), (2013)
  - UNHCR [Handbook](#) for the Protection of Women and Girls (2008)
  - Executive Committee of the High Commissioner's Programme, [Conclusion on Women and Girls at Risk](#) N° 105 (LVII) (2006)
  - UNHCR Guidelines on international protection: [Gender-Related Persecution](#) within the context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol relating to the Status of Refugees (2002)
  - UNHCR's commitments to [Refugee Women](#) (2001)
  - Executive Committee of the High Commissioner's Programme, [Standing Committee Refugee Women and Mainstreaming: A Gender Equality Perspective](#) (2001)
- 
- [International Covenant on Civil and Political Rights](#) (ICCPR) (1966)
  - [International Covenant on Economic, Social and Cultural Rights](#) (ICESCR) (1966)

### III. INTERNATIONAL LABOUR ORGANIZATION (ILO) CONVENTIONS

- ILO Convention C189 [Domestic Workers](#) (2011)
- ILO Convention C097 [Migration for Employment](#) (Revised) (1949)
- ILO Convention C045 [Underground Work \(Women\)](#) (1935)

### IV. EUROPEAN UNION STANDARDS

- [EU Pact on Migration and Asylum](#) (2020)
- [EU Action Plan against migrant smuggling](#), Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions (2015 - 2020)
- [Progress report on the Implementation of the European Agenda on Migration](#), Commission to the European Parliament, the European Council and the Council (2019)
- [Report](#) from the Commission to the European Parliament and the Council on the **implementation of Directive on the right to family reunification** (2019)
- Directive of the European Parliament and of the Council on [the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers](#) (2014)
- [Migration on the Central Mediterranean route, managing flows, saving lives](#), Commission to the European Parliament, the European Council and the Council (2017)
- [European Migration Network](#) Synthesis Report for the EMN Focussed Study 2016, **Family Reunification of Third-Country Nationals in the EU plus Norway: National Report** (2016)
- Council Directive on the [right to family reunification](#) (2003)