

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 7 December 2022

**GENDER EQUALITY COMMISSION
(GEC)**

**Follow up to 22nd meeting
Strasbourg, 16-18 November 2022**

Compilation of written notes and reports

Objective 3 – [Ensure the equal access of women to justice](#)

- Presentation of the study on the impact of Covid-19 on women’s access to justice during the meeting of the Network of Pilot Courts ([European Commission for the Efficiency of Justice \(CEPEJ\)](#)) – (Strasbourg, 13 October 2022) and exchange of views with the author and the GEC Chair

During the meeting of the Network of Pilot Courts (under the CEPEJ), the Chair of the GEC (together with the Secretariat) made a presentation on the work of the GEC. She was accompanied by the expert (Lori Mann) who drafted the study on the impact of Covid-19 on women's access to justice and which she presented at the meeting.

Representatives of the Pilot Court’s Network were very pleased with this first exchange on gender equality and women’s access to justice. It allowed to broaden the discussion to other gender equality topics beyond the promotion and recruitment of judges.

Co-operation with CEPEJ in general is being intensified and the Secretariat made some suggestions as to gender-related questions to be inserted in the next CEPEJ questionnaire.

- *The GEC agreed that the Chair would disseminate a written report on her participation at the meeting of the Network of Pilot Courts organised by the European Commission for the Efficiency of Justice (CEPEJ).*

Objective 6 - [Achieve gender mainstreaming in all policies and measures](#)

- Reports from members of the GEC, experts and Secretariat who have participated in the following meetings of Council of Europe bodies:
 - [Committee of Experts on Hate Crime \(PC/ADI-CH\)](#) – preparation of a draft comprehensive Recommendation on combating hate crime

The Committee of Experts on Hate Crime (PC/ADI-CH) held its second meeting in Strasbourg on 29-30 September 2022. See [report of the meeting](#). Following the meeting, [an updated draft text](#) was received, which can also be found on the website of the 22nd GEC meeting.

The meeting focused mainly on the key parts of the Appendix to the Recommendation. In particular, the participants discussed revisions and amendments to the section “Scope, definition and approach”, largely aligning the definition in the draft recommendation with other pre-existing international standards and practices in this area. Additional changes to the sections on “Basic principles” and “Legislative models and range of offences” were also discussed, in order to clarify key terms and to ensure member States had a degree of flexibility in their implementation of the recommendation. The committee also discussed several changes to the sections “Criminal Justice System” and “Victim’s Rights and Protection Services” to strengthen the language in accordance with existing human rights standards and principles. Furthermore, the participants discussed several additions and revisions to the “Prevention” section.

The Secretariat drew the attention of the GEC on the fact that the current text refers to the word ‘gender’ only twice (one of them being as “gender identity”). Gender was not added in the list of characteristics (see paragraph 2 of the Appendix), given that it mainly aligns the text to the CM/Rec(2022)16 on hate speech adopted in May 2022. The second appearance of the word ‘gender’ appears first as a characteristic under “gender identity” paragraph 2, and second in the Appendix, paragraph 50 – gender-sensitive approach, although applied to the part on monitoring only). The GEC Chair is closely following the work on the draft recommendation, together with the Secretariat.

Next steps:

The Independent Experts will prepare a first draft of the Explanatory Memorandum to the recommendation prior to the third meeting, which is planned to take place in Strasbourg on 30-31 March 2023.

Under the authority of the Committee of Ministers, and of the European Committee on Crime Problems (CDPC) and the Steering Committee on Anti-Discrimination, Diversity and Inclusion (CDADI, the PC/ADI-CH is instructed to complete the following deliverable, within the following deadline: Draft comprehensive Recommendation on combating hate crime including its investigation and victim support, building on the case law of the European Court of Human Rights and drawing upon existing Council of Europe texts – deadline 31 December 2023.

- *The GEC agreed that the Chair would disseminate a written report about the work on the draft comprehensive Recommendation on combating hate crime.*
 - [Committee of Experts on Roma and Traveller Issues \(ADI-ROM\)](#) – preparation of a [draft Recommendation on equality for Roma and Traveller women and girls](#)

A **rationale** document (10 parts) was received in November 2022:

- I. Registration in the civil registry and identity documents
- II. Protection from extreme poverty and access to social protection and III. Housing and accommodation
- III. Adoption and placement of Roma and Traveller children in alternative care
- IV. Early childhood and school education of Roma and Traveller girls
- V. Health care and sexual and reproductive rights
- VI. Employment and economic situation
- VII. Protection from violence and abuse against Roma and Traveller women and girls
- VIII. Capacity building and empowerment of Roma and Traveller women and girls
- IX. Participation in political and public life (including decision making)
- X. Data, research and monitoring and XIII Legislation, strategies and action plans

This rationale document was presented orally at the 6th ADI-ROM meeting in Galway. The ADI-ROM Secretariat suggested that this document be transmitted to the CDADI for information ahead of its forthcoming 6th meeting (29 November-1 December 2022).

End-November: receipt of updated version of draft text. GEC is expected to send comments.

24-25 January 2023: third meeting of the drafting group will be held in person in Strasbourg.

End-2023: according to the ADI-ROM Terms of Reference, the draft recommendation should be finalised.

- *The GEC agreed that the Secretariat would send information in writing about the work of the ADI-ROM, particularly in relation to the draft Recommendation on equality for Roma and Traveller women and girls.*

V. Co-operation with international/regional organisations

- Follow-up to the exchange of views between the GEC Chair and the [Committee for the Elimination of Discrimination against Women](#) (CEDAW) Committee, Geneva, 1 July 2022

The GEC Chair held an exchange of views with the [Committee for the Elimination of Discrimination against Women](#) (CEDAW) during its eighty-second session, which took place in Geneva, on 1 July 2022. Her [speaking notes](#) from the exchange can be found on the Gender Equality website.

Presenting gender equality as one of the Council of Europe's major policy goals, the GEC Chair recalled the [European Convention on Human Rights](#) and the relevant case-law of the Court, the Council of Europe Convention on preventing and combating violence against women and domestic violence ([Istanbul Convention](#)), the [Anti-human trafficking Convention](#) and the [European Social Charter](#). She also referred to several Committee of Ministers' recommendations subjects such as education, media, sexist language, sport, political participation, audio-visual policy and health.

The exchange gave an opportunity to inform Committee members about how the [Council of Europe's Gender Equality Strategy 2018-2023](#) has brought attention to intersectional issues, to the impact of socio-economic issues on women's empowerment, to the role of men and boys for the realisation of gender equality, and to how the current gender equality strategy has helped to sharpen the policy-making focus on the rights of migrant women. The latter has led to the Council of Europe's Committee of Ministers adopting, in May 2022, a [new recommendation](#) to protect the rights of migrant, refugee and asylum-seeking women and girls.

Discussing future challenges, the Chair, Andreia Lourenço Marques, mentioned several pressing matters, such as the difficulties faced in the context of the Covid-19 pandemic, the fact that the digital dimension of violence against women continues to be a growing problem and how the rise of "anti-gender" movements has in recent years contributed to a backlash for gender equality. All of this highlights the need for the Council of Europe and the GEC to continue its work on advancing women's rights and adapting to emerging issues, while addressing cultural, social and institutional barriers that stand in the way of gender equality.

- *The GEC agreed that the Chair would disseminate a written report on her exchange of views with the CEDAW Committee (July 2022) and instructed the GEC Bureau to decide on the follow-up to be given to the exchange.*

- **Council of the European Union – gender equality agenda:**

- [Czech Presidency](#) (July - December 2022)

Office of the Government of the Czech Republic Gender Equality Department

Gender equality within the Czech Presidency of the EU Council

Legislative materials

CZ PRES is continuing the intensive negotiations on the **pay transparency directive**, with the aim of bringing the Council and EP positions as close to one another as possible. To this end, at least three political trilogues and at least seven technical meetings are to be held during CZ PRES.

CZ PRES also aims to conclude the first reading on the proposal for a **directive on combating violence against women and domestic violence** and continues with the negotiations on the **EU accession to the Istanbul Convention**.

Non-legislative materials

CZ PRES presented the draft Council Conclusions entitled **Gender equality in disrupted economies: focus on young generation**. CZ PRES aims for the approval of the Council Conclusions at the EPSCO meeting in December 2022. CZ PRES also hopes to conclude the negotiations on the **Council Recommendation on the revision of the Barcelona targets**, and the **Council Recommendation on long-term care**.

Events

The following gender equality events were held or will be held during CZ PRES:

- Meeting of the High-level Group on Gender Mainstreaming (5-6 September)
- CZ PRES conference "The Europe of Tomorrow: Gender Equality and the Economy" (3-4 October)
- WAVE conference "Women's specialist services as pillars of peace in times of crisis and beyond (10-11 October), organised by the WAVE network in cooperation with Czech NGOs
- CZ PRES conference "Tackling energy poverty: EU approach & sharing best practices" (24 October), which focused, inter alia, on the gender aspects of energy poverty
- Conference "Ending gender-based violence in academia" (24-25 November), organised by the Czech Academy of Sciences
- CZ PRES "Gender equality in the digital age: a task for Europe. Combating gender-based cyber-violence" (29 November)

- [Swedish Presidency](#) (January - June 2023)

Trio-declaration

- Sweden co-operates closely with France and the Czech Republic within our trio of EU Presidencies.
- The trio has committed to promoting gender equality and to fight discrimination against women at all levels. The agreed heading of the trio's programme is "Recovery" with a special focus on "Women's economic empowerment" and "Gender-based violence". Both are highly prioritised issues for the Swedish Government.

SE Presidency, files

- During our Presidency, Sweden will have two files within the area of gender equality. The first one is the EU's accession to the Istanbul Convention. CZ has done an excellent job in moving negotiations forward.
- Sweden plans to keep up the hard work of the CZ Presidency and to continue advancing the file on the Istanbul Convention.
- The second file is our Council Conclusions on gender equality in relation to the EU's follow-up of the Beijing Platform for Action.

SE Presidency meetings

- As a new Government just recently took office in Sweden, it is yet too early to disclose what our presidency will entail in any detail, but I can share some preliminary outlines.
- During its Presidency, Sweden plans to primarily focus on women's economic empowerment and gender-based violence, in line with the trio-themes.
- A High-Level Political Meeting is foreseen to be held in Stockholm end of February.
- The theme of the meeting is foreseen to be gender mainstreaming, including in the budget process, as well as the prevention of men's violence against women.
- In addition to the High-Level Meeting, we are planning a conference for experts, civil society organisations and academia in early February, on the theme of gender-based violence. The conference will host approximately 200 persons.
- It will likely focus on the importance of economic independence to enable a victim of violence to leave an abusive relationship. The conference will also focus on the threat of economic violence against women, both as a means from the man to try to stop a woman from breaking up from an abusive relationship, and as a means of revenge.
- A third meeting will be held for gender experts from member States' Government Offices. The meeting will be organised in co-operation with the European Commission and it will be held back-to-back with the conference. The theme of the meeting will be gender mainstreaming, including in the budget process

- Spanish Presidency (July - December 2023)

- **Combating all forms of violence against women**

One of the objectives of the Presidency is to advance in combating all forms of **violence against women**, guaranteeing prevention, detection, protection and reparation as pillars of public policies. Legislative advances will be promoted, such as the ratification of the Istanbul Convention by the European Union, if it has not been previously achieved, as well as tools for

the public registration of all cases of violence and EU initiatives for attending victims, such as an EU 016 helpline. A firm commitment will also be made to guarantee access for all persons to all **sexual and reproductive rights** in a safe and free manner, without cost, with special emphasis on the promotion of comprehensive sexual education in educational and public health systems, so that all women, regardless of their economic situation, have all their rights guaranteed.

- **Economic redistribution, fair recovery and reorganisation of care**

A commitment will be made to consolidate **economic recovery** with the aim of combating poverty and reducing social inequalities, improving the living conditions of those who are suffering most from poverty and precariousness, paying special attention to the economic and social conditions of women. Within the framework of this aim, equal pay will be promoted.

In addition, a **public care system** that guarantees the right to care for all persons and that distributes the workload that women currently carry out when caring for others, will also be promoted in all countries. The visibility, recognition and, above all, the equal sharing of this work, both with men and the States, through childcare leaves, the strengthening of public systems and the elimination of precariousness for women employed in the field of care, will be fostered.

- **Promoting equality and combating all forms of discrimination**

The promotion of equal opportunities and combating all forms of discrimination will be a cross-cutting priority. Therefore, commitments and progress will be promoted for the **effective protection against hate speech and hate crimes against LGBTI persons**. It is essential to promote the **public participation of all women**, taking into account their diversity, and equality in public life, encouraging political participation in governments, parliaments, State institutions, as well as in non-governmental organisations and companies.

- *The GEC asked the GEC members from Czech Republic, Sweden and Spain to submit the information about the gender equality programme of their respective presidencies of the Council of the European Union in writing.*