

Guide to the implementation of Recommendation CM/Rec (2022)17

Louise Hooper

prepared under the project “Combating Violence against Women in Ukraine – Phase II”
(COVAW-II)

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



- Drafted over 2 years
- Adopted by the Committee of Ministers on 20 May 2022
- States are required to take all necessary measures to promote and apply the principles set out in the recommendation and appendix aimed at ensuring that migrant, refugee and asylum seeking women and girls can effectively access and exercise their rights

Guide to the implementation of the recommendation



Council of Europe Project
"Combating Violence against Women
in Ukraine – Phase II" (COVAW-II)

- Prepared by national consultant in conjunction with international consultant.
- Designed as a practical guide to the implementation of Recommendation CM/Rec(2022)17 on the protection of refugee, migrant and asylum seeking women and girls.
- Aim is to support legislators, policy makers and other relevant stakeholders involved in policy making

2.5 Access to Information

Migrant, refugee and asylum-seeking women and girls need to know their rights and the services available to them to be able to access and enforce them. Proper access to information can also act as a protective factor against violence, abuse and exploitation. It can also assist integration and help to remove cultural barriers between migrant and host communities. Consideration should be given at all stages to accessibility, for example learning ability, sight, language and communication difficulties. This could include verbal or recorded information and sign language.

DIFFICULTIES FOR UKRAINIAN WOMEN IN ACCESSING INFORMATION IN HOST COUNTRIES

Ukrainian migrant, refugee and asylum-seeking women and girls outside Ukraine identified their main problems in accessing information to obtaining protection and support in host countries to include language barriers, lack of interpreters and a lack of general social support to complete the procedures for obtaining temporary protection.⁴³ Most relied on their acquaintances and the help of Ukrainian and international organisations and volunteers.

ACTION TO ENSURE EFFECTIVE ACCESS TO INFORMATION

■ Ensure relevant and accessible information and advice is provided in a language and manner that migrant women and girls can understand.

■ Ensure this information is also available to women and girl migrants in transit, reception or detention centres.

■ Provide resources and tools for support and empowerment.

- ▶ These are not defined in the recommendation however they could include, for example, state-provided services or funding civil society organisations providing advocacy, training or other support for migrant, refugee and asylum-seeking women and girls to access available services in the host country.

■ Ensure women and girls can access digital services and connections including the internet.

- ▶ If no access is provided or available ensure alternative access to information and services available solely or mainly in digital format.

RELEVANT INFORMATION AND ADVICE INCLUDES INFORMATION ABOUT:

■ Available protection and support services for victims and those at risk of:

- ▶ all forms of violence against women;
- ▶ trafficking in human beings.

■ Fundamental human rights as set out in the Convention for the Protection of Human Rights and Fundamental Freedoms.

■ Relevant reporting and complaint mechanisms.

- ▶ This should cover cases of violence or other violations of rights by State authorities or private contractors acting on behalf of the State, including rights to civil remedies, compensation and legal aid.

■ Available and accessible public services, including:

- ▶ healthcare including mental health, sexual and reproductive health and rights;
- ▶ age-appropriate and comprehensive sexuality education;
- ▶ psychosocial support;
- ▶ education and vocational training;
- ▶ integration programmes;
- ▶ training in languages and digital technology;
- ▶ housing;
- ▶ employment.

2.6 Access to Justice

In order to effectively exercise their rights and or take action in case of violation of those rights in accordance with relevant national and international standards and instruments migrant, refugee and asylum-seeking women and girls require effective access to justice. Access to justice for victims of crimes also deters those who seek to do harm. An **intersectional** and **gender-sensitive** approach to migrant, refugee and asylum-seeking women and girls should be adopted when

Chapter 2: definition and horizontal issues

- Definitions
- Non Discrimination
- Statelessness
- Internally Displaced Persons
- Child rights based approach
- Effective access to information
- Access to justice
- AI, automated decision-making and data protection
- Co-operation with civil society
- Data collection, research and monitoring
- States of emergency, additional problems likely to be caused by climate and other humanitarian emergencies and the use of temporary protection procedures require gender sensitive procedures to ensure women's rights are properly protected.
- Conflict-related sexual violence is one of the worst atrocities of war.
- It is a war crime in international law
- Sexual violence in conflict is less gender-specific in the case of young children.

Protection and Support



- Migrant, refugee and asylum-seeking women and girls are entitled to protection from:
 - ✓ all forms of violence against women and domestic violence;
 - ✓ all forms of trafficking in human beings and all forms of sexual exploitation;
 - ✓ hate speech and sexism.

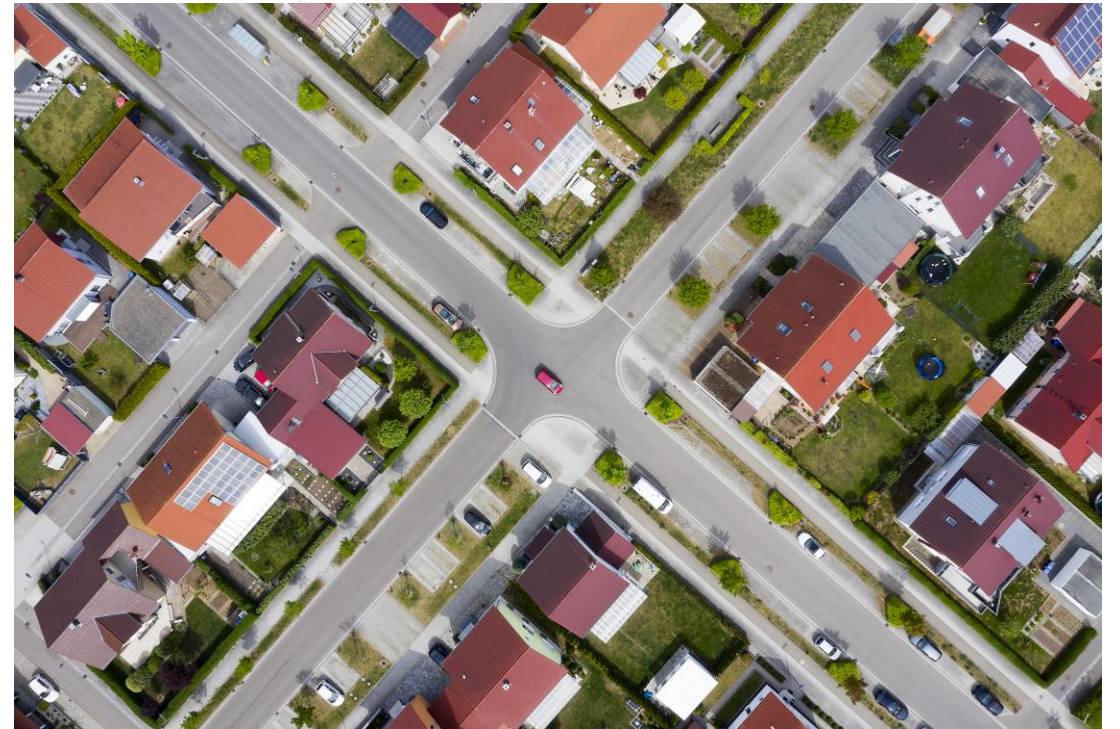
Chapter 3: Arrival

- arrival including pre-arrival information and procedures designed to reduce the likelihood of irregular migration and to ensure women who do migrate are aware of their rights.
- the basics of transit and reception facilities
- gender sensitive asylum procedures
- Cross border measures, in particular, to reduce and respond to exploitation and trafficking



Chapter 4: Residence and Integration

- health
- social services
- social security and housing
- employment and economic empowerment
- education
- residence permits
- family reunion.



Chapter 5: Returns



- Affirms the principle of non-refoulement
- Aims to ensure returns are preferably voluntary and always in dignity