



GENDER EQUALITY AND WOMEN'S RIGHTS

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Standards



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Gender equality is central to the protection of human rights, the functioning of democracy, respect for the rule of law, and social well-being. The Council of Europe's work in the fields of human rights and gender equality has resulted in comprehensive legal standards and policy guidance aimed at achieving the advancement and empowerment of women and the effective realisation of gender equality in Council of Europe member states and beyond.

COUNCIL OF EUROPE CONVENTIONS

■ The **Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention, 2011)** is the most far-reaching international treaty to tackle violence against women in all its forms. Preventing violence, protecting victims, prosecuting the perpetrators and integrated polices at the national level are its cornerstones. The measures required by the Istanbul Convention are firmly based on the premise that only real equality between women and men and a change in power dynamics and attitudes can prevent this serious violation of human rights. Therefore, violence against women cannot be eradicated without investing in policies and measures aiming at equality between women and men. The Istanbul Convention foresees a two-pillar monitoring mechanism to assess and improve its implementation: the independent Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), and the Committee of the Parties.

■ The **Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention, 2007)** is the first treaty to criminalise all forms of sexual offences against children. It notably criminalises 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 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; and monitoring measures for offenders and potential offenders. The Committee of the Parties to the Convention, the "Lanzarote Committee", monitors the effective implementation of the convention.

■ The **Council of Europe Convention on Action against Trafficking in Human Beings (2005)** 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 victims and prosecuting traffickers. It includes a non-discrimination provision in Article 3, and the obligation for parties to the convention to promote gender equality and use gender mainstreaming in the development, implementation and assessment of measures. The convention set up an independent monitoring mechanism, consisting of two pillars, to assess how its provisions are put into practice by states parties: the independent Group of Experts on Action against Trafficking in Human Beings (GRETA) and the Committee of the Parties.

■ The **European Social Charter (1961)** guarantees the enjoyment of economic and social rights, particularly in the areas of housing, health, education, employment, legal and social protection and movement of persons. These must be implemented without discrimination on any ground, particularly on the ground of sex. The European Social Charter was revised in 1996 and provides for equality between women and men in education, work and family life, and for positive measures to ensure equal opportunities and the right to equal remuneration. The European Committee of Social Rights monitors the conformity of national situations with the charter, through a reporting system as well as a procedure of collective complaints.



■ The **European Convention on Human Rights (1950) (the Convention)** is Europe's core human rights treaty. It guarantees civil and political human rights. Article 1 establishes the obligation for parties to secure the rights and freedoms defined in the Convention "to everyone within their jurisdiction". The enjoyment of these rights must be respected without discrimination on any ground, including sex (Article 14). Protocol 12 reaffirms the principle of non-discrimination; its Article 1 reiterates that the enjoyment of rights set forth by law shall be secured without discrimination on any ground, including sex. The European Court of Human Rights rules on individual or state applications alleging violations of the civil and political rights set out in the Convention.

COMMITTEE OF MINISTERS RECOMMENDATIONS TO MEMBER STATES

■ **Recommendation Rec(2022)17 on protecting the rights of migrant, refugee and asylum-seeking women and girls** calls on member states to ensure that national migration, asylum and integration legislation and policies are gender-sensitive. The recommendation brings together the provisions of existing international standards that can best ensure the empowerment and protection of the rights of migrant, refugee and asylum-seeking women and girls.

■ **Recommendation Rec(2019)1 on preventing and combating sexism** contains the first definition of sexism at the international level, covering any act, gesture, visual representation, spoken or written words, practice or behaviour based on the idea that a person or group, disproportionately often women, is inferior because of their sex. The recommendation emphasises the link between sexism and violence against women, and requires member states to address sexism in the areas of language and communications; the Internet and social media; media, advertising and other methods of communication; the workplace; public sector; judiciary; educational institutions; culture and sport; and the private sphere. The recommendation requires states parties to monitor the implementation of policies at national level and report periodically to the Council of Europe.

■ **Recommendation Rec(2017)9 on gender equality in the audiovisual sector** is the first pan-European recommendation to address gender equality issues in the industry, including a lack of awareness thereof; conscious and unconscious gender bias at all levels; and unequal distribution of funding. It invites governments to review their legislation and policies; collect, monitor and publish data; support research; encourage ongoing development of media literacy; and enhance accountability processes. It also contains tools for developing knowledge in the area and a series of monitoring methods and performance indicators.

■ **Recommendation Rec(2015)2 on gender mainstreaming in sport** calls on member states to promote and encourage policies and practices aimed at introducing, implementing and ensuring gender mainstreaming in all fields and at all levels of sport. This includes legislation; policies and programmes; data collection and research on women and girls in sport; and awareness raising and training on gender equality issues for public authorities and actors involved in sport.

■ **Recommendation Rec(2013)1 on gender equality and media** includes guidelines and suggested actions to promote gender equality and combat gender stereotyping in the media. It is addressed to both member states and media organisations. The recommendation contains measures covering issues such as the review and evaluation of gender equality policy and legislation; the adoption and implementation of national indicators on gender equality in the media, the provision of information and promotion of good practices; accountability channels, research, media literacy and active citizenship.

■ **Recommendation Rec(2012)6 on the protection and promotion of the rights of women and girls with disabilities** asks member states to adopt legislative measures and conduct positive actions to promote the rights and encourage the participation of women and girls with disabilities in all areas. Noting that women and girls with disabilities may suffer multiple discrimination, the recommendation includes measures in the areas of education and training; employment and economic situations; health care; access to social protection; sexual and reproductive rights, motherhood and family life; access to justice and protection from violence and abuse; participation in culture, sport, leisure and tourism; and raising awareness and changing attitudes.

■ **Recommendation Rec(2010)10 on the role of women and men in conflict prevention and resolution and in peace building** provides guidelines on how to address the different roles attributed to women and men in conflict prevention, resolution and peace building activities, and in the development of strategies and mechanisms in the following fields: respect of human rights and non-violent conflict resolution; combating gender-based violence; balanced participation of women and men in decision-making; and women's empowerment.

■ **Recommendation Rec(2008)1 on the inclusion of gender differences in health policy** asks member states to make gender a priority area by addressing the specific health needs of women and men and by developing a gender mainstreaming approach in health policies and strategies. It also recommends member states to promote gender awareness and competency in the health sector, to ensure the balanced participation of women and men in decision-making, and to monitor and evaluate progress on gender mainstreaming in health policies. Producing regular gender-based health reports, including gender analysis, and promoting the use of gender-sensitive indicators in data collection for national health reports are among the measures put forward in the recommendation.

■ **Recommendation Rec(2007)17 on gender equality standards and mechanisms** stipulates measures to achieve gender equality in practice. It prescribes general measures regarding notably responsibilities, transparency, gender mainstreaming and non-sexist language. It also recommends the adoption of gender equality standards in the areas of private and family life; education; science and culture; economic life; social protection; health, including sexual and reproductive matters; violence against women; human trafficking; conflict and post-conflict situations; and vulnerable groups exposed to multiple discrimination. It also suggests complementary strategies such as national institutional mechanisms for gender equality; research and instruments to measure and evaluate progress; and the establishment of partnerships.



■ **Recommendation Rec(2007)13 on gender mainstreaming in education** calls on member states to promote and encourage measures aimed at implementing gender mainstreaming at all levels of the education system. It specifies measures to ensure effective gender mainstreaming in education, including, for example, in legal frameworks and policies, school organisation, school curricula, teaching methods, career guidance and training of education professionals.

■ **Recommendation Rec(2003)3 on balanced participation of women and men in political and public decision-making** defines the balanced participation of women and men as a minimum 40% representation of each sex in any decision-making body in political and public life. A set of legislative, administrative and supportive measures is recommended to member states in order to achieve balanced participation and equal sharing of decision-making power between women and men. Its implementation by member states has been monitored to provide member states with information on progress and gaps.

■ **Recommendation Rec(2002)5 on the protection of women against violence** sets out measures to end all forms of violence against women, including legislative and policy measures to prevent and investigate violence against women; assist victims; work with perpetrators; increase awareness, education and training; and collect relevant data.

■ **Recommendation No. R(98)14 on gender mainstreaming** calls on member states to create an enabling environment and facilitate conditions for the implementation of gender mainstreaming on the basis of the Report of the Council of Europe Group of Specialists on Gender Mainstreaming (1998). The report sets out the conceptual framework for gender mainstreaming, its definition and a methodology for its implementation, accompanied by examples of good practices.

■ **Recommendation No. R(96)51 on reconciling work and family life** calls on member states to enable women and men to better reconcile their working and family lives. Proposed measures include the organisation of working time (flexible employment, maternity, paternity and parental leave); the abolition of discrimination between women and men in the labour market; the development of adequately financed services in favour of families; the adaptation of social security schemes and tax systems to the diversity of working patterns; and the organisation of school time and curricula.

■ **Recommendation No. R(90)4 on the elimination of sexism from language** calls on member states to promote the use of language reflecting the principle of equality between women and men. It suggests the adoption of measures to encourage the use of non-sexist language, including in legal drafting, public administration, education and media.

■ **Recommendation No. R(85)2 on legal protection against sex discrimination** requires member states to take or to reinforce measures for the promotion of equality between women and men, including through legislation in the fields of employment; social security and pensions; taxation; civil law; the acquisition and loss of nationality; and political rights. Its Appendix refers to the need to consider the adoption of special temporary measures designed to accelerate the realisation of *de facto* equality between women and men.



For further information,
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The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.

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