

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 12th January 2021

GEC-MIG (2020) Report December

GENDER EQUALITY COMMISSION

2nd meeting of the Drafting Committee on Migrant Women (GEC-MIG)

Strasbourg, 14-15 December 2020

REPORT

1. Opening of the meeting by the Chair

The Chair Vera Eloi da Fonseca (Portugal) welcomed the participants and observers to the second meeting of the Drafting Committee and gave an overview of the agenda and of the objectives of the meeting. She asked participants new to the Drafting Committee to introduce themselves. The list of participants is attached as Appendix II to this report.

The Drafting Committee took note of this information.

2. Tour de table – Presentation of members

New participants and observers in GEC-MIG briefly introduced themselves.

3. Adoption of the agenda

- *The Drafting Committee adopted its agenda as set out in Appendix I to this report.*

4. Presentations

a. **Presentation and exchange of views with Ambassador Drahoslav Štefánek, Council of Europe Secretary General Special Representative on Migration and Refugees**

Ambassador Drahoslav Štefánek [presented](#) the draft Council of Europe Action Plan on protecting vulnerable persons in the context of migration and asylum in Europe (2021-2025). The draft Action Plan was presented to the Committee of Ministers on 8 December 2020 and should be adopted by mid-January following consultations with member states. Ambassador Štefánek stressed, in particular, the strategic objective of the draft Action Plan aiming at identifying and addressing vulnerabilities throughout asylum and migration procedures, which will be a cross-cutting theme of the Plan. He noted that the COVID-19 crisis was an aggravating factor of vulnerability for women and girls, which needs to be taken into account.

A discussion followed the presentation. Ambassador Štefánek noted that some issues are likely to be more challenging than others in view of the future adoption by the Committee of Ministers of the Recommendation that the Drafting Committee is preparing, and on the need therefore to aim for a realistic, but at the same time ambitious, recommendation. He also stressed the importance of taking into account the existing *acquis* of the UN in this area, such as CEDAW General Recommendations.

- *The Drafting Committee took note of the presentation made by Ambassador Štefánek, expressed its support for the draft Action Plan and thanked him for the very useful information he provided.*

b. Presentation and exchange of views with Andreas Wissner, Representative, UNHCR Representation to the European Institutions in Strasbourg

Andreas Wissner [presented](#) the relevant standards of the United Nations High Commissioner for Refugees (UNHCR) related to migrant, refugee and asylum-seeking women. He also presented the UN Global Compacts on asylum and on migration. M. Wissner welcomed the work of GEC-MIG and stressed the need for specific protection and gender-sensitive measures for women and girls in relation to migration and asylum policies, notably in relation to reception conditions, asylum procedures, services, education, economic opportunities and protection from gender-based violence.

- *The Drafting Committee took note of the presentation by Andreas Wissner and thanked him for the very useful information he provided.*

c. Presentation of the relevant provisions of the Council of Europe Convention on Action against Trafficking in Human Beings and findings of Group of Experts on Action against Trafficking in Human Beings (GRETA), Petya Nestorova, Executive Secretary of the anti-trafficking convention

Petya Nestorova gave a [presentation](#) about the [Council of Europe Convention on Action against Trafficking in Human Beings](#). The presentation gave an overview of the relevant provisions of the Council of Europe anti-trafficking convention related to migration and asylum, including definitions, residence permits, protection, returns and *non-refoulement*.

In the discussions that followed, questions arose related to the push factors that drive people into illegal migration and related to the gender equality-related provisions of the anti-trafficking convention and relevant gender equality-related findings of GRETA.

- *The Drafting Committee took note of the presentation by Petya Nestorova and thanked her for her interesting input.*

d. Presentation and exchange with Sandra Johansson, Senior Gender Advisor, Save the Children

Sandra Johansson made a [presentation](#) on behalf of Save the Children, addressing the situation of migrant, refugee and asylum-seeking girls, and in particular the recent report by Save the Children [“Girls on the Move in the Balkans”](#). She stressed the fact that, very often, girls fall between the cracks of policies and programmes related to migration and asylum, including in relation to research and data collection. She explained the need for an intersectional approach that takes into account gender, age and migration status and strengthens girls’ agency. She went on to examine the challenges faced by girls with regards to pre-immigration, journey/transit and arrival. She concluded by making several recommendations, including the need to listen to girls on the move themselves, and the need for age and gender-sensitive (asylum) procedures, programmes and support services.

- *The Drafting Committee took note of the presentation by Sandra Johansson, congratulated her for the work done by Save the Children on the topic of migrant girls, and thanked her for her useful input.*

5. Discussion on the preparation of the draft Recommendation – Draft preambular paragraphs and operative part

The secretariat [presented](#) the process with regard to [the draft preambular and operative part of the draft Recommendation](#) which had been sent for comments to the Drafting Committee, as well as the content of the draft preamble and operative paragraphs.

A discussion ensued regarding the different amendments put forward, whereby the Drafting Committee expressed its position on the proposals made. The representative of the Russian Federation made a declaration on the scope of the draft Recommendation, which appears in Appendix III to the present report.

The Drafting Committee requested the Secretariat to conduct a linguistic and consistency check of the draft preamble and operative paragraphs, as amended at the meeting. The Secretariat was also mandated to propose compromise solutions for the paragraphs of the preamble on which there was no consensus at the meeting of the Drafting Committee, taking into account the future full content of the Appendix.

- *The Drafting Committee requested the secretariat to prepare a revised draft of the preamble and operative paragraphs, ahead of the third meeting of GEC-MIG.*

6. Discussion on the preparation of the draft Recommendation – Draft structure of the Appendix

Louise Hooper, the expert supporting the work of the Drafting Committee, [presented](#) the [Draft structure for the Appendix of the future Recommendation on migrant, refugee and asylum-seeking women](#). She referred to the decisions to be made by the Drafting Committee regarding some general questions, notably how to include horizontal issues while avoiding repetitions and the approach to general issues of importance to migrant and asylum-seeking women, but which are not specifically gendered.

A discussion followed regarding each section of the draft structure of the Appendix of the future recommendation, whereby participants expressed their views on both the proposed structure and the topics to be included. Participants generally welcomed the draft structure of the Appendix, stressing that the final version would need to be more specific and detailed. There was agreement on additional issues to be added, including more detailed information about safe and legal routes, in accordance with the Anti-trafficking Convention; the issue of stateless women (for example migrant Roma women); recognition of qualifications and experience in the employment section; and the availability of women professionals in the section on integration and social services. It was also noted that some issues may have to be added in view of the contributions made by experts made during the meeting, for example regarding girls.

- *The Drafting Committee took note of the presentation by Louise Hooper and discussed the proposed structure and content of the Appendix of the draft Recommendation.*

- *The Drafting Committee requested the Secretariat to submit to them a draft Appendix based on the proposed structure, taking into account the discussions and presentations made at the meeting.*

7. Next steps and closing

The Secretariat will prepare a new version of the draft preamble and operative paragraphs to be submitted to the Drafting Committee. The draft Appendix will also be developed on the basis of the proposed structure presented at this meeting and will be sent to the Drafting Committee for comments ahead of its third meeting in March 2021.

The Chair thanked the participants and observers, as well as the Secretariat, the interpreters and the technicians for the good work, and closed the meeting.

- *The Drafting Committee agreed on the next steps to be taken and agreed that the summary by the Chair reflected properly the discussions held during the meeting of the Drafting Committee.*

8. Date and place of next meeting

The 3rd meeting of the GEC-MIG will take place on 2-3 March 2021 (the meeting format will be communicated in due time).

APPENDIX I

AGENDA

Monday 14th December 2020

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| 2.30 – 2.45 pm | Opening of the meeting by the Chair and adoption of the agenda
<i>Draft agenda</i> (GEC-MIG (2020) OJ 2) |
| 2.45 – 3.15 pm | Presentation and exchange of views with Ambassador Drahoslav Štefánek, Council of Europe Secretary General Special Representative on Migration and Refugees. |
| <i>3.15 – 3.30 am Coffee break</i> | |
| 3.30 – 4.30 pm | Discussion on the preparation of the draft recommendation
<i>Presentation by the secretariat</i>
<i>Discussion on the preambular paragraphs</i> |
| 4.30 – 5.00 pm | Presentation and exchange of views with Andreas Wissner, Representative, UNHCR Representation to the European Institutions in Strasbourg |
| 5.00 pm | Conclusions and closing of day 1. |

Tuesday 15th December 2020

- 10.00 – 10.30 am Presentation of the relevant provisions of the [Council of Europe Convention on Action against Trafficking in Human Beings](#) and findings of Group of Experts on Action against Trafficking in Human Beings (GRETA) (Petya Nestorova, Executive Secretary of the anti-trafficking convention).
- Discussion
- 10.30 -11.00 am Discussion on the preparation of the draft recommendation
Presentation by the secretariat on operative paragraphs
Discussion on the preambular and operative paragraphs
- 11.00 – 11.15 am Coffee break**
- 11.15 -12.30 pm Discussion on the preparation of the draft recommendation (continued)
Preambular, operative paragraphs as relevant
Presentation by Louise Hooper, expert supporting the work of GEC-MIG on the structure of the appendix - guidelines
- 12.30 – 2.30 pm Lunch break**
- 2.30 pm – 3.00 Presentation and exchange with Sandra Johansson, Senior Gender Advisor, Save the Children
 Discussion
- 3.00-3.30 pm Discussion on the preparation of the draft recommendation
Structure of the appendix – guidelines
- 3.30 – 3.45 pm Coffee break**
- 3.45-4.30 pm Discussion on the preparation of the draft recommendation (continued)
Structure of the appendix - guidelines
- 4.30– 5.00 pm Next steps and closing

APPENDIX II

List of participants

MEMBERS

Belgium	<p>Khadija AZNAG Flemish Agency for Integration and Civic Integration</p> <p>Jessica OUAZZANI Public Service of Wallonia Directorate for the Integration of People of Foreign Origin and Equal Opportunities</p> <p>Lauraline MICHEL Equal Opportunities Board Wallonia-Brussels Federation</p>
Bosnia and Herzegovina	<p>Samra FILIPOVIC-HADZIABDIC Tajma KAPIC Agency for Gender Equality Ministry of Human Rights and Refugees</p>
Croatia	<p>Martina BOSAK Government Office for Gender Equality</p>
France	<p>Stefania CHIRU Léa VITOUX European and International Affairs Office Ministry of Solidarity and Health</p>
Georgia	<p>Giorgi BEDOIDZE Human Rights Secretariat of the Administration of the Government</p> <p>Ana IVANISHVILI Department of Public International Law, Ministry of Justice</p> <p>Guliko MATCHARASHVILI Human Rights Secretariat of the Administration of the Government</p>
Greece	<p>Angeliki PAPAZOGLOU Vassiliki SAINI General Secretariat for Family Policy and Gender Equality Ministry of Labour and Social Affairs</p>
Iceland	<p>Urður Ásta EIRÍKSDÓTTIR Permanent Representation of Iceland to the Council of Europe</p>
Italy	<p>Cordialina COPPOLA International and General Affairs Department for Equal Opportunities Francesca SCARPINI Ministry of Interior</p>

Malta	Noelene SCERRI Alexander TORTELL Human Rights Directorate
Republic of Moldova	Lilia PASCAL Department of Policies to Ensure Equality between Women and Men Ministry of Health, Labour and Social Protection
North Macedonia	Elena GROZDANOVA Ministry of Labour and Social Policy
Portugal	Vera Eloi da FONSECA (Chair) High Commission for Migration
Romania	Aurora MARTIN National Agency for Equal Opportunities between Women and Men, Gender Equality Department
Russian Federation	Olga OPANASENKO Ministry of Foreign Affairs
Serbia	Svetlana DJORJDEVIC Ministry for Human and Minority Rights and Social Dialog Jovana KONJEVIC Commissariat for Refugees and Migration
Slovak Republic	Alžbeta KVASNIČKOVÁ Department of Migration and Integration of the Migration Office of the Ministry of Interior
Spain	Ana ARRILLAGA ALDAMA Lara FERGUSON VÁZQUEZ de PARGA Institute of Women and for Equal Opportunities
Turkey	Onur DINÇER General Directorate on the Status of Women, Ministry of Family, Labour and Social Affairs Burcu TURAN Permanent Representation of the Republic of Turkey to the Council of Europe
Ukraine	Liubov SHPYNIAK Department for Foreigners and Stateless Persons of the State Migration Service

PERMANENT OBSERVERS

HOLY SEE	Flaminia VOLA Migrants and Refugees Section of the Dicastery for the Integral Human Development Service
MEXICO	Miguel Ángel AGUILAR DORADO Teresa HEESSEL PIMENTEL VÁZQUEZ Jessica LÓPEZ MEJÍA Luis Arturo CORTÉS ROSAS Ana LANDEROS ZAMUDIO Unit of Immigration Policy, Registry and Identity of Persons, Ministry of the Interior

NON-MEMBER STATES

TUNISIA	Monia KARI National Observatory for Combating Violence against Women Ministry of Women, Family and the Elderly
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INTERNATIONAL ORGANISATIONS

UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES	Jutta SEIDEL Senior Legal Associate Caroline DULIN BRASS Senior Community- Based Protection Officer
UN WOMEN	Niusha KHANMOHAMMADI Women, Peace, Security, and Humanitarian Specialist Valeria VILARDO Regional Gender Responsive Resilience and Recovery Specialist

SPEAKERS

DRAHOSLAV ŠTEFÁNEK	Council of Europe Secretary General Special Representative on Migration and Refugees
ANDREAS WISSNER	United Nations High Commissioner for Refugees, Representation to the European Institutions in Strasbourg
PETYA NESTOROVA	Head of Division and Executive Secretary of the Council of Europe Convention on Action against Trafficking in Human Beings
CÉCILE GRÉBOVAL	Secretary to the Drafting Committee, Programme Manager, Gender Equality Division, Council of Europe
LOUISE HOOPER	Expert supporting the work of the Drafting Committee
SANDRA JOHANSSON	Senior Gender Advisor, Save the Children, Sweden

PARTICIPANTS

CONFERENCE OF INGOS	Anne NEGRE Vice-President for Gender Equality
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SECRETARIAT

Human Dignity and Gender Equality Department-DGII	Daniele CANGEMI Head of Department E-mail: nicola-daniel.cangemi@coe.int
Gender Equality Division-DGII	Cécile GRÉBOVAL Secretary to the Drafting Committee/ Programme Manager

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Violence Against Women (GREVIO) Division	Francesca MONTAGNA
Anti-Discrimination Department / Intercultural Cities Unit-DGII	<p>Ivana D’ALESSANDRO Head of Unit</p> <p>Andrea WICKSTROM Project officer</p>
Youth Department/ Advisory Council on Youth (CCJ)-DGII	<p>Marine KURTANTIDZE (GER) Lydia SLAPARDANI</p>
European Commission against Racism and Intolerance (ECRI)-DGII	Aida-Diana FARKAS
Independent Human Rights Bodies Division-DGI	<p>Asgerdur ASGEIRSDOTTIR Trainee</p>
Office of the Secretary General’s Special Representative on migration and refugees	<p>Claire WINDSOR Legal advisor</p>

INTERPRETERS

Christine TRAPP Derrick WORSDALE

APPENDIX III**STATEMENT BY THE REPRESENTATIVE OF THE RUSSIAN FEDERATION**

"For the Russian Federation it is principal not to mention the LGBTQ persons in the list of migrant, refugee and asylum-seeking women and girls because the LGBTQ persons are out of the scope of this recommendation.

Women migrant refugees and asylum seekers became migrants, refugees and asylum seekers by circumstances beyond their control (they are in difficult living situations) while sexual orientation and gender self-identification is a matter of individual choice. These are two different categories of women and we cannot put them together."