



Strasbourg, 16 March 2021

GEC-MIG (2021) Report March

GENDER EQUALITY COMMISSION

**3rd meeting of the Drafting Committee on Migrant Women
(GEC-MIG)**

**Via videoconference (KUDO platform) and
Room 7, Palais de l'Europe building, Council of Europe**

Strasbourg, 2-3 March 2021

REPORT

1. Opening of the meeting by the Chair

1. The Chair, Vera Eloi da Fonseca (Portugal), welcomed the participants and observers to the third meeting of the Drafting Committee on Migrant Women (GEC-MIG 3) and gave an overview of the agenda and objectives of the meeting.
2. The Chair recalled that the meeting will be devoted to the discussion of the [consolidated version of the draft Appendix of the Recommendation](#), including amendments presented by member States and other participating countries and bodies. The consolidated text as well as all proposed amendments have been made available in English to all participants in advance of the meeting. The other parts of the draft recommendation (title, preamble, operative part and possible definitions) will be discussed at a next meeting of GEC-MIG.
3. The Chair also proposed the following working methods for the meeting:
 - Start the meeting with discussions on general questions related to terminology and concepts that apply to the whole text of the draft Recommendation;
 - Discuss compromise proposals prepared by the Secretariat on some of the most debated issues, to be presented by the expert supporting the work of the Committee, Louise Hooper, at the end of the first day;
 - Delegations having proposed amendments would not be systematically asked to present their amendments during the discussion, in order to save time.
- *The Drafting Committee took note of this information and agreed with the proposed working methods.*
4. The list of participants is attached as Appendix II to this report.

2. Adoption of the agenda

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

3. Presentation of the draft Recommendation by the Secretariat

5. The Secretariat explained that amendments to the draft Appendix were received from 12 member States, two observer States, one international organisation and five Council of Europe sectors. The Secretariat also gave explanations about the format of the [consolidated draft document](#), which will be projected on screen as a basis for discussion during the meeting.

4. General discussion on the use of terminology and concepts

a) Terminology to be used regarding target groups of the draft Recommendation

6. In accordance with numerous amendments proposed, the Chair proposed to spell out the full list of target groups concerned (“migrant, refugee and asylum-seeking women and girls”) as appropriate for each provision throughout the text. She also

suggested that the Drafting Committee give mandate to the Chair and Secretariat to review the document after the meeting, in order to ensure consistency and make sure the relevant groups are mentioned in each provision.

- *The Drafting Committee agreed with this proposal, stressing the need to consistently mention all the groups of women in the different provisions that concern them.*

b) Use of terminology with regard to “gender-based violence” and “violence against women”, and to other gender-related terms

7. The Chair explained that, given the great number of amendments to the draft Appendix regarding the use of the terms “gender-based violence” and/or “violence against women” and the difficulty posed by the term “gender” notably to one delegation, it would be preferable to try to reach an agreement on the terminology to be used throughout the document, without having to discuss terminology issues for each provision.
8. Following an explanation by Louise Hooper on the common understanding and international recognition of the terms, notably in the light of the UN Beijing Declaration and Platform for Action and of Council of Europe legal - binding and non-binding – instruments, it was suggested to use in principle the wording “violence against women” or, as appropriate, “all forms of violence against women” in the draft Recommendation, while giving a clear indication (possibly in the preamble) that “violence against women” is “gender-based violence”, in line with the definition provided for this term in the Council of Europe Convention on Preventing and Combating Violence Against Women (the Istanbul Convention). This means that it is violence directed to women because they are women, and which affects women disproportionately. This also means that this violence needs to be addressed in the context of the prevailing inequality between women and men, unequal power relations between them, existing stereotypes, gender roles and discrimination against women, in order to adequately respond to the complexity of the phenomenon.
9. In relation to instances where the word “gender” is used in relation to other terms, such as “gender-sensitive” or “gender-based” measures or policies, it was noted that it would at times be important use this word to addresses the specific situations that prevent women and girls to exercise their full human rights. For instance, it was noted that setting up “gender-sensitive” telephone helplines means properly taking into account knowledge and expertise related to power relations and gender inequalities (for instance in terms of their cost for users, anonymity and confidentiality) and they are qualitatively different from telephone helplines that would simply be “for women”. This is without prejudice to the fact that in other instances paraphrases could be used instead of the expression “gender-sensitive” or “gender-based”, and that therefore a case-by-case approach would be more appropriate.
10. Several delegations stressed that the use of the expression “gender-based violence” would correspond to a much-needed context-based approach of violence against women, addressing the structural dimension of violence and discrimination against women worldwide, which is well established internationally and nationally. These delegations agreed however that “violence against women”, or “all forms of violence

against women” could also be generally used as long as it was defined in relation to structural inequalities between women and men as described above. The Russian Federation delegate stated that the term “gender” in relation to social roles was not reflected in the Russian national legislation and therefore indicated the wish to use the wording “violence against women” and to avoid as much as possible the use of the term “gender”.

11. Regarding the French version of the draft Recommendation, there was a discussion about using the plural form (“les violences à l’égard des femmes”), but it was agreed to stick to the wording of Council of Europe instruments, notably the Istanbul Convention, in this instance, and use the singular form.

➤ *The Drafting Committee agreed with the proposal to use the terminology “violence against women” instead of “gender-based violence” in most cases. As regards the use of the term “gender” in other contexts, it was agreed to look in detail at the specific provisions in order to make the appropriate terminological decisions.*

c) Use of lists in the draft Recommendation

12. The Chair explained that many amendments were also received in relation to the provisions that included lists, such as for instance the list of grounds of discrimination in paragraph 3 of the draft Appendix, or the list of forms of violence in paragraph 31. The Chair therefore proposed to avoid lists in the text, so as to not to risk having incomplete lists as well as lengthy debates, and to use inclusive expressions instead, such as “all forms of violence against women”, “all forms of discrimination”, “different situations and individual characteristics” etc. It was also noted that when referring to the forms of violence against women it may be relevant to recall in some way the notion of the “continuum of violence”.

➤ *The Drafting Committee agreed with the proposal.*

5. Discussion on the preparation of the Appendix to the draft Recommendation

13. The largest part of the meeting was devoted to the discussion of the provisions and amendments included in the Appendix of the draft Recommendation, whereby the members, observers and other participants to the Drafting Committee expressed their position on the proposals made.

14. The drafting Committee discussed first the section “Horizontal Issues”, including the provisions on non-discrimination, intersectional issues and elimination of stereotypes, on girls, on information, empowerment, awareness raising and promotion of human rights, on access to justice including legal aid, on detention, on artificial intelligence, automated decision-making and data protection, on cooperation with civil society and on data collection, research and monitoring. More time was devoted to some paragraphs in an effort to seek consensus. For some paragraphs, a new compromise text was proposed by the Secretariat or by the Chair during the meeting. This includes, for instance, the issue of “firewalls”, the provisions on access to justice including legal aid, the provisions on detention, and various provisions where the use of term “gender” was proposed. Agreement was reached on most paragraphs.

15. The drafting Committee then discussed the section “Protection”, renamed as “Protection and Support”, including the provisions on state of emergency and crisis management. Agreement was found on the content of most paragraphs. It was agreed to give mandate to the Chair and Secretariat to review the order of the paragraphs, to check consistency in the use of terminology and to reformulate the provision on training, so as to include the different aspects mentioned by delegations, including the targets, content and funding of training.

- *The Drafting Committee requested the secretariat to prepare a revised draft of the Appendix, taking account the discussions that took place during the meeting, ahead of the fourth meeting of GEC-MIG.*

6. Next steps and closing

16. Given the fact that the Drafting Committee did not go through the full text of the Appendix, the Chair and Secretariat proposed to hold the next GEC-MIG meeting on 27-28 April 2021 (GEC-MIG 4), where the remaining provisions of the Appendix, as well as the draft preamble and operative paragraphs will be discussed. It is expected that this meeting would take place mostly online. The Secretariat will prepare a new version of the draft Appendix in order to include the results of the discussion at this meeting. Delegations and participants will not be asked to present any further comments or amendments in view of GEC-MIG 4.

17. The fifth meeting of the Drafting Committee will take place in the fall, ahead of the plenary meeting of the Gender Equality Commission of 24-26 November 2021, where the draft Recommendation will be presented and discussed for possible adoption.

- *The Drafting Committee agreed on the next steps to be taken.*

7. Date and place of next meeting

18. The 4th meeting of the GEC-MIG will take place on 27-28 April 2021 (the meeting format will be communicated in due time).

APPENDIX I AGENDA

Tuesday 2 March 2021

1.	10:00-10:15 am	Opening of the meeting by the Chair and adoption of the agenda	GEC-MIG (2021) 1
2.	10:15-11:15 am	Presentation of the draft Recommendation by the Secretariat	GEC-MIG (2021) 2
11:15-11:30 am Coffee break			
3.	11:30 am-12:30 pm	Discussion on the draft Recommendation	
12:30-2:30 pm Lunch break			
4.	2:30-3:45 pm	Discussion on the draft Recommendation (continued)	
3:45-4:00 pm Coffee break			
5.	4:00-4:50 pm	Discussion on the draft Recommendation (continued)	
6.	4:50-5:00 pm	Conclusions and closing of day 1	

Wednesday 3 March 2021

7.	10:00-11:15 am	Discussion on the draft Recommendation (continued)	
11:15-11:30 am Coffee break			
8.	11:30 am-12:30 pm	Discussion on the draft Recommendation (continued)	
12:30-2:30 pm Lunch break			
9.	2:30-3:45 pm	Discussion on the draft Recommendation (continued)	
3:45-4:00 pm Coffee break			
10.	4:00-4:50 pm	Discussion on the draft Recommendation (continued)	
11.	4:50-5:00 pm	Next steps and closing	

APPENDIX II

LIST OF PARTICIPANTS

MEMBERS

AUSTRIA	Ms Eva FEHRINGER International and European Social Policy and Labour Law
BELGIUM	Ms Khadija AZNAG Flemish Agency for Integration and Civic Integration Ms Lauraline MICHEL Equal Opportunities Board Wallonia-Brussels Federation Ms Jessica OUZZANI Public Service of Wallonia Directorate for the Integration of People of Foreign Origin and Equal Opportunities
BULGARIA	Ms Desislava MILANOVA Social Activity and Adaptation Directorate in the State Agency for Refugees with the Council of Ministers
CROATIA	Ms/Mme Martina BOSAK Government Office for Gender Equality
ESTONIA	Ms/Mme Kaisa ÜPRUS-TALI Service on migration, incl international protection issues Estonian Social Insurance Board
FINLAND	Ms Varpu TAARNA Competence Centre on immigrant integration, Ministry of Economic Affairs and Employment
FRANCE	Mr Alexis RINCKENBACH European and International Affairs Office Ministry of Solidarity and Health
GEORGIA	Ms Maka PERADZE Human Rights Secretariat of the Administration Ms Teona KACHARAVA Ministry of Internal Affairs
GREECE	Ms Angeliki PAPAZOGLU Ms Vassiliki SAINI General Secretariat for Demography, Family Policy and Gender Equality, Ministry of Labour and Social Affairs
ICELAND	Ms/Mme Tryggvi HALLGRÍMSSON Directorate of Equality
ITALY	Ms Cordialina COPPOLA Department for Equal Opportunities, International and General Affairs Ms Francesca SCARPINI

	National Asylum Commission DLCI
MALTA	Mr Alexander TORTELL Ministry for Justice, Equality and Governance
NETHERLANDS	Mr Remha KIROS Migration Policy Department, Ministry of Justice and Security
LITHUANIA	Ms Aistė GERIKAITĖ- ŠUKIENĖ Ministry of Social Security and Labour
NORTH MACEDONIA	Ms Elena GROZDANOVA Ministry of Labour and Social Policy
PORTUGAL	Ms Vera Eloi da FONSECA (Chair) Ms Sónia DIAS High Commission for Migration
ROMANIA	Ms/Mme Aurora MARTIN National Agency for Equal Opportunities between women and men
RUSSIA	Ms Olga OPANASENKO Ministry of Foreign Affairs
SLOVAK REPUBLIC	Ms Alžbeta KVASNIČKOVÁ Department of migration and integration, migration office
SPAIN	Ms Ana ARRILLAGA ALDAMA Ms Lara FERGUSON VÁZQUEZ DE PARGA Institute of Women (Ministry of Equality)
SWEDEN	Ms Charlotte ROTH OLANDERS Ministry of Justice, Section for Migration and Asylum Policy
TURKEY	Mr Onur DINÇER Ministry of Family, Labour and Social Affairs

PERMANENT OBSERVERS

HOLY SEE	Ms Flaminia VOLA Migrants and Refugees Section of the Dicastery for the Integral Human Development Service
MEXICO	Ms Geraldine GACHUZ MARTÍNEZ General Directorate of Human Rights and Democracy, Ministry of Foreign Affairs Mr Luis Arturo CORTÉS ROSAS Ms Diana Jeannette GARCÍA ARREOLA Ministry of Interior

NON-MEMBER STATES

MOROCCO	Ms Fatima BARKAN Ms Chadia EL RHERARI Ministry of Solidarity, Social Development, Equality and the Family Mr Rachid MEZIANE Department of Women and Children's Affairs at the Ministry of
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	Justice
TUNISIA	Ms Henia NCIRI Regional Delegate for Women, Family and Seniors of Sidi Bouzid at the Ministry of Women, Family and Seniors

INTERNATIONAL ORGANISATIONS

UN WOMEN	Ms Iris BJORG KRISTJANSDDOTTIR Regional Peace, Security and Humanitarian Specialist
UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES	Mr Andreas WISSNER Representative to the European Institutions in Strasbourg Ms Jutta SEIDEL Senior Legal Associate Ms Elena MORENO Trainee
OSCE OFFICE FOR DEMOCRATIC INSTITUTIONS AND HUMAN RIGHTS	Ms Joanna FOMINA Migration Consultant

EXPERT

Ms Louise HOOPER Expert supporting the work of the Drafting Committee

PARTICIPANTS

CONFERENCE OF INGOS	Ms/Mme Anne NEGRE Vice-Chair
INTERNATIONAL ALLIANCE OF WOMEN	Ms Anje WIERSINGA Permanent representative to the Council of Europe
NGO DIVERSITY DEVELOPMENT GROUP LITHUANIA	Ms/Mme Giedrė BLAŽYTĖ Research director

SECRETARIAT

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EUROPEAN COMMITTEE ON LEGAL CO- OPERATION (CDCJ)- DGI	<p>Mr Rodrigo RODRIGUEZ (Gender Equality Rapporteur - GER) Federal Department of Justice and Police FDJP Federal Office of Justice FOJ (Switzerland)</p> <p>Mr Philippe KRANTZ Legal officer</p>
VIOLENCE AGAINST DIVISION (GREVIO)- DGII	Ms Francesca MONTAGNA
ROMA AND TRAVELLERS TEAM, DEPARTMENT OF ANTI- DISCRIMINATION- DGII	Ms Petra NEUMANN Programme Manager
STEERING COMMITTEE ON ANTI- DISCRIMINATION, DIVERSITY, AND INCLUSION (CDADI)- DGII	Ms Patrícia SÃO JOÃO (GER) Office of the Secretary of State for Citizenship and Equality (Portugal)
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PARTIAL AGREEMENT OF THE COUNCIL OF EUROPE DEVELOPMENT BANK (CEB)-DGII	Ms Ita MIRIANASHVILI
OFFICE OF THE DIRECTORATE GENERAL OF PROGRAMMES	Mr Alberto MAYNAR
PARLIAMENTARY ASSEMBLY, COMMITTEE ON MIGRATION, REFUGEES AND DISPLACED PERSONS	Ms Olga KOSTENKO Secretary
PARLIAMENTARY ASSEMBLY COMMITTEE ON EQUALITY AND NON- DISCRIMINATION	Ms Penelope DENU Head of Secretariat
OFFICE OF THE SECRETARY GENERAL'S SPECIAL REPRESENTATIVE ON MIGRATION AND REFUGEES	Ms Janeta HANGANU Legal Adviser Ms Klara PARO Trainee

INTERPETERS

Mr Michael HILL Ms Isabelle MARCHINI
