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## **STEERING COMMITTEE FOR HUMAN RIGHTS (CDDH)**

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### **Information on possible work to be conducted by the CDDH during the next biennium on the gender equality dimension of human rights**

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#### Introduction

1. The CDDH has already commended the work conducted by the Council of Europe Gender Equality Commission (GEC) to address current and emerging challenges and remove barriers towards achieving substantive and full gender equality both in the member States and within the Organisation.
2. The CDDH fully endorses the Council of Europe Gender Equality Strategy 2018-2023. It appointed a Gender Equality Rapporteur in its 83<sup>rd</sup> meeting (17-19 June 2015) and it had an exchange of views on gender mainstreaming in the work of the CDDH with the Senior Gender Equality Adviser of the CoE and the CDDH Gender Equality Rapporteur in its 88<sup>th</sup> meeting (5-7 December 2017).
3. Given the particular place of the CDDH in the intergovernmental co-operation activities of the Organisation, it could contribute usefully, during the next biennium, to the implementation of the Council of Europe Gender Equality Strategy 2018-2023.
4. Such a contribution could show not only the results achieved in terms of gender equality by the activities the CDDH conducted over the past 10 years, but also future opportunities in this field.
5. In view of a possible exchange of views of the CDDH on this issue at its 91<sup>st</sup> meeting (18 - 21 June 2019), the present document contains elements which could form a scheme for a future

CDDH report on the gender equality dimension of Human Rights, to be drafted jointly by the Secretariats of the GEC and of the CDDH.

6. The scheme could contain two parts, namely:

- A. Results achieved - *“Looking 10 years back: how has CDDH contributed to the Gender Equality policies of the Council of Europe?”*
- B. Perspectives - *“Future opportunities of the CDDH in the field of Gender Equality”*.

### **DRAFT SCHEME FOR A POSSIBLE CDDH REPORT ON THE GENDER EQUALITY DIMENSION OF HUMAN RIGHTS - BUILDING ON ACHIEVEMENTS SO FAR**

#### **[EXECUTIVE SUMMARY]**

#### **INTRODUCTION**

After having briefly presented the CDDH (its purpose and its means) the introduction could indicate that the present report aims at describing:

- (a) the various activities conducted by the CDDH over the years which have a link with one or another of the six areas identified in the Council of Europe Gender Equality Strategy 2018-2023;
- (b) the intentions of CDDH on how to further contribute to the implementation of the Strategy 2018-2023.

#### **A. RESULTS ACHIEVED - LOOKING 10 YEARS BACK: HOW HAS CDDH CONTRIBUTED TO THE GENDER EQUALITY POLICIES OF THE COUNCIL OF EUROPE?**

##### **FIRST OBJECTIVE OF GENDER EQUALITY POLICY PREVENT AND COMBAT GENDER STEREOTYPES AND SEXISM**

##### **1. Women and the Media**

- At its 76<sup>th</sup> meeting (27-30 November 2012), the CDDH decided that Women and the Media should be one of the priorities of the GEC<sup>1</sup>.

##### **2. Protect freedom of expression concerning the rights of women**

- At its 77<sup>th</sup> meeting (19-22 March 2013), the CDDH decided to take on board the freedom of expression and rights of Women when elaborating a study on the development and promotion of human rights.

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<sup>1</sup> GEC was subordinate to the CDDH between June 2012 and November 2013.

**SECOND OBJECTIVE****PREVENT AND COMBAT VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE*****1. Prevent and combat violence against women and domestic violence***

- At its 69<sup>th</sup> meeting (24-27 November 2009) adopted its opinion about PACE Rec “Action to combat gender-based human rights violations, incl. abduction of women and girls”.
- At its 75<sup>th</sup> meeting (19-22 June 2012) CDDH adopted its opinion on PACE Rec on “Equality between women and men: a condition for the success of the Arab Spring”.
- At its 76<sup>th</sup> meeting (27-30 November 2012), the CDDH decided that violence against women and domestic violence should be one of the priorities of the GEC.
- At its 76<sup>th</sup> meeting (27-30 November 2012), the CDDH appointed a member to represent the Steering Committee in CAHVIO and to report back on a regular basis.
- At its 77<sup>th</sup> meeting (19-22 March 2013), the CDDH noted that the 4<sup>th</sup> questionnaire of GEC on implementation of CM REC (2002)5 on protection of women against violence should be linked to work of the CDDH concerning the development of human rights (see document CDDH(2013)005 Rev).
- At its 86<sup>th</sup> meeting (6-8 December 2016), the CDDH exchanged views on PACE Resolution on “Women in the armed forces: promoting equality, putting an end to gender-based violence”.

***2. Prenatal sex selection***

- At its 81<sup>st</sup> meeting (24-27 June 2016), the CDDH declared that it was ready to contribute to study this issue. Based on the responses to a questionnaire sent out by the Committee on bioethics (DH-BIO) it said that guidelines intended to professionals were not useful. It noted the need of a more thorough and targeted examination within the Council of Europe to address this challenge to the principle of Gender Equality.

***3. Prevent and combat female genital mutilation***

- At its 84<sup>th</sup> meeting (7-11 December 2015), the CDDH-MF drafting group was appointed.
- At its 85<sup>th</sup> meeting (15-17 June 2016), an Analysis of legal situation at international level and in CoE Ms was adopted.
- At its 87<sup>th</sup> meeting (6-9 June 2017), a draft CM Declaration on the need to intensify the efforts to prevent and combat FGM and forced marriage in Europe was adopted. A Guide to good and promising practices aimed at

combating FGM and forced marriage was adopted. There was a proposal to organise an international conference on the topic was adopted.

- At its 90<sup>th</sup> meeting (27-30 November 2018), the CDDH decided to contribute to the Conference Policy for Progress: Ending FGM and forced marriage to be held in London on 15-16 November 2018.

### **THIRD OBJECTIVE ENSURE THE EQUAL ACCESS OF WOMEN TO JUSTICE**

- At its 73<sup>th</sup> and 76<sup>th</sup> meetings (6-9 December 2011 and 27-30 November 2012), the CDDH decided that this topic should be one of the topics to be taken on board by the new GEC.
- At its 72<sup>nd</sup> meeting (29 March-1 April 2011), the CDDH adopted comments on the PACE Rec “Promoting the most favourable gender equal laws in Europe”.

### **FOURTH OBJECTIVE ACHIEVE A BALANCED PARTICIPATION OF WOMEN AND MEN IN POLITICAL AND PUBLIC DECISION-MAKING**

- At its 77<sup>th</sup> meeting (19-22 March 2013), the CDDH decided from the next meeting on to include the gender distribution figures for participants.

### **FIFTH OBJECTIVE PROTECT THE RIGHTS OF MIGRANT, REFUGEE AND ASYLUM-SEEKING WOMEN AND GIRLS**

- At its 91<sup>st</sup> meeting (18-21 June 2019) the CDDH will discuss the draft handbook on alternatives to administrative detention of migrants. A reference to pregnant women and nursing mothers has been included in the draft.

### **SIXTH OBJECTIVE ACHIEVE GENDER MAINSTREAMING IN ALL POLICIES AND MEASURES**

- At its 69<sup>th</sup> meeting, (24-29 November 2009), as a reaction to “Making gender equality a reality” (CM Declaration May 2009), the CDDH decided to take Equality between men and women on board as one of its topics.
- At its 71<sup>st</sup> meeting (2-5 November 2010), the CDDH adopted comments on PACE Resolution “Decent pensions for women”.
- At its 73<sup>rd</sup> meeting (6-9 December 2011), a discussion took place on set up of GEC, terms of reference and procedure on designation of GEC members agreed upon.
- At its 74<sup>th</sup> meeting (7-10 February 2012), a final report of predecessor of the GEC, the Steering Committee for gender equality (CDEG) was discussed and taken note of.

- At its 79<sup>th</sup> meeting (26-29 November 2013), a draft study on the feasibility of new activities: possible issue for further consideration: gender equality issues. This has to do with the fact that the GEC from now on will operate under the supervision of a new Steering Committee: the CDDECS)<sup>2</sup>.
- At its 84<sup>th</sup> meeting (7-11 November 2015), the CDDH decided that its 'Feasibility study on Impact of economic crisis and austerity measures on Human Rights' should look at both women and men.
- At its 84<sup>th</sup> meeting (7-11 December 2015), the CDDH adopted its draft "Guidelines of the Committee of Ministers to member States on the protection and promotion of Human rights in culturally diverse societies". The Guidelines were adopted by the Ministers' Deputies on 2 March 2016. Section III deals with equality and non-discrimination.
- Further to the decisions taken by the CDDH after its 89<sup>th</sup> meeting (19–22 June 2018), the Ministers' Deputies adopted on 28 November 2018 "Recommendation CM/Rec(2018)11 of the Committee of Ministers to member States on the need to strengthen the protection and promotion of civil society space in Europe". The text stated notably that member States should take effective measures to promote civil society space "in particular to ensure women human rights defenders are able to access specific support, funding, and protection, including against gender-based violence, and guarantee an environment in which they can work free from violence and discrimination".

### **CONCLUDING REMARKS (PART A)**

1. The main substantial contribution of the CDDH to the Gender Equality Strategy in the recent years concerns the second objective, namely Combating Violence against Women and Domestic Violence.
2. The CDDH has been regularly requested by the Committee of Ministers to give its opinion and comments on gender sensitive resolutions and recommendations of the Parliamentary Assembly.
3. CDDH handed over supervision of the GEC to CDDECS in November 2013, and since December 2015 the GEC reports to the Committee of Ministers. The purpose of this report is to ensure that, notwithstanding the fact that the CDDH no longer oversees the steering of gender equality policies at the Council of Europe, the CDDH mainstreams gender equality throughout its work.

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<sup>2</sup> GEC was subordinate to the CDDECS between December 2013 and December 2015.

**B. PERSPECTIVES - "FUTURE OPPORTUNITIES OF THE CDDH IN THE FIELD OF GENDER EQUALITY"**

[...]

**CONCLUDING REMARKS (PART B)**

1. On the basis of this current research, it would be useful to discuss how the CDDH could reinforce gender mainstreaming in its portfolio in a streamlined manner, stressing the importance to integrate a gender equality perspective in all the intergovernmental activities of the Organisation and taking into account existing Council of Europe standards and policy documents on gender equality and gender mainstreaming.
2. For that purpose, the Gender Equality Commission, in consultation with the CDDH, could design a checklist on gender mainstreaming and the promotion of human rights. This checklist could be used in the design, implementation and evaluation of the work of the CDDH activities on human rights and could also act as a guidance to other bodies of the Organisation.