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Empowering women in a modern, multicultural society

Reply to Recommendation¹: Recommendation 1838 (2008)
Committee of Ministers

1. The Committee of Ministers has carefully considered Parliamentary Assembly [Recommendation 1838 \(2008\)](#)– "Empowering women in a modern, multicultural society" and, in this context, congratulates the Parliamentary Assembly's Committee on Equal Opportunities for Women and Men for its resolute commitment during the ten years of its existence. The Committee of Ministers is itself determined to pursue, in co-operation with the Assembly, the pioneering work done by the Council of Europe to achieve gender equality, notably through the activities of the Steering Committee for Equality between Women and Men (CDEG).

2. Before commenting more specifically on the questions raised by the recommendation, the Committee of Ministers wishes to point out that, on 5 November 2008, it held a thematic exchange of views on the Council of Europe's action in the field of gender equality, to which it attaches considerable importance. In the light of this exchange, the Committee of Ministers identified a number of measures to improve gender mainstreaming, reinforce action to promote gender equality within its own structures and strive for greater balance in selection processes for different bodies, entities and committees of the Council of Europe and within the member states. In this connection, it asked the Secretary General to prepare an annual report on the follow-up given to the decisions taken as well as on the implementation of the gender equality policy in the Council of Europe, including within the Organisation's bodies, entities and committees. At the same time, to continue advancing on the issue of *de facto* equality, which must be addressed from multiple standpoints and across the board, the CDEG is currently drawing up a declaration on this subject, which the Committee of Ministers will shortly be examining with a view to its adoption.

3. With regard to paragraph 3 of the recommendation concerning the reiterated invitation of the Assembly to draw up a new protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms enshrining gender equality as a fundamental human right, the Committee of Ministers recalls that its 1988 Declaration, recognising gender equality as an integral part of fundamental human rights, remains a reference document and a political landmark in the Council of Europe's policy on gender equality. This principle was taken up by the Conference of the United Nations on Human Rights (Vienna, 1993).

4. The Committee of Ministers shares the Assembly's concerns about ongoing discrimination against women, as it indicated in its reply to [Recommendation 1798 \(2007\)](#) on "Respect for the principle of gender equality in civil law", adopted at its 1030th meeting (18 June 2008). It reasserts its position as reflected in paragraphs 3 to 6 of the said reply regarding the proposal to draft a new protocol to the European Convention on Human Rights.

5. As regards the proposal, in paragraph 4, to appoint a Council of Europe Special Rapporteur on Women's Rights including on action against violence against women, the Committee of Ministers reiterates that equality between women and men should be enshrined in the heart of Council of Europe policy, in accordance with the values of the Organisation. An essential aspect of the CDEG's terms of reference is to "promote co-operation between member states with a view to achieving *de facto* gender equality as an integral part of human rights, a *sine qua non* of genuine democracy and a factor of economic development

1. adopted at the 1050th meeting of the Ministers' Deputies (11 March 2009)



and progress, and to stimulate actions at both national and Council of Europe level, having regard to activities undertaken within other international organisations". The Committee of Ministers also notes the major work undertaken by the Council of Europe Commissioner for Human Rights in the field of gender equality.

6. In addition, the Committee of Ministers draws the Assembly's attention to the creation of an Ad hoc Committee of Experts instructed to prepare one or more legally binding instrument(s) as appropriate, to prevent and combat:

- domestic violence including specific forms of violence against women;
- other forms of violence against women;

to protect and support the victims of such violence and prosecute the perpetrators.

7. In paragraph 5, the Parliamentary Assembly invites the Committee of Ministers to promote the holding of a United Nations 5th World Conference on Women with the aim of empowering women in a modern, multicultural society, in particular through intercultural and inter-religious dialogue. In this connection, the Committee of Ministers draws the Assembly's attention to the work done by the CDEG, which has dealt with most of the objectives set by the 4th United Nations World Conference on Women. These include gender mainstreaming, particularly in the education and health fields, integrating a gender perspective into budgetary processes – this will be the theme of a Conference to be held in Athens on 5 and 6 May 2009 –, protecting women against violence, combating trafficking in human beings and examining the role of women and men in conflict prevention and resolution and in peace building. All these activities aim to empower women and are based on the principle that no cultural tradition, religion or social custom can justify denying the enjoyment by women and girls of their human rights nor can be used as an excuse for turning a blind eye to the violation of these rights.

8. This will also be the guiding principle of the 7th Council of Europe Conference of Ministers responsible for Equality between Women and Men to be held in Baku in 2010 on the theme "Gender equality: bridging the gap between *de jure* and *de facto* equality".

9. It should also be stressed that the Council of Europe has been making major contributions to the sessions of the Commission on the Status of Women (CSW) since the Beijing Conference in 1995, for example when the Beijing Declaration and Platform for Action were examined and assessed in March 2000

and March 2005 (Beijing + 5 and Beijing + 10).² Side events³ are organised by the Council of Europe and its member states during the Commission's sessions with the aim of examining and assessing the Beijing Declaration and Platform for Action. The activities of the CDEG have contributed in a major way to the implementation of the Beijing Platform for Action at European level.

10. All these activities require appropriate follow-up, and the Committee of Ministers considers that the priority is making further headway in the fields that have already been explored in order to issue fresh proposals and secure solid innovative bases for achieving effective equality between women and men before organising a 5th World Conference on Women.

2. Council of Europe activities since 1995 in the field of gender equality relating to the strategic objectives of the Beijing Platform for Action and the Vienna Action Plan and the "Beijing + 5" measures and initiatives, document EG (2004) 3; National mechanisms, action plans and gender mainstreaming in the member states of the Council of Europe since the 4th World Conference on Women (Beijing, 1995), document EG(2004)4; Stocktaking study of the effective functioning of national mechanisms for gender equality in Council of Europe member states, document CDEG (2004) 19.

3. Themes of the Council of Europe's side events organised during the CSW sessions since 2004:

48th Session, 2004: two parallel events: "Gender Perspectives on Peace Processes", jointly organised by the Council of Europe, UNIFEM and the National Democratic Institute for International Affairs and "The Roles of Women in Democratisation, Conflict Prevention and Peace Building in Europe", jointly organised by the Council of Europe, the Permanent Representation of Slovenia to the United Nations and UNIFEM;

49th Session, 2005: "Gender Equality in Europe: Institutional mechanisms and balanced participation" jointly organised by the Council of Europe and the Permanent Representation of Slovenia to the United Nations;

50th Session, 2006: "Gender Budgeting in Europe" jointly organised by the Council of Europe and the Women's Institute of Spain and the Permanent Representation of Spain to the United Nations;

51st Session, 2007: "Girl Child Victims of Trafficking", jointly organised by the Council of Europe, the Permanent Mission of the Republic of San Marino to the United Nations, on behalf of the San Marino Chairmanship of the Committee of Ministers of the Council of Europe;

52nd Session, 2008: "Gender equality standards and mechanisms in Europe: financing and effective functioning", organised jointly by the Council of Europe and the authorities of Azerbaijan.

11. Concerning the area of “intercultural and inter-religious dialogue” and integration of a gender perspective in the activities carried out in this field, the Committee of Ministers invites the Assembly to refer to the “Report on the role of women and men in intercultural and inter-religious dialogue for conflict prevention and resolution, for peace building and for democratisation”, prepared by the CDEG in 2004. This report contains a number of good practices for encouraging women’s participation in intercultural dialogue, including its religious dimension, as well as measures for improving women’s participation.

12. In connection with the organisation of the Council of Europe 2008 Exchange on the religious dimension of intercultural dialogue (8 April 2008), devoted to “Teaching religious and convictional facts”, the Committee of Ministers was careful, when selecting the participants, to ensure appropriate respect for the principle of gender equality. The same principle will be applied to the 2009 Exchange, to be devoted to the same theme.

13. It should also be underlined that equality between women and men, as a core issue in changing societies and a crucial element of democracy, was duly taken into account in the Council of Europe White Paper on Intercultural Dialogue, which clearly states that “respect for women’s human rights is a non-negotiable foundation of any discussion of cultural diversity”.