



Doc. 12870

06 February 2012

Protecting migrant women in the labour market

Reply to Recommendation¹: Recommendation 1970 (2011)
Committee of Ministers

1. The Committee of Ministers has examined with interest Parliamentary Assembly Recommendation 1970 (2011) on “Protecting migrant women in the labour market” which it communicated to the European Committee for Social Cohesion (CDCS), to the European Commission against Racism and Intolerance (ECRI), to the Steering Committee for Equality between Women and Men (CDEG), to the European Committee of Social Rights (ECSR) and to the Governmental Committee of the European Social Charter.

2. The Committee of Ministers agrees with the Parliamentary Assembly on the importance of protecting the fundamental rights of migrant women; in particular as they are sometimes faced with double discrimination based on their gender and their origin, both in the host country and in their communities. In line with the Council of Europe’s priorities, such protection can be promoted through a more efficient integration of migrants, with adequate attention being given to ensuring that gender issues are fully borne in mind in migration (e.g. employability) and integration policies (e.g. access to education and services).

3. The Committee of Ministers would inform the Assembly that the new Programme of Activities provides a new impetus to the Council of Europe action in the field of migration, integration and asylum. In 2012-2013, the Council of Europe will focus on areas where it can offer a useful contribution based on its core values, existing standards and recognised expertise, and include in particular the area of integration of migrants, including combating xenophobia, intolerance and discrimination as well as promoting migrants’ participation in and interaction with the receiving societies.

4. The Committee of Ministers would recall that extensive standard-setting and policy work has already been carried out in the intergovernmental sector on migration-related issues, addressing issues such as access to employment, discrimination in the labour market, labour mobility of migrants, validation of skills of migrants obtained in informal or non-formal settings, legal and social protection of migrants and persons of migrant background. Many recommendations developed by the Council of Europe in recent years have addressed, *inter alia*, the particular vulnerability of migrant women in the labour market and proposed practical measures to promote their integration and participation.² The focus of work of the Council of Europe in the field of migration in 2012-13 will shift from developing new standards to promoting more effective and responsible use of these and other standards as well as to ensuring appropriate follow-up to the findings of the monitoring mechanisms. Upon the request from the member States, the Council of Europe will be carrying out specific capacity building activities intended to promote social inclusion of migrants, and respect for their human rights. Co-operation with the European Union and its institutions and agencies (European Commission, FRA, EASO, FRONTEX) will be prioritised.

1. 2012 - March Standing Committee

2. See, for example, the recommendations on improving access of migrants and persons of immigrant background to employment (CM/Rec(2008)10), strengthening the integration of children of migrants and of immigrant background (CM/Rec(2008)4), on interaction between migrants and receiving societies (CM/Rec(2011)1) and on validating migrants’ skills (CM/Rec(2011)2).



5. In this respect, the Committee of Ministers draws attention to the relevant work carried out by the various monitoring mechanisms of the Council of Europe alongside the European Court of Human Rights, such as the European Committee of Social Rights (ECSR), the European Commission against Racism and Intolerance (ECRI), as well as the work of the Commissioner for Human Rights. The activities and procedures of these bodies are efficient tools in identifying problems in member States and proposing solutions.

6. The new transversal programme on gender equality to be established in 2012 will naturally provide support to relevant activities of the new Programme of Activities in the field of migration, integration and asylum. Ongoing work and activities include the promotion, ratification and implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence which devotes an entire chapter to women migrants and asylum seekers facing gender-based violence. It contains a number of obligations that aim at generating a gender-sensitive understanding of violence against migrant women and women asylum seekers.

7. The Committee of Ministers would call on the European Union and member States to give due consideration to the relevant recommendations of the Assembly outlined in paragraph 3 and encourage member States, as appropriate, to enlist the assistance of the Organisation as provided for in the framework of the new Programme of Activities, with a view to furthering the integration and protection of migrant women, including in the labour market. Migrant women, and in particular those in an irregular situation, are also at risk of becoming victims of human trafficking. The Committee would therefore urge member States to ratify, when they are in a position to do so, the Council of Europe Conventions on Preventing and Combating Violence against Women and Domestic Violence and on Action against Trafficking in Human Beings.

8. Finally, the Committee of Ministers welcomes the adoption of ILO Convention No. 189. It would inform the Assembly that it does not have the resources at present to consider an awareness-raising campaign as suggested in paragraph 3.4, but would encourage member States to launch national campaigns aimed at raising public awareness for the issues raised regarding the living and working conditions of migrant domestic workers. The Committee of Ministers will also bear in mind the Assembly's recommendation 3.7 in the framework and development of the Council of Europe's policy towards its neighbouring regions.