Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Recommendation 1269 (1995)[1]

Achieving real progress in women's rights as from 1995

Parliamentary Assembly

1. The Assembly considers that human rights of both women and men are universal and indivisible, and that it is the duty of all states to ensure their respect and enjoyment, irrespective of socio-cultural and religious traditions or economic and political systems. In this context the Assembly affirms that the principle of equality between men and women, or parity democracy, is an integral part of the values the Council of Europe stands for.

2. The concept of parity democracy recognises the need for equality in terms of participation and representation of men and women in all areas of society, based on the principle of partnership and sharing of rights and responsibilities.

3. The Assembly is convinced that de jure and de facto equality between men and women is crucial for the very functioning of a democratic society. The question of parity democracy is especially important in the new member states, where rapid political and economic reforms have had a negative impact on the situation of women in some cases.

4. The Assembly is disappointed to have to state that the principle of parity, or even of equality, between men and women is still not included in the constitutions of all Council of Europe member states. What is more, even member states which have enshrined the principle of equality in their constitutions often lack concrete legislation backing up this provision; legislation that is badly needed to make parity democracy truly achievable.

5. International legal machinery, such as the European Convention on Human Rights, and the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), also needs to be strengthened in this regard.

6. Therefore, the Assembly recommends that the Committee of Ministers:

6.1. include the principle of equality of rights between men and women in an additional protocol to the European Convention on Human Rights as soon as possible, as recommended in Assembly Recommendation 1229 (1994);

6.2. adopt specific policies and promote action programmes to engage the governments of member states to address the problems of women both in traditional areas of responsibility and in new ones, in particular concerning violence against women, the increasing number of destitute women which is tending to make poverty a predominantly female phenomenon, and the traffic in women;

6.3. speedily adopt the draft protocol to the European Social Charter providing for a system of collective complaints;

6.4. ensure that the principle of equality of rights between men and women is included in the constitutions of member states;

1. Assembly debate on 27 April 1995 (15th Sitting) (see Doc. 7271, report of the Committee on Legal Affairs and Human Rights, rapporteur: Mrs Err). Text adopted by the Assembly on 27 April 1995 (15th Sitting).

6.5. become active to eliminate all discrepancies that currently exist in the legislation of member states as regards the treatment of women as individuals rather than in the context of their family or in relation to their husbands;

6.6. encourage member states to create at national level appropriate institutional bodies to ensure the real achievement of equality between men and women, such as equality commissions, offices of the plenipotentiary for women's affairs, offices of equal status, offices of the "ombud type", or ministers for women's rights with responsibility for abolishing direct and indirect discrimination between the sexes and for promoting the access of women to a position of parity;

6.7. ask member states to adopt specific anti-discriminatory legislation providing appropriate sanctions in cases in which the equality of women and men is not respected, especially in professional life;

6.8. request that member states incorporate sexual discrimination, as exemplified by the refusal to allow women to teach or to become judges, the obligation to wear the veil or other discriminatory clothing, or forcible marriage, in the criteria of political or religious persecution used to justify the request for asylum on the part of women;

6.9. invite all member states who have not yet signed and ratified the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) to do so before the year 2000, and all member states parties to the convention which have made reservations to make their national legislation compatible with the convention and withdraw the reservations as soon as possible;

6.10. ask all member states to support the adoption of the draft additional protocol to the CEDAW Convention, empowering that convention's supervisory body to examine individual and group complaints.