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Promoting parliaments free of sexism and sexual harassment

Report[1]
Committee on Equality and Non-Discrimination
Rapporteur: Ms Thorhildur Sunna ÆVARSDÓTTIR, Iceland, Socialists, Democrats and Greens Group

Summary

Gender-based violence affects women in all aspects of life. Politics is no exception, as confirmed by the regional study on *Sexism, harassment and violence against women in parliaments in Europe*, which was jointly conducted by the Parliamentary Assembly and the Inter-Parliamentary Union in 2018.

Despite the impact on victims, on the respect of fundamental rights and on the good functioning of democracy, sexism and harassment are trivialised and often dismissed as the price women have to pay for being in politics.

To redress this state of affairs, it is crucial to raise awareness of sexism and violence against women in politics and bring about a change of mindsets. At the same time, players in the political arena should strengthen their policies, legislation and other measures aimed at putting an end to sexism and violence against women in politics, while data collection, monitoring and research should be stepped up.

Parliaments should set the example by revising their codes of conduct with a view to explicitly prohibiting sexist speech and sexual harassment and introducing sanctions for breaches of this obligation. They should also introduce effective complaint mechanisms which are accessible to members of parliament and parliamentary staff.

1. Reference to committee: Doc. 14810, Reference 4427 of 25 January 2019.

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A. Draft resolution[2]

1. Gender-based violence affects women in all aspects of life. The world of politics is no exception. On the wave created by the #MeToo movement, many women politicians started to speak up. Their individual testimonies and experiences are not isolated cases, but indicate the existence of a pattern of widespread and systematic gender-based violence against women in politics worldwide, as confirmed by the 2018 report on Violence against women in politics by the United Nations Special Rapporteur on violence against women, its causes and consequences.

2. The Parliamentary Assembly expresses its deepest concern at the findings of the regional study on *Sexism, harassment and violence against women in parliaments in Europe*, which it jointly conducted with the Inter-Parliamentary Union (IPU) in 2018. Based on confidential individual interviews with women parliamentarians and staff of national parliaments, this study reveals alarming levels of sexism, sexual harassment and gender-based violence in national parliaments, widespread under-reporting and a lack of adequate mechanisms to report violence, protect victims and sanction perpetrators.

3. The Assembly reiterates its firm condemnation of all forms of gender-based violence against women as a human rights violation and a major obstacle to the achievement of gender equality. It confirms its unfaltering support to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS. No. 210, "Istanbul Convention") as the most comprehensive international binding legal instrument in this field.

4. Sexism and violence against women in politics affect the foundations of democracy: they interfere with women's right to fully and equally participate in political life and express their views; limit their right to vote and to run for public office; and ultimately undermine the representativeness and the legitimacy of elected institutions. Sexism and violence against women in parliament hold back women's access to leadership positions and impair their ability to fulfil their elected mandate.

5. Despite its impact on the victims, the respect of fundamental rights and the good functioning of democracy, violence against women in politics as a specific phenomenon has so far received little attention. At societal level, sexism and sexual harassment are often dismissed as the price to pay for women to be in politics. Both sexism and sexual harassment are so trivialised and engrained that many women politicians are not even aware of being victims of a gender-specific form of violence. Others choose not to report acts of sexism and sexual harassment because this would undermine their political standing or harm their political parties. Overall, a culture of impunity for sexism prevails amongst parliamentarians.

6. To redress this state of affairs, it is crucial to raise awareness of sexism and violence against women in politics and to bring about a change of mindsets. In this context, the Assembly recalls the #NotInMyParliament initiative, which was launched by its President, Liliane Maury Pasquier, as a follow-up to the joint regional study conducted with the IPU, and gives it its full support.

7. At the same time, to turn greater awareness into tangible change, the Assembly believes that a number of players in the political arena should strengthen their policies, legislation and other measures aimed at putting an end to sexism and violence against women in politics, and that data collection, monitoring and research in this area should be stepped up, at national and international level.

8. In the light of the above considerations, the Assembly calls on the parliaments of Council of Europe member and observer States, as well as on the parliaments who enjoy observer or partner for democracy status with the Parliamentary Assembly to:

8.1. introduce or revise the codes of conduct for their members with a view to setting out the explicit prohibition of sexist speech and sexual harassment and introducing sanctions for breaches of the obligation;

8.2. unless it is already the case, consider reviewing immunity rules which afford immunity from prosecution to members of parliament for sexual harassment and violence against women;

8.3. introduce complaint mechanisms to prevent and sanction sexual harassment, sexual violence and misconduct, ensuring that:

8.3.1. they cover members of parliament and parliamentary staff;

8.3.2. victims can report in full safety and confidentiality and have a fair consideration of the case as expeditiously as possible;

2. Draft resolution adopted unanimously by the committee on 7 March 2019.

8.3.3. the decisions of such complaint mechanisms can be followed by effective sanctions which are proportional to the gravity of the case;

8.3.4. information about the terms of reference of complaint mechanisms, their powers and how to seize them is regularly disseminated through appropriate means to all members of parliament and parliamentary staff;

8.3.5. statistics on the activities of such mechanisms are regularly published, guaranteeing confidentiality and including information on the number of cases submitted, the number of pending cases, the number of decided cases and the outcome of such cases;

8.4. introduce a mechanism of confidential counselling for victims of sexism, sexual harassment, and sexual violence and misconduct and disseminate information about it;

8.5. support the #NotInMyParliament initiative and replicate it at national level;

8.6. conduct surveys and public debates periodically to raise awareness of the issue of violence against women, including in politics;

8.7. organise training on the issue of sexism and violence against women for members of parliament and parliamentary staff;

8.8. disseminate the 2018 IPU-Parliamentary Assembly regional study on *Sexism, harassment and violence against women in parliaments in Europe* among members of parliament and parliamentary staff through appropriate means, and consider translating the study and carrying out a national one;

8.9. ensure that men and women parliamentarians alike are involved in efforts to prevent and respond to sexism and violence against women in politics and parliamentary staff.

9. Furthermore, the Assembly invites the parliaments of the States Parties to the Istanbul Convention to provide the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) with information concerning violence against women in politics, including in political parties, in parliaments and in the context of the electoral process, in light of the overarching general obligation in the area of the prevention of violence against women set out in Article 12 of the Istanbul Convention.

10. The Assembly calls on Council of Europe member and observer States and States whose parliaments enjoy observer or partner for democracy status with the Parliamentary Assembly to:

10.1. provide the United Nations Committee on the Elimination of Discrimination Against Women with information on violence against women in politics, including in political parties, in parliaments and in the context of elections;

10.2. support research on the links between sexism, violence against women in politics and the political representation of women;

10.3. support activities, projects and observatories aimed at collecting data on sexism and violence against women in politics, including in parliaments and in the context of elections;

10.4. consider introducing specific legislation on sexism and violence against women in politics.

11. The Assembly calls on political parties at national level and its political groups to commit to rejecting all forms of violence against women in politics, enshrine this commitment in their codes of conduct/statutes and set up effective disciplinary procedures against members who act in breach of this commitment.

12. As regards its own work and functioning, the Assembly recalls the applicability to its members of Rule No. 1292 on the protection of dignity at the Council of Europe and the relevance of its Code of Conduct for members, which sets out the obligation to “respect the values of the Council of Europe and the general principles of behaviour of the Assembly and not take any action which would cause damage to the reputation and integrity of the Assembly or its members”.

13. With this consideration in mind, the Assembly:

13.1. asks the Secretary General of the Parliamentary Assembly to regularly bring to the attention of the members of the Assembly the Council of Europe rules on the protection of dignity which are applicable to them, in writing and through the organisation of training;

13.2. calls on its Committee on Rules of Procedure, Immunities and Institutional Affairs to modify the Code of Conduct for members of the Assembly with a view to:

13.2.1. introducing the explicit prohibition of sexism, sexual harassment and sexual violence and misconduct as well as the obligation to take account of the Council of Europe rules on the protection of dignity and to co-operate with the relevant mechanisms and with the decisions that might be taken as a result of a harassment procedure;

13.2.2. ensuring that recommendations of the Commission against Harassment and/or decisions of the Secretary General of the Council of Europe resulting from the application of Rule No. 1292 can be followed up by the Assembly in the context of its Code of Conduct;

13.3. asks the Bureau of the Assembly to ensure that, in the context of election observation by the Assembly, the issue of violence against women, and notably sexism and sexual harassment, is systematically taken into account and is included in future revisions of the Guidelines for the observations of elections.

14. The Assembly takes note of the planned revision of Rule No. 1292 on the protection of dignity at the Council of Europe with a view to enhancing its effectiveness and recalls the need for a coherent application of Rule No. 1292 and of the Code of Conduct for members of the Assembly.

B. Draft recommendation[3]

1. Recalling that gender-based violence affects women in all aspects of life and that the world of politics is no exception, the Parliamentary Assembly draws the attention of the Committee of Ministers to its Resolution … (2019) on promoting parliaments free of sexism and sexual harassment.

2. The Assembly welcomes the inclusion of gender equality, the fight against gender-based violence and the promotion of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210, "Istanbul Convention") among the priorities of the presidency of the Committee of Ministers.

3. The Assembly reiterates its unfaltering support to the Istanbul Convention and looks forward to the adoption by the Committee of Ministers of a recommendation to prevent and combat sexism as well as the organisation of a meeting bringing together the international and regional mechanisms to combat violence against women to be held in 2019 under the auspices of the Council of Europe.

4. The Assembly recalls that the 2018 World Forum for Democracy on the theme "Gender equality: whose battle?" enabled participants to discuss the links between greater gender equality, balanced representation of women and men in politics and the fight against gender-based violence.

5. As a follow-up to the World Forum for Democracy and to the regional study on *Sexism, harassment and violence against women in parliaments in Europe*, which it jointly conducted with the Inter-Parliamentary Union in 2018 and considering that the specific issues of sexism and violence against women in politics have been largely neglected until recently, the Assembly encourages the Committee of Ministers to ensure that it is adequately taken into account in the context of the relevant Council of Europe intergovernmental work.

6. In order to strengthen monitoring and data collection, the Assembly:

   6.1. recommends that the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) address the issue of violence against women in politics in its country visits, reports and recommendations;

   6.2. encourages the Conference of International Non-governmental Organisations (INGOs) to develop a model for national NGOs and civil society groups to collect data and information on violence against women in politics.

7. Likewise, with a view to enhancing knowledge, exchanging information and sharing promising practices, the Assembly invites the Committee of Ministers to ensure that the issue of sexism and violence against women in politics is included in the dialogue between the appropriate Council of Europe bodies and other regional mechanisms to combat violence against women.

8. Finally, the Assembly asks the Committee of Ministers to ensure that its activities in the area of electoral assistance and co-operation also cover sexism and violence against women in the context of elections.

3. Draft recommendation unanimously adopted by the committee on 7 March 2019.

C. Explanatory memorandum by Ms Thorhildur Sunna Ævarsdóttir, rapporteur

1. Introduction

1. In 2017, the cinema industry was hit by a shock wave when, one after the other, a string of Hollywood actresses spoke up against the sexual abuse to which they had been subjected by Harvey Weinstein, a famous and powerful producer. In the following weeks, they were joined by millions of women around the world who denounced their own experiences of sexism, sexual harassment and violence in different spheres of life. Social media became the main platform which gave a voice to this movement, through the #MeToo hashtag.

2. Carried by the wave created by #MeToo, many women politicians started to speak up. Their individual testimonies and experiences are not isolated cases but indicate the existence of a pattern: gender-based violence is a widespread and systematic phenomenon in politics, including in parliaments.

3. This was confirmed by two important documents which were published in 2018: the report on Violence against women in politics, which Dubravka Šimonović, United Nations Special Rapporteur on violence against women, its causes and consequences, submitted to the United Nations General Assembly in August 2018,[4] and the regional study on *Sexism, harassment and violence against women in parliaments in Europe*, jointly conducted by the Inter-Parliamentary Union and the Parliamentary Assembly of the Council of Europe.[5]

2. Origin and aim of the present report

4. This report originates from a motion for a resolution on "Promoting parliaments free of sexism and sexual harassment" which was tabled by 74 members of the Assembly, including myself as the first signatory.[6] On 25 January 2019, the matter was referred to the Committee on Equality and Non-Discrimination for report and included in the preliminary draft agenda of the April 2019 part-session.

5. It seems to me only fit and proper that the Assembly hold a debate on this matter as soon as possible, not only because of the high number of its members who have supported the motion but also because many members of the Assembly contributed to the regional study on *Sexism, harassment and violence against women in parliaments in Europe* by sharing their personal testimonies.

6. As a result of the regional study, and ahead of the 2019 International Day for the Elimination of Violence against Women (25 November), the President of the Assembly launched the #NotInMyParliament initiative during the meeting of the Standing Committee in Helsinki in November 2018 to raise awareness of the alarming level of sexist behaviour, harassment and gender-based violence found in national parliaments.[7]

7. The Assembly should support this awareness-raising initiative and promote it at national level. At the same time, it should adopt recommendations addressed to national parliaments and other players involved in the political arena, so that the study is followed-up by concrete measures.

8. Sexism and violence against women have come to the forefront of the public debate like never before. Now it is the responsibility of politicians – women and men alike – to turn the momentum into tangible change, through policies, legislation and other measures aimed at putting an end to sexism and violence against women and the culture that condones it, and at promoting gender equality. This should apply also to the political sphere. Parliaments should assess whether they have adequate mechanisms in place to prevent sexism and sexual harassment against their members and staff and avoid the impunity of the perpetrators. A huge effort must be put into combating dismissive attitudes towards the phenomenon of gender-based violence and the silence that surrounds it, including in politics.

4. http://undocs.org/A/73/301.
5. www.ipu.org/resources/publications/reports/2018-10/sexism-harassment-and-violence-against-women-in-parliaments-in-europe.
6. Doc. 14810.
7. www.assembly.coe.int/nw/Page-EN.asp?LID=NotInMyParliament.

3. Violence against women in politics

3.1. Definition and applicable international standards

9. In August 2018, Dubravka Šimonović, United Nations Special Rapporteur on violence against women, its causes and consequences, submitted a report on "Violence against women in politics" to the United Nations General Assembly.[8] This report provides the most comprehensive analysis of the phenomenon to date and a most relevant background for this report.

10. The United Nations report defines violence against women in politics as "any act of gender-based violence, or threat of such acts, that result in, or is likely to result in, physical, sexual or psychological harm or suffering and is directed against a woman in politics because she is a woman, or affects women disproportionally".[9]

11. This echoes the definitions of gender-based violence which are set out in the 1993 Declaration on the Elimination of Violence against Women (Article 1)[10] and the General Recommendations No. 19 (1992) on violence against women[11] and No. 35 (2017) on gender-based violence against women which updated General Recommendation No. 19,[12] adopted by the United Nations Committee on the Elimination of Discrimination Against Women (CEDAW Committee). Similarly, it is in line with the definition of gender-based violence which is included in the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 201, "Istanbul Convention") (Article 3).[13]

12. In her analysis, the Special Rapporteur considers as "women in politics" "all women involved in political activities, those elected at the national or local levels, members and candidates of political parties, government and State officials at the local, national and international levels, civil servants, ministers, ambassadors and other positions in the diplomatic corps".[14]

13. Even if violence against women in politics is not specifically mentioned in the Convention on the Elimination of Discrimination Against Women, in the above-mentioned general recommendations by the CEDAW Committee or in the Istanbul Convention, all the standards on gender-based violence against women are applicable.

14. In addition, violence against women in politics is explicitly referred to in soft law instruments such as:

– United Nations General Assembly Resolution 66/130 of 2011 on women and political participation, in which it calls for zero tolerance for violence against women elected officials and candidates for political office;[15]

– the Resolution of the Inter-Parliamentary Union (IPU) on the freedom of women to participate in political processes fully, safely, and without interference, adopted at its 135th assembly.[16]

15. At regional level, Latin America has been a pioneer in tackling the phenomenon of violence against women in politics, also through the 1994 Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women ("Convention of Belém do Pará").

16. In 2015, the Sixth Conference of the States Parties to the Convention of Belém do Pará adopted a Declaration on Political Harassment and Violence against Women,[17] which subsequently led to the adoption of the Inter-American Model Law on the Prevention, Punishment and Eradication of Violence against Women in Political Life which the States Parties are invited to use in the context of the harmonisation of their national legislations.[18]

17. This model law:

– provides a definition of violence against women in politics;

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8. http://undocs.org/A/73/301.
9. Paragraph 12.
10. www.un.org/documents/ga/res/48/a48r104.htm.
11. www.refworld.org/pdfid/453882a422.pdf.
12. https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1_Global/CEDAW_C_GC_35_8267_E.pdf.
13. https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168046031c.
14. Paragraph 10.
15. www.un.org/en/ga/search/view_doc.asp?symbol=%20A/RES/66/130.
16. http://archive.ipu.org/conf-e/135/item4.pdf.
17. www.cepal.org/sites/default/files/news/files/declarationpoliticalviolenceeng.pdf.
18. www.oas.org/en/mesecvi/docs/LeyModeloViolenciaPolitica-EN.pdf.

– explicitly links violence against women in politics with equality, stating that the elimination of the former is a precondition for the latter;

– identifies the public entities responsible for preventing and responding to violence against women in politics;

– includes detailed provisions as regards the protection and compensation of the victims and the sanctions that can be taken against perpetrators.

3.2. Characteristics (motive, forms, victims, perpetrators, role of the media)

18. While both women and men can experience violence in politics, such acts of violence against women target them because of their gender and take gender-based forms, such as sexist threats or sexual harassment and violence.[19]

19. Some women are at higher risk, including human rights defenders; women's rights activists; journalists; members of minority groups or at the intersection of discrimination grounds; young women; lesbian, bisexual, transgender and intersex activists; members of the opposition; or those expressing minority or controversial views.

20. Violence against women in politics may take place in private or in public and be carried out by State or non-State actors, including members of political parties, fellow or opposition parliamentarians, voters, media representatives or religious leaders, family members or friends.

21. In her report, the UN Special Rapporteur points out that political parties are amongst the most common perpetrators of violence against women and that sexism and discrimination represent one of the biggest challenges to women's participation in elections.[20] Many women politicians have denounced the phenomenon of sextortion, having received demands for sexual favours in exchange for positions of power within political parties or a good placement on an electoral list. To mention a few, other forms of violence include sexual harassment, unwanted sexual contact, slander, sexist hate speech and the denial of resources that are available to men.[21]

22. Social media has increasingly become the vector for sexist hate speech and violence against women.[22] Women politicians are particularly targeted. They face sexism and sexist hate speech from the public and other politicians, including from their own party. The most severe cases include stalking and threats of rape or murder. In many cases, women politicians receive sexualised images or sexual insults. There have been cases of their private images being shared.[23] A wealth of studies and reports has shown that the consequence of hate via social media is that many victims choose not to be active in cyberspace or not to express views on certain topics.[24] Obviously, this is detrimental to women's public visibility, participation and freedom of expression.

23. On all types of media, it is common to find comments on women politicians' physical appearance and dress, and their ability and performance as politicians being assessed on these grounds.

3.3. Violence against women in the context of elections

24. Violence against women in the context of elections is a major barrier to the realisation of the right to fully participate in political and public life and it constitutes a specific category of violence against women, as underlined by the UN Special Rapporteur.[25] It include acts of gender-based violence relating to registration and voting, running for elections and political campaigning, the announcement of the results and the formation of the government.

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19. Paragraph 11.
20. Paragraphs 25 and 39.
21. National Democratic Institute, No party to violence: analysing violence against women in political parties, www.ndi.org/sites/default/files/NDI_No_Party_to_Violence_ReportFinal.pdf
22. Council of Europe Gender Equality Unity, Background note on sexist hate speech, 2016.
23. Council of Europe, Combating sexist hate speech, report of the seminar (European Youth Centre, Strasbourg, 10-12 February 2016).
24. Doc. 14217, Ending discrimination and online hate (rapporteur of the Committee on Equality and Non-Discrimination: Ms Marit Maij, Netherlands, SOC).
25. Paragraph 32.

25. In addition to the psychological and physical consequences for victims and their families, the most immediate effect of violence against women in the context of elections is its dissuasive effect: fewer women aspire to political office and contest elections. Violence at polling stations and against electoral staff may also discourage women from casting their vote and/or engaging in the area of electoral administration. Its impact, therefore, is very significant in terms of the integrity of the electoral process and its subsequent results.

26. Regrettably, data collection on violence against women in elections is poor, mainly due to gender-blind election monitoring standards and lack of awareness of the problem. In 2017, however, UN Women and the United Nations Development Programme (UNDP) published *Preventing Violence against Women in Elections: a programming guide*.[26] This guide recommends several measures:

– to map, monitor and report violence against women in elections;

– analyse voter and candidate registration procedures to prevent barriers to women's participation;

– identify measures for preventing and responding to violence within political parties, particularly during the political campaign period;

– gather information on violence against women in elections and the measures to counter it.

27. Recently, some international non-governmental organisations have started to work in this area. International IDEA, for instance, has produced an electoral risk management tool which also includes the collection of data on violence against women in politics,[27] and the International Foundation for Electoral Systems (IFES) has developed a tool to help document violence against women in politics and elections through quantitative and qualitative analysis and the use of information and communication technology.[28]

3.4. Violence against women in parliament

28. In 2016, the IPU conducted a study based on 55 interviews with women members of parliament from 39 countries covering five regions of the world.[29] Its findings confirmed a high level of sexism and sexual harassment, with 81.8% of participants having experienced some form of psychological violence. Among them, some 44% had received threats of death, rape, beatings or abduction during their parliamentary terms, including threats to kidnap or kill their children.

29. The study found that sexist insults were equally frequent: 65.5% of respondents declared they had been subjected to humiliating comments on repeated occasions during their mandates. Sexual harassment was described as common practice with 20% saying they had been sexually harassed during their term of office and 7.3% saying they had been pressured into having sexual relations.

30. Levels of physical violence proved to be also significant: 20% of the respondents said that they had been slapped, pushed, struck or targeted by an object that could have injured them, and 12.7% said someone had threatened to use or actually used a firearm, knife or other weapon against them.

31. In addition to acts of outright violence, women members of parliament described daily condescension and sexism expressed through inappropriate gestures or sounds.

4. The European context

4.1. The regional study by the IPU and the Parliamentary Assembly

32. In 2018, the Assembly and the Inter-parliamentary Union conducted a study on *Sexism, harassment and violence against women in parliaments in Europe*, based on individual confidential interviews with 81 female members of parliament from 40 Council of Europe member States and 42 parliamentary staff from 32 Council of Europe member States.[30]

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26. www.undp.org/content/undp/en/home/librarypage/democratic-governance/electoral_systemsandprocesses/preventing-violence-against-women-in-elections--a-programming-gu.html.
27. www.idea.int/data-tools/tools/electoral-risk-management-tool.
28. www.ifes.org/VAWE.
29. IPU, Sexism, harassment and violence against women parliamentarians, 2016.
30. www.ipu.org/resources/publications/reports/2018-10/sexism-harassment-and-violence-against-women-in-parliaments-in-europe.

33. Its findings confirm many of the trends identified in the 2016 study with regard to women members of parliament, the only exception being that physical violence is less predominant in Europe (14.8% of the respondents as opposed to 25.5% at global level)

34. Psychological violence is the main type of violence experienced by women members of parliament in Europe (85.2 % of the respondents). It aims to or has the effect of reducing women to their physical attributes; belittling their competence and legitimacy as politicians; violating their freedom of expression; or silencing them.

35. Everyday sexism is very common, with 67.9% of the respondents having been the target of comments relating to their physical appearance or based on gender stereotypes. In 35.6% of instances, these remarks had been made on parliament premises.

36. 24.7% of the respondents reported having been sexually harassed, in 75.9% of cases by male colleagues, both from their own political party and from opposing parties.

37. Women members of parliament in Europe are often targets of online attacks. 58.2 % of those interviewed had experience of abusive, sexual or violent content and behaviour on social networks. In 75.5% of cases, the authors of these threats are anonymous citizens.

38. The study shows that young female members of parliament (under the age of 40) are more frequently targeted by certain forms of sexist and violent acts. 77.3% of them reported being the subject of sexist and sexual remarks (9% more than for all women parliamentarians surveyed); 76.2% have experienced degrading treatment and abuse in the media and social networks (18% more); 36.4% had experienced sexual harassment (12% more).

39. The study also shows that there is an alarming amount of sexual and psychological harassment and bullying targeting female parliamentary staff in Europe: 40.5% of those interviewed said that they had suffered acts of sexual harassment in their work; in 69.2% of cases, the perpetrators were male MPs. 50% had received comments of a sexual nature; in 61.5% of cases, such comments had come from a male parliamentarian.

40. The level of reporting is very low: only 23.5% of female members of parliament and 6% of female members of parliamentary staff who have been sexually harassed have reported the incident. 50% of women members of parliament who have received death threats or threats of rape or beatings have reported the incidents to the police, the security department in the parliament or another department.

41. Following the publication of the joint regional study, the President of the Assembly and the President of the IPU transmitted it to the Speakers of Parliament of Council of Europe member States, inviting them to take the necessary measures.

42. The study will have a follow-up: The IPU is already working on the drawing up of Guidelines to be addressed to national parliaments on how to tackle sexism and sexual harassment while, under the aegis of its Parliamentary Network Women Free from Violence, the Assembly is planning to publish a compendium of best parliamentary practices in this area.

4.2. At national level

43. In the last past few years, a number of scandals and enquiries have raised the awareness of many politicians of the necessity to take action to tackle sexism and sexual harassment in politics.

44. In my own country, Iceland, which is considered one of the most advanced in the world as regards gender equality, a group of members of parliament including a former Prime Minister were recorded in 2018 using crude and offensive sexist language against their female colleagues in politics and a woman activist and former deputy member of parliament with a disability.[31] This unacceptable behaviour was met by wave of public indignation and is currently being investigated by the ethics committee on the grounds of breaches of the parliamentarians' code of conduct. Regrettably, in Iceland there are no sanctions for violating this code of conduct. Moreover, the members of parliament involved have chosen to attack the credibility of the woman who recorded them and to sue her for breaches of privacy law against them, rather than taking responsibility for their behaviour. This is particularly reprehensible because politicians have a special responsibility to abstain from hate speech, including sexist hate speech.

31. www.bbc.com/news/world-europe-46428380.

45. Not all Council of Europe member States, however, have the same level of awareness. In Italy, the former Speaker of the Chamber of Deputies, Laura Boldrini, was a target of sexist hate speech during the entire duration of her term of office, online and offline, at the hands of ordinary citizens as well as political opponents.

46. In 2017, the virulence of sexism in the public sphere in Italy led the CEDAW Committee to express concern that "women in politics are often targets of sexist attacks and harassment because of their gender and face negative cultural attitudes and gender stereotypes within political parties and the media and among voters". The CEDAW Committee also recommended that Italy consider "the adoption of specific legislation to combat political harassment and sexist attacks".[32]

47. Under Ms Boldrini's leadership, a cross-party body was set up in the Italian Chamber of Deputies to study the phenomenon of hatred in Italy and formulate recommendations addressed to parliament, the so-called Jo Cox Commission. The study highlights the link between sexist hate speech and the prevalence of traditional gender stereotypes and prejudice amongst the population: according to a survey mentioned in the final report of the Commission,[33] 39.2% of Italians do not think that there should be more women amongst holders of public offices and 49% agree with the statement that it is above all for the man to be the breadwinner in a family.

48. To mention another national example dealing with an area covered by this report, in the United Kingdom a multiparty working group was set up to shed light on allegations of bullying and sexual harassment against parliamentary staff and the availability of effective remedies. The report by Dame Laura Cox was published in October 2018.[34] The results showed a widespread culture of abuse, intimidation and bullying directed predominantly towards women but also against male staff. It also highlighted that complainants were met with indifference and a dismissive attitude, and that some investigations were not pursued.

49. An additional problem is that in many parliaments mechanisms to deal with sexual harassment do not exist or are not effective or not known. Since 2017, for instance, the Swiss Parliament has set up an independent structure providing personalised and confidential counselling for victims of harassment and abuse. This body, however, does not publish statistics on its activities and members of parliament are not always informed about its existence.[35]

4.3. The Council of Europe

50. The Council of Europe has a mechanism in place to ensure the protection of human dignity, which was set up by a Rule of its Secretary General.[36] Rule No. 1292 states that "[a]ny form of sexual and psychological harassment in the workplace and/or in connection with work at the Council of Europe shall be prohibited as conduct infringing the dignity of men and women".

51. As regards its field of application, "[e]veryone working at the Council of Europe, regardless of status or employment contract, has the right to effective protection by application of the provisions of this Rule against sexual and psychological harassment, irrespective of the person perpetrating such conduct". In addition, "[t]he provisions of this Rule shall apply to all members of the Council of Europe Secretariat. … They shall also apply to persons who are not Council of Europe Secretariat members who participate in the Organisation's activities, wherever they may be held. These include, but are not limited to, judges of the European Court of Human Rights, the Commissioner for Human Rights, members of the Parliamentary Assembly and the Congress of Local and Regional Authorities of the Council of Europe, members of Permanent Representations, experts, consultants, and employees of outside companies".

52. The Rule sets up a Commission against Harassment with the task of investigating complaints of sexual or psychological harassment and forwarding its conclusions and recommendations to the Secretary General. It is a joint commission with a two-year mandate, composed of two members and their substitutes appointed by the Secretary General and two further members and their substitutes appointed by the Staff Committee. Members sit in an independent capacity.

32. CEDAW Committee, Concluding observations on the seventh periodic report of Italy (CEDAW/C/ITA/CO/7).
33. https://pace.coe.int/documents/19879/3373777/20170825-JoCoxCommission-IT.pdf.
34. www.parliament.uk/documents/dame-laura-cox-independent-inquiry-report.pdf.
35. www.20min.ch/ro/news/suisse/story/Harcelement--les-parlementaires-se-taisent-28182597.
36. Rule No. 1292 of 3 September 2010 on the protection of human dignity at the Council of Europe.

53. No case of harassment involving a member of the Assembly is on record as having been submitted to the above-mentioned mechanism, which applies also in cases involving only members of the Assembly. The Council of Europe administration is working on a possible revision of Rule No. 1292, with a view to enhancing its effectiveness.

54. Furthermore, the Assembly's Code of Conduct for its members does not explicitly mention sexual harassment or misconduct but it sets the obligation to "respect the values of the Council of Europe and the general principles of behaviour of the Assembly and not take any action which would cause damage to the reputation and integrity of the Assembly and of its members".[37] It is therefore liable to be applied in such cases, even if there is no precedent. Nevertheless, it is preferable that the Code of Conduct for members contains an explicit prohibition of sexual harassment or misconduct, for clarity and effectiveness.

55. It should also be recalled that, in recent years, the Council of Europe has been a leader in the area of standard-setting to prevent and combat violence against women in all its forms: it adopted the Istanbul Convention, to which 33 Council of Europe member States have become Parties so far and which has also been signed by the European Union;[38] in addition, a draft recommendation to prevent and combat sexism, which defines the notion of sexism and sets out a series of measures, including in the public sector, will be soon submitted for adoption to the Committee of Ministers.[39]

4.4. The European Parliament

56. At the European Parliament, following a recent initiative, an advisory committee has been set up for dealing with harassment complaints between assistants and members of parliament. This body is composed of representatives of both assistants and members of parliament, with the participation of a representative of the medical service and a representative of the legal service of the European Parliament. Confidential councillors are also available.

57. The Rules of Procedure of the European Parliament allow its President to impose a sanction in a proven case of harassment, following a confidential internal investigation and on the recommendation of the advisory committee. The sanction can range from a reprimand to the suspension or removal of a number of parliamentary functions.

58. The European Parliament also organises specific training courses aimed at preventing inappropriate conduct and harassment and promoting respectful, professional relations in the workplace for all staff, as well as specific training for the senior leadership and line management. Training is also available for MEPs, but attendance is very low.[40] All MEPs are given the guide "Zero Harassment in the Workplace".[41]

59. Changes to the Rules of Procedure are currently being considered, to introduce a Code of Appropriate Behaviour in the Workplace for Members of the European Parliament. Members who do not sign a declaration that they would comply with the code would not be able to assume official positions.[42] There are also proposals to introduce compulsory training on sexual harassment.[43] I believe it would be appropriate for the Parliamentary Assembly of the Council of Europe to consider introducing similar measures.

60. Despite these steps, a heated debate is under way on how to effectively tackle harassment in the European Parliament,[44] and how to prevent and combat more effectively mobbing and sexual harassment in the workplace, public spaces and the European Union. In September 2018, the European Parliament adopted an own-initiative report on the latter matter, which has been forwarded to the European Commission.[45]

61. It should also be recalled that, in 2017, the President of the European Parliament suspended a Polish MEP, Janusz Korwin Mikke, for sexist remarks made during a plenary speech, on the basis of Article 11 of the European Parliament's Rules of Procedure, which covers standards of conduct. For information, he said "[o]f course women must earn less than men because they are weaker, they are smaller, they are less intelligent and they must earn less".[46]

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37. Code of Conduct for members of the Parliamentary Assembly, 1 April 2018.
38. www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210/signatures.
39. www.coe.int/en/web/genderequality/drafting-committee-sexism-recommendation.
40. https://euobserver.com/institutional/143314.
41. https://static.lecho.be/upload/brochure_mep_0_harassment_en_5992599-859966.pdf.
42. www.europeaninterest.eu/article/european-parliament-measures-harassment/.
43. www.europarl.europa.eu/doceo/document/A-8-2018-0462-AM-001-067_EN.pdf?redirect.
44. www.theparliamentmagazine.eu/articles/news/european-parliament-%E2%80%9Cmetoo%E2%80%9D-blog-gives-voice-abuse-victims.
45. www.europarl.europa.eu/sides/getDoc.do?type=TA&language=EN&reference=P8-TA-2018-0331.

5. Recommendations: how to ensure that momentum leads to change

62. Detailed recommendations are included in the draft resolution and draft recommendation which precede this explanatory memorandum. In the following paragraphs I would like to list the main areas in which measures should be taken to turn the momentum created by the MeToo movement, national initiatives and international reports into tangible change.

5.1. Raising awareness and changing the culture around sexism and violence against women in politics

63. Sexism and sexual harassment are often dismissed as the price for women to pay to be in politics. They are so normalised and engrained that many women politicians are not even aware of being victims of a gender-specific form of violence. Others choose not to report acts of sexism and sexual harassment because this would undermine their political standing or harm their own political parties. Overall, a culture of impunity for sexist remarks prevails amongst parliamentarians, and a dismissive attitude towards those who complain.

64. Hence the importance of awareness-raising initiatives such as #NotInMyParliament, launched by the President of the Assembly in 2018, and the #NotTheCost campaign, carried out by the National Democratic Institute United (NDI), a non-governmental organisation (NGO) based in the United States. The message of the latter is that, while women are advancing towards equality and claiming their right to participate in politics, they are facing a backlash to their political participation, experiencing discrimination, harassment or assault because of it. This is not the cost for women to be in politics but an attempt to exclude women from politics and it has a dear cost for democracies.[47]

65. It should also be made clear that combating sexism and sexual harassment in politics is not a feminist or a women's cause. It is a cause for the whole society, in which women and men alike should partake.

5.2. Introducing effective mechanisms and procedures and disseminating information about them

66. Parliaments should have effective mechanisms for dealing with sexism and sexual harassment, accessible to members of parliament and staff. They should consist of confidential councillors and a complaint mechanism. Victims should be able to report in full confidentiality and have a fair consideration of the case as expeditiously as possible and the decisions of such complaint mechanisms should be followed by effective sanctions which are proportional to the gravity of the case.

67. Information on these mechanisms should be disseminated as widely and regularly as possible. Statistics on their activities should be published, guaranteeing confidentiality and including information on the number of cases submitted, the number of pending cases, the number of decided cases and the outcome of such cases. Training on the issue of sexism and sexual harassment should be provided, and if possible should be made compulsory. This should equally apply to members of parliament and parliamentary staff.

– Monitoring and data collection

68. It is crucial for the relevant treaty-based monitoring mechanisms, including the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), one of the monitoring mechanisms of the Istanbul Convention, to pay greater attention to the specific issue of violence against women in politics. It is a welcome development that, since 2012, this phenomenon has been mentioned in a few Concluding Observations by the CEDAW Committee, concerning Togo, Honduras and, more recently, Italy. However, consideration of this issue should be systematic.

– Elections

69. Sexism and violence against women in the context of elections is a major problem which has been neglected so far. The Assembly should take this aspect into account through its election observation work because elections are at the heart of the legitimacy of the democratic system. It will not be possible to have parliaments free of sexism and sexual harassment unless the elections themselves have been free of sexism and sexual harassment. Council of Europe assistance and co-operation activities on election management should also cover violence against women in politics because, so far, the emphasis has been placed only on

46. www.politico.eu/blogs/playbook-plus/2017/03/antonio-tajani-investigates-far-right-polish-mep-for-sexist-remarks/.
47. www.ndi.org/who-we-are.

non-discrimination aspects, such as the balanced access of women and men to financial resources or the fair allocation of speaking time and media visibility during election campaigns. National NGOs, who play a considerable role in monitoring election campaigns and the conduct of voting, should also be encouraged to research and collect information on violence against women.

– *Council of Europe*

70. Rule No. 1292 on the protection of human dignity at the Council of Europe is also applicable to members of the Assembly but this is not widely known. It is necessary to inform members of this possibility and organise training to explain the relevant procedure. In the context of the ongoing revision of the Rule, consistency should be ensured with the Code of Conduct for members of the Assembly.

71. It is also crucial to embed a prohibition of sexism, sexual harassment, sexual violence and misconduct in the Assembly's Code of Conduct for its members and ensure that the Assembly can follow up a decision taken under Rule No. 1292.

6. Final remarks

72. Sexism and violence against women in politics affect the foundations of democracy: they interfere with women's right to fully participate in political life; limit their right to vote and to run for public office; and ultimately undermine the representativeness and the legitimacy of elected institutions. Sexism and violence against women in parliament hold back women's access to leadership positions and impair their ability to fulfil their elected mandate.

73. The extent of the problem of violence against women in politics has started to be understood only very recently. Council of Europe member States, and parliaments in the first instance, should work towards a comprehensive response to tackle this phenomenon in all its complexity. As highlighted by the Council of Europe on many occasions, there is a continuum between sexism and violence against women, and a link between the under-representation of women in politics and discrimination in public life, harmful stereotypes and gender-based violence.

74. Parliaments should set an example for citizens. They should be a place where everyone can fulfil their duties on an equal footing, in total security and enjoying the same respect and dignity. On a personal note, I would like to especially call on my male colleagues to seriously consider the role which they can play to contribute to eradicating sexism and violence against women in politics. I hope that this report will be an eye-opener for them, and an encouragement to learn how to recognise sexism, harmful stereotypes and the more hidden forms of violence against women. Men and women politicians should stand together to make parliaments a good place for all to work in.