



Recommendation 1940 (2010)¹

Final version

Gender-related claims for asylum

Parliamentary Assembly

1. Referring to its [Resolution 1765 \(2010\)](#) on gender-related claims for asylum, the Parliamentary Assembly draws attention to the situation in Council of Europe member states of women and girls who may have faced different forms of gender-based violence or gender-related persecution, such as female genital mutilation, trafficking in human beings, so-called “honour crimes” or sexual violence as a means of warfare.

2. The Committee of Ministers is invited to take note of the Assembly’s recommendations to member states set out in the above-mentioned resolution and to encourage member states to comply with them.

3. The Assembly considers that much greater efforts should be made to examine the extent to which member states take due account of gender-based violence and gender-related persecution in their asylum systems, beginning with the collection, analysis and publication of statistics and information on the issue. The Assembly therefore invites the Committee of Ministers to:

- 3.1. instruct the appropriate intergovernmental body in the Council of Europe to carry out a study on:
 - 3.1.1. the legal and procedural approach of member states to gender-based violence and gender-related persecution in the asylum process;
 - 3.1.2. the way in which member states cater for the particular needs of victims of gender-based violence and gender-related persecution in the asylum process, for example by providing same-sex interviewers and interpreters who are trained to be gender sensitive;
 - 3.1.3. the rates of recognition for refugee status compared to the rates of granting of complementary forms of international protection based on gender-related claims;
 - 3.1.4. the social situation and legal status of asylum seekers who claim to be victims of gender-based violence and gender-related persecution before, during and after the asylum procedure;
- 3.2. instruct the Ad hoc Committee on Preventing and Combating Violence against Women and Domestic Violence (CAHVIO) to ensure that gender-based violence (including domestic violence) and gender-related persecution are adequately taken into account in the future Council of Europe convention on preventing and combating violence against women and domestic violence;
- 3.3. initiate a set of guidelines, based on the above-mentioned study, to ensure that gender-based violence and gender-related persecution are adequately taken into account in national asylum processes and in the asylum programmes of member states;
- 3.4. develop gender-sensitive training programmes and tools for those involved in asylum procedures, notably in the areas of interview techniques, finding and using country of origin information, developments in international human rights and refugee law, and drafting of decisions.

1. *Assembly debate* on 8 October 2010 (36th Sitting) (see [Doc. 12350](#), report of the Committee on Migration, Refugees and Population, rapporteur: Mr Zernovski; and [Doc. 12359](#), opinion of the Committee on Equal Opportunities for Women and Men, rapporteur: Mrs Hägg). *Text adopted by the Assembly* on 8 October 2010 (36th Sitting).

