Parliamentary Assembly
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COUNCIL OF EUROPE
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Prenatal sex selection

Reply to Recommendation[1]: Recommendation 1979 (2011)
Committee of Ministers

1. The Committee of Ministers considers that prenatal sex selection undermines the fundamental values, principles and rights promoted by the Council of Europe and enshrined in the European Convention on Human Rights (ECHR) and the relevant protocols to it. The practice is also at variance with the general principles of gender equality laid down by the Committee of Ministers as early as 1988 in its Declaration on equality of women and men and confirmed in Madrid in 2009 in its Declaration on "Making gender equality a reality". In addition, the Committee of Ministers would highlight the dangers of this practice, which is liable to result in serious demographic and social imbalances. With regard to the admissibility of using techniques of medically assisted procreation for the purpose of choosing a future child's sex, only one exception to the principle of non-selection is provided for in Article 14 of the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine, with a view to avoiding serious hereditary sex-related disease.

2. The Committee of Ministers notes the connection that the Assembly makes between prenatal sex selection, its underlying causes and violence against women. In this regard, it urges member States to take the necessary legislative or other measures to punish all forms of violence against women, including forced abortion and forced sterilisation. The Committee also encourages member States which have not yet done so to sign and ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence so that it can come into force as soon as possible.

3. It also encourages them to sign and ratify the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine, which provides the legal framework for questions relating to prenatal sex selection. Furthermore, the Committee of Ministers invites the Steering Committee for Human Rights (CDDH) to take account of the suggestion made by the Assembly in paragraph 3.2 of its recommendation when carrying out intergovernmental work on the protection of human rights in the sphere of biomedicine, subject to available resources.

4. The Committee of Ministers is conscious that providing information to and raising awareness of families and social institutions is of crucial importance. It considers that particular efforts need to be made on the subject. In this respect, it takes note of the Assembly's recommendation regarding assistance and co-operation on issues relating to prenatal sex selection (for instance non-invasive tests). The Gender Equality Commission (GEC) will provide expertise to member States on the development of legislation, policies, practice, training schemes and awareness-raising material to support the implementation of internationally recognised gender equality standards. It will also implement the action plan and the resolution adopted at the Council of Europe Conference of Ministers responsible for Equality between Women and Men in Baku in May 2010, in order to take further steps towards establishing *de facto* gender equality.

1. 2012 - Third part-session