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(Final version)

Protecting refugee women from gender-based violence

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A. Draft Resolution

1. In the past two years, more than one million asylum seekers came to Council of Europe member States looking for protection and opportunities for their children to grow up in peace. They left war-torn countries after suffering violence and witnessing atrocities. They took serious risks to come to Europe, where their presence has been at times welcomed but often criticised, making them the targets of hate speech and scapegoats for any problem arising.
2. In their countries of origin, during the journey, in transit and in destination countries, many refugee and asylum-seeker women and girls have been exposed to gender-based violence taking the form of coercion, forced prostitution, harassment, survival sex, sexual slavery or various forms of extortion. However, their protection from violence has not been considered a priority in the management of the refugee crisis. While the Parliamentary Assembly praises the countries which have to date taken high numbers of refugees and asylum seekers, it regrets that the gender dimension of the refugee crisis has been largely overlooked and has left protection gaps, increasing risks for many women.
3. The Assembly is convinced that providing protection from gender-based violence to all women, irrespective of their status, should be a priority, in line with the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210, "Istanbul Convention"). The responsibility to help and protect asylum-seeker and refugee women is not limited to cases of violence perpetrated in destination countries. They should receive adequate assistance to overcome the trauma they have experienced in their countries of origin or during transit. Against this background, the Assembly recalls its Resolution 1765 (2010) and Recommendation 1940 (2010) on gender-related claims for asylum which advocate gender-sensitive asylum procedures.
4. The Assembly also stresses that the arrival of asylum seekers in Europe represents an opportunity to promote and uphold tolerance, diversity and openness, and to take a strong stance against multiple forms of discrimination. In addition to ensuring protection from violence and assistance to victims, States should invest in integration programmes to provide prospects for the coming years and help women refugees find their place in our societies.
5. In the light of these considerations, the Assembly calls on Council of Europe member and observer States to take the following concrete measures to address protection gaps and mitigate risks:
 - 5.1. sign and ratify without further delay, for the States which have not yet done so, the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, and ensure its full implementation, which includes the recognition of gender-based violence as a form of persecution within the meaning of the 1951 United Nations Convention relating

Amendment 2
Tabled by the (Former) Committee on
Migration, Refugees and Displaced Persons

In the draft resolution, at the end of paragraph 5.1, add the following words: "and the Council of Europe Convention on the Protection of Children

to the Status of Refugees, as well as the Council of Europe Convention on Action against Trafficking in Human Beings (CETS No. 197);

- 5.2. with regard to women's safety in transit and reception facilities:
- 5.2.1. ensure the presence of female social workers, interpreters, police officers and guards in these facilities;
- 5.2.2. provide separate sleeping areas for single women with or without children, and separate well-lit bathrooms for women;
- 5.2.3. create safe spaces in every transit and reception facility;
- 5.2.4. when needed, ensure access of refugee and asylum-seeker women to shelters for women victims of gender-based violence;
- 5.2.5. organise training on identifying and assisting victims of gender-based violence for social workers, police officers and guards working in the facilities;
- 5.2.6. provide information material in languages of the countries of origin on assistance services for victims of gender-based violence, including on reporting and complaint mechanisms;
- 5.2.7. provide, in transit and reception facilities, counselling, psychological support and health care, including sexual and reproductive health care and specific post-rape care, for victims of gender-based violence in their countries of origin and in transit or destination countries;

against Sexual Exploitation and Sexual Abuse (CETS No. 201)".

Amendment 3
Tabled by the (Former) Committee on Migration, Refugees and Displaced Persons

In the draft resolution, after paragraph 5.2.6, insert the following paragraph:

"in accordance with the UNHCR's Comprehensive Protection Framework on Access to Justice for Sexual and Gender-Based Violence Victims and Survivors, provide for regular visits by mobile courts or court officers to these facilities and document such visits, in order to ensure that sexual assaults be investigated and prosecuted;"

Amendment 4
Tabled by the (Former) Committee on Migration, Refugees and Displaced Persons

In the draft resolution, after paragraph 5.2.7, insert the following paragraph:

"ensure the same access to affordable and adequate health services for all women and girls, as for the general population, regardless of the definitions used (migrant, immigrant, refugee or asylum seeker);"

Amendment 5
Tabled by the (Former) Committee on Migration, Refugees and Displaced Persons

In the draft resolution, after paragraph 5.2.7, insert the following paragraph:

"ensure that girls are free to decide for themselves, that their voluntary and informed consent should always be obtained, and that they do not require a spouse, parent/guardian or

- 5.3. with regard to asylum procedures:
- 5.3.1. implement gender-sensitive asylum procedures by ensuring the presence of female asylum officers and interpreters, if this has been requested after being proposed, give the opportunity to hold separate interviews for women and men from the same family and guarantee the confidentiality of the interviews;
- 5.3.2. ensure that asylum officers and interpreters receive training on how to detect gender-based violence and use gender-specific information about countries of origin, including the prevalence rate of female genital mutilation and forced marriage;
- 5.4. with regard to the overall management of cases and refugee policies:
- 5.4.1. participate in resettlement and relocation programmes, which represent the safest way for asylum seekers and refugees to come to Europe;
- 5.4.2. fund specific assistance and humanitarian resettlement programmes for women victims of gender-based violence, on the model of the Special Quota Project of the Land of Baden-Württemberg in Germany;
- 5.4.3. support family reunification;
- 5.4.4. set up cross-border protection mechanisms for victims of gender-based violence;
- 5.4.5. ensure the respect of protection standards for victims of violence by private service providers contracted to deliver services and accommodation to asylum seekers, by putting in place a monitoring mechanism foreseeing regular visits by migration officials;
- 5.5. invest in social and economic integration programmes specifically targeting women refugees, in particular by providing language courses and facilitating the recognition of diplomas as well as access to employment, and by informing women refugees of the rules of good conduct in

hospital authorities' authorisation to access sexual and reproductive health services;"

Amendment 6
Tabled by the (Former) Committee on Migration, Refugees and Displaced Persons

In the draft resolution, at the end of paragraph 5.3.1, add the following words: ", and aim at full protection, including refugee status".

Amendment 7
Tabled by the (Former) Committee on Migration, Refugees and Displaced Persons

In the draft resolution, at the end of paragraph 5.4.1, add the following words: "and implement new safe legal pathways, to ensure a safer transit for women and girls".

Amendment 8
Tabled by Ms Serap YAŞAR, Mr Şaban DİŞLİ, Ms Zühal TOPCU, Mr Suat ÖNAL, Mr Erkan KANDEMİR, Mr Burhanettin UYSAL

In the draft resolution, after paragraph 5.4.5, insert the following paragraph:

"coordinate with civil society organisations who are active in the field and encourage them to focus on gender-based violence and discrimination;"

- the host country, particularly with respect to gender equality;
- 5.6. with regard to combating discrimination against refugees and asylum seekers, including women:
 - 5.6.1. launch awareness-raising campaigns on the positive contribution of refugees and asylum seekers to our societies;
 - 5.6.2. strongly condemn and punish any form of discrimination and violence against refugees and asylum seekers, including women.
 6. The Assembly calls on members of national parliaments of Council of Europe member and observer States and parliaments which enjoy observer or partner for democracy status with the Assembly to speak out against the discrimination and stigmatisation of refugees and asylum seekers.
 7. Finally, the Assembly pays tribute to the tremendous courage shown by refugee and asylum-seeker women, as well as internally displaced persons, such as the Yazidi advocates Nadia Murad, who received the Václav Havel Prize from the Assembly, and Farida Abbas, who escaped violence and who shared their stories so as to raise awareness throughout the world about the situation of women victims of gender-based violence and the need to ensure their protection.

Amendment 1
Tabled by the (Former) Committee on
Migration, Refugees and Displaced Persons

In the title of the draft resolution, after the word "women", insert the following words: "and girls".