



## **OSCE Human Dimension Implementation Meeting**

**Warsaw, 21 September- 2 October 2015**

### **Working Session 5: Tolerance and non-discrimination I and Working Session 11: Humanitarian issues and other commitments**

#### **Contribution of the Council of Europe**

##### **A. Combating trafficking in human beings**

During the past decade the focus of the on-going co-operation between Council of Europe and the OSCE in the field of action against trafficking in human beings has been set on promoting the widest possible signature and ratification of the Council of Europe Convention and encouraging full implementation of the OSCE anti-trafficking commitments. The OSCE has observer status with the Committee of the Parties to the Council of Europe Anti-Trafficking Convention and the two organisations are pursuing co-operation and are making efforts to avoid unnecessary duplication and achieve synergies.

Co-operation between the Council of Europe and the OSCE as regards action against trafficking in human beings is based on the exchange information relevant to identifying their respective priorities and co-ordinate their activities in the fields of:

- awareness raising and advocacy (including, where relevant, the ratification of the Council of Europe Convention on Action against Trafficking in Human Beings, and the implementation of the OSCE political commitments);
- assistance to Council of Europe member States and OSCE participating States, including to national structures (governmental or non-governmental) that are responsible for preventing and combating trafficking in human beings and protecting its victims, especially in the field of training for relevant officials;
- conducting assessments and monitoring.

During country evaluation visits, GRETA delegations continue meeting representatives of local offices of the OSCE (where they have Field Operations and anti-trafficking Focal Points) and benefit from their presence on the ground to complete the collection of information necessary for monitoring the implementation of the Council of Europe Convention.

GRETA's reports are made public and are communicated to the OSR/CTHB and ODIHR. The reports issued after the country visits carried out by the SR/CTHB are also communicated to GRETA and are taken into account in the context of evaluating the respective states. These reports and other publications from the two organisations serve as a valuable source of expertise for Council of Europe member States and OSCE participating States.

Following a joint Council of Europe/OSCE conference entitled "Not for Sale – Joining Forces against Trafficking in Human Beings", which took place on 17-18 February in Vienna and resulted in a Framework for Joint Action the Council of Europe and OSCE organised two workshops for judicial and prosecutorial officials on promoting the implementation of the non-punishment principle for victims of human trafficking (9-10 October 2014 and 27-28 April 2015).

Members of GRETA and representatives of the Council of Europe Secretariat regularly participate in conferences and other events organised by OSCE/ODIHR. By way of example, the OSCE-SR participated as a speaker at the Conference marking the 10th anniversary of the opening for signature of the Council of Europe Convention on Action against Trafficking in Human Beings, which took place on 16 June 2015 in Strasbourg. The Conference focused on the Convention's innovative features and victim-centred approach, and explored the impact that it has had on states parties' legislation, policy and practice. It also provided a forum for strengthening international partnerships against trafficking in human beings. Further, the Executive Secretary of the Council of Europe Convention participated as a moderator of one of the panels during the OSCE 15th High-level Alliance against Trafficking in Persons Conference entitled "People at risk: combating human trafficking along migration routes", held in Vienna on 6-7 July.

The two organisations are aware of the need to avoid duplication when it comes to country visits and they are co-ordinating visit plans for the future. Co-operation between the OSCE and the Council of Europe will continue along the agreed principles. The Office of the SR/CTHB and the Secretariat of the Convention on Action against Trafficking in Human Beings will continue exchanging information and exploring further co-operation opportunities. In particular, the two organisations are likely to focus their co-operation in the course of 2016 on combating trafficking for the purposes of labour exploitation, which is one of the priorities of the forthcoming German chairmanship of the OSCE, as well as the Dutch Presidency of the European Union.

## **B. Combating violence against women**

### **Current status of signatures/ratifications of the Council of Europe's Convention on Preventing and Combating Violence against Women and Domestic Violence ([Istanbul Convention](#))<sup>1</sup>**

- There are at present 18 Parties to the Istanbul Convention<sup>2</sup>.
- A further 20 States signed the Convention and are taking steps towards ratification.

### **Setting-up of the monitoring mechanism of the Istanbul Convention**

The aim of the monitoring mechanism of the Istanbul Convention is to assess and improve the implementation of the Convention by Parties. It consists of two distinct, but interacting, bodies:

- an independent expert body, **the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)**, which is composed of 10 members (and will subsequently have 15 members following the 25<sup>th</sup> ratification);
- a political body, **the Committee of the Parties**, which is composed of representatives of the Parties to the Istanbul Convention.

The Committee of the Parties of the Istanbul Convention held its very first meeting on 4 May 2015 in Strasbourg. At this meeting, the Committee adopted its rules of procedure, elected its chair and vice-chairs and proceeded with the election of the first ten members of the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO).

The role of GREVIO will be to monitor the implementation of the Istanbul Convention by its Parties. It will adopt evaluation reports on legislative and policy measures taken by the Parties to implement the provisions of the Convention. In cases where action is required to prevent a serious, massive or persistent pattern of any acts of violence covered by the Convention, GREVIO may initiate a special inquiry procedure. In addition, it may adopt general recommendations on the various themes and concepts of the Convention.

GREVIO members will be serving a term of 4 years as independent experts and will meet for the first time on 21-23 September 2015 in Strasbourg. They will adopt their own rules of procedure.

List of members of GREVIO: [Feride ACAR](#) (Turkish), [Biljana BRANKOVIC](#) (Serbian), [Francoise BRIÉ](#) (French), [Helena Maria CARVALLHO MARTINS LEITAO](#) (Portuguese), [Gemma GALLEGÓ](#) (Spanish),

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<sup>1</sup> The Istanbul Convention entered into force on 1 August 2014.

<sup>2</sup> Austria, Albania, Andorra, Bosnia and Herzegovina, Denmark, Finland, France, Italy, Malta, Monaco, Montenegro, Poland, Portugal, Serbia, Slovenia, Spain, Sweden and Turkey.

[Simona LANZONI](#) (Italian), [Rosa LOGAR](#) (Austrian), [Iris LUARASI](#) (Albanian), [Marceline NAUDI](#) (Maltese), [Vesna RATKOVIC](#) (Montenegrin).

### C. Equality between Women and Men

Achieving gender equality is central to the protection of human rights, the functioning of democracy, respect for the rule of law and economic growth and competitiveness.

The Council of Europe's work in the fields of human rights and gender equality has resulted in a solid legal and policy framework which, if implemented, would considerably advance women's rights and bring member States closer to real gender equality.

The Council of Europe seeks to combat gender stereotypes, sexism and violence against women in its many forms. It aspires to change mentalities and attitudes, promote balanced participation of women and men in political and public life and encourage the integration of a gender perspective into all programmes and policies. From the 1980s onwards, the Council of Europe has put forward European standards for gender equality which have shaped developments in Europe over the past decades. Some of the milestone achievements in this respect include the drafting of two international treaties: [the Council of Europe Convention on Action against Trafficking in Human Beings \(CETS No. 197\)](#) and the [Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence \(CETS No. 210\)](#)

These sound foundations enable the Council of Europe to explore other avenues, by deepening the reflection on the role of gender equality standards and mechanisms, and exploring the possibilities for more effective use of such strategies.

[The Council of Europe Transversal Programme on Gender Equality](#), launched in 2012, aims to increase the impact and visibility of gender equality standards, supporting their implementation in member States through a variety of measures, including gender mainstreaming and action in a number of priority areas. The Council of Europe [Gender Equality Commission](#) is at the centre of this effort. A [Network of National Focal Points](#) in each member state and the [Gender Equality Rapporteurs](#) appointed in the steering committees, advisory and monitoring bodies provide crucial support to the work and activities of the Gender Equality Commission.

The overall goal of the Council of Europe [Gender Equality Strategy](#) is to achieve the advancement and empowering of women and hence the effective realisation of gender equality in Council of Europe member States by supporting the implementation of existing standards. This will be accomplished through the realisation of five strategic objectives:

1. Combating gender stereotypes and sexism
2. Preventing and combating violence against women
3. Guaranteeing Equal Access of Women to Justice
4. Achieving balanced participation of women and men in political and public decision-making
5. Achieving Gender Mainstreaming in all policies and measures

The [first annual report on the implementation of the Gender Equality Strategy in 2014](#) highlighted that the Council of Europe's Transversal programme on gender Equality and the Strategy for 2014-2017 have raised many expectations and there is an increasing demand for support, expertise, co-operation and contributions which is emerging from various national, regional and global processes.

In achieving its aims and objectives, the Council of Europe seeks to further develop and strengthen its co-operation with partner Organisations, in particular the EU, UN and its different agencies above all UN-Women, OSCE, OECD, OAS and the World Bank.

Gender equality standards and mechanisms developed by the Council of Europe, include:

[European Convention on Human Rights – Article 14 – Prohibition of discrimination](#)  
[Protocol No. 7, Article 5 – Equality between spouses](#)  
[Protocol No. 12, Article 1 - General Prohibition of discrimination](#)  
[The European Social Charter \(Revised\) of 1996](#)  
[Council of Europe Convention on Action against Trafficking in Human Beings \(CETS No. 197\)](#)  
[Council of Europe Convention on preventing and combating violence against women and domestic violence \(CETS No. 210\)](#)

## Council of Europe – Key standards on gender equality and women's rights

*Committee of Ministers Recommendations:*

[Recommendation CM/Rec\(2015\)2 on gender mainstreaming in sport](#)

[Recommendation CM/Rec\(2013\)1 on gender equality and media](#)

[Recommendation No. R\(98\)14 on gender mainstreaming](#)

[Recommendation No. R\(2000\)11 on action against trafficking in human beings for the purpose of sexual exploitation](#)

[Recommendation Rec\(2002\)5 on the protection of women against violence.](#)

[Recommendation Rec\(2003\)3 on balanced participation of women and men in political and public decision-making](#)

[Recommendation Rec\(2007\)13 on gender mainstreaming in education](#)

[Recommendation Rec\(2007\)17 on gender equality standards and mechanisms](#)

[Recommendation CM/Rec\(2008\)1 on the inclusion of gender differences in health policy](#)

[Recommendation CM/Rec\(2010\)10 of the Committee of Ministers to member states on the role of women and men in conflict prevention and resolution and in peace building](#)

For further information, see our website: <http://www.coe.int/equality> or send an e-mail to the Secretariat of the Gender Equality Unit: [gender.equality@coe.int](mailto:gender.equality@coe.int)

### **D. Combating discrimination on the grounds of sexual orientation or gender identity (SOGI)**

The Council of Europe standards and mechanisms seek to promote and ensure respect for the human rights of every individual. These include equal rights and dignity of all human beings, including lesbian, gay, bisexual and transgender (LGBT) persons. Assuming its leading role in human rights protection, the Council of Europe Committee of Ministers adopted on 31 March 2010 [Recommendation CM/Rec\(2010\)5 to member states on measures to combat discrimination on grounds of sexual orientation or gender identity](#). The Recommendation is the first instrument in the world dealing specifically with one of the most persistent and difficult forms of discrimination. It sets out the principles deriving from existing European and international instruments, with particular emphasis on the European Convention of Human Rights and the European Court of Human Rights case law. The recommendation identifies specific measures to be adopted and effectively endorsed by member states to combat discrimination, ensure respect for LGBT persons, promote tolerance towards them and ensure that victims have access to legal remedies.

In 2011-2013 a pilot LGBT project was carried out to support the implementation of Council of Europe standards in six member states (Albania, Italy, Latvia, Montenegro, Poland and Serbia). [A review of the implementation of the CM/Rec\(2010\)5](#) carried out by the Steering Committee for Human Rights resulted in replies from 39 member states which highlighted progress with and difficulties faced in implementing the Recommendation. In January 2014 the Committee of Ministers encouraged further action to implement the CM/Rec (2010)5 in particular in areas regarding:

1. identification, promotion and exchange of good practices;
2. mainstreaming LGBT issues within the Council of Europe and setting up a long-term action plan for the respect of LGBT persons' rights;
3. collecting data and carrying out research, disseminating know how and expertise;
4. raising public awareness on issues related to discrimination on the grounds of SOGI;
5. enhancing co-operation and synergies with stakeholders, governments, IGOs and LGBT civil society.

In 2014 an inter-secretariat taskforce on SOGI issues was established by the Secretary General of the Council of Europe with the main objective of mainstreaming SOGI in the work of the organisation and enhancing coordination and cooperation between the different sectors. The taskforce is led and coordinated by the SOGI Unit in the Directorate General of Equality and Human Dignity.

Standards and mechanisms developed by the Council of Europe to combat discrimination on the grounds of sexual orientation or gender identity (SOGI), include:

[European Convention on Human Rights – Article 14 – Prohibition of discrimination](#)

[Protocol No 12, Article 1 - General Prohibition of discrimination](#)

[The European Social Charter \(Revised\) of 1996](#)

[Council of Europe Convention on preventing and combating violence against women and domestic violence \(CETS No. 210\)](#)

*Parliamentary Assembly:*

[Resolution 1945 \(2013\) on Putting an end to coerced sterilisations and castrations](#)

[Recommendation 2021\(2013\) on Tackling discrimination on the grounds of sexual orientation and gender identity](#)

[Resolution 1952\(2013\) on Children's right to physical integrity](#)

*Commissioner for Human Rights:*

[Human Rights and Gender Identity](#)

[Discrimination on grounds of sexual orientation and gender identity in Europe](#)

[Discrimination on grounds of sexual orientation and gender identity in Europe \(2011\)](#)

*Venice Commission:*

[CDL-AD\(2013\)022-e - Opinion on the issue of the prohibition of so-called "Propaganda of homosexuality in the light of recent legislation in some Council of Europe Member States, Adopted by the Venice Commission at its 95th Plenary Session \(14-15 June 2013\)](#)

*European Court of Human Rights (Factsheets)*

[Gender identity](#)

[Homosexuality: criminal aspects](#)

[Sexual orientation issues](#)

For further information, see our website: <http://www.coe.int/lgbt> or send an e-mail to the electronic address of the Secretariat of the Gender Equality Unit [soqi@coe.int](mailto:soqi@coe.int)

#### **E. Promoting the rights of persons with disabilities**

The Council of Europe work in the disability field lies mainly within the equality and human rights framework and seeks to enhance independence, freedom of choice and the quality of life of persons with disabilities, and to raise awareness of disability as an important part of the human dimension of diversity in a multifaceted society. The [Council of Europe Disability Action Plan 2006-2015 \(Recommendation Rec \(2006\)5\)](#) is the Organisation's comprehensive legal instrument on the rights of persons with disabilities, covering all areas of life of persons concerned. It contains 15 action lines, including participation in political, public and cultural life, education, information and communication, employment, accessibility of the built environment and transport. It also draws attention to the needs of women and children with disabilities and severely disabled people in need of a high level of support

In 2013, two Recommendations of the Committee of Ministers were adopted targeting the priority areas selected by the Committee of Experts on the Rights of People with Disabilities (CS-RPD), i.e. the [Recommendation CM/Rec \(2013\)2](#) on ensuring full inclusion of children and young persons with disabilities into society, and [Recommendation CM/Rec \(2013\)3](#) on ensuring full, equal and effective participation of persons with disabilities in culture, sports, tourism and leisure activities. These Recommendations aim at guiding and supporting member States in their efforts to put in place policy and legal frameworks and the provision of services aimed at improving the quality of life of persons with disabilities.

Currently, the Committee of Experts on the Rights of People with Disabilities (DECS-RPD) is working on the post-2015 Council of Europe strategy, with a view to follow-up to the Council of Europe Disability Action Plan 2006-2015. The aim is to assess progress achieved during the Action Plan's implementation and identify gaps and remaining challenges to be addressed by the new Council of Europe Strategy on the Rights of Persons with Disabilities.

In achieving its aims and objectives, the Council of Europe seeks to further develop and strengthen its co-operation with partner Organisations, in particular the EU and the UN.

Standards and mechanisms on the rights of persons with disabilities developed by the Council of Europe, include:

[European Convention on Human Rights – Article 14 – Prohibition of discrimination](#)

[Protocol No 12, Article 1 - General Prohibition of discrimination](#)

[The European Social Charter \(Revised\) of 1996](#)

#### *Committee of Ministers*

[Recommendation CM/Rec\(2013\)3](#) of the Committee of Ministers to member States on ensuring full, equal and effective participation of persons with disabilities in culture, sports, tourism and leisure activities

[Recommendation CM/Rec\(2013\)2](#) of the Committee of Ministers to member States on ensuring full inclusion of children and young persons with disabilities into society

[Recommendation CM/Rec\(2012\)6](#) of the Committee of Ministers to member States on the protection and promotion of the rights of women and girls with disabilities

[Recommendation CM/Rec\(2011\)14](#) of the Committee of Ministers to member states on the participation of persons with disabilities in political and public life

[Recommendation CM/Rec\(2010\)2](#) of the Committee of Ministers to member states on deinstitutionalisation and community living of children with disabilities

[Recommendation CM/Rec\(2009\)9](#) of the Committee of Ministers to member states on the education and social inclusion of children and young people with autism spectrum disorders

[Recommendation CM/Rec\(2009\)8](#) of the Committee of Ministers to member states on achieving full participation through Universal Design

[Recommendation CM/Rec\(2009\)6](#) of the Committee of Ministers to member states on ageing and disability in the 21st century: sustainable frameworks to enable greater quality of life in an inclusive society

[Recommendation N° R \(92\) 6](#) of the Committee of Ministers to member states on a coherent policy for the rehabilitation of people with disabilities.

#### *Parliamentary Assembly*

[Resolution ResAP\(2007\)4](#) on the education and social inclusion of children and young people with autism spectrum disorders

[Resolution ResAP\(2007\)3](#) “Achieving full participation through Universal Design”

[Recommendation Rec\(2006\)5](#) of the Committee of Ministers to member states on the Council of Europe Action Plan to promote the rights and full participation of people with disabilities in society: improving the quality of life of people with disabilities in Europe 2006-2015

[Resolution ResAP\(2005\) 1 on safeguarding adults and children with disabilities against abuse.](#)

[Resolution ResAP\(2001\)3 Towards full citizenship of persons with disabilities through inclusive new technologies](#)

[Resolution ResAP\(2001\)1 on the introduction of the principles of universal design into the curricula of all occupations working on the built environment \(“Tomar Resolution”\)](#)

[Resolution AP \(95\) 3 on a Charter on the vocational assessment of people with disabilities.](#)

[Resolution N. 2068 - 25/06/2015 - Towards a new European Social Model](#)

#### *European Court of Human Rights (Factsheets)*

[Persons with disabilities and the ECHR](#)

#### *Reports and Studies*

**Report “Social inclusion of children and young people with disabilities”.** The report is available in English, French, German and Russian, Council of Europe publication, 2014.

An in-depth study on access for persons with disabilities to culture, tourism, sports and leisure activities: towards meaningful and enriching participation. The study is available in English and French, Council of Europe publication, 2015.

For further information, see our website:

[www.coe.int/disability](http://www.coe.int/disability) or send an e-mail to the Secretariat of the Disability Equality Unit: [disability@coe.int](mailto:disability@coe.int)