



Committee on Equal Opportunities for Women and Men
Commission sur l'égalité des chances pour les femmes et les hommes

Meeting of the FEMM Committee of the European Parliament
Brussels, 14 July 2010

**Statement by Mr José Mendes Bota (Portugal, EPP/CD), Chairperson of the PACE
Committee on Equal Opportunities for Women and Men**

10 July 2010

Dear Chairperson,
Dear members of the FEMM Committee,

It is a pleasure for me to address today the FEMM Committee on behalf of the Committee on Equal Opportunities for Women and Men of the Parliamentary Assembly of the Council of Europe which I have been chairing since January this year.

I am particularly honoured to address your committee in these changing times. A few days ago in Strasbourg, Thorbjørn Jagland, Secretary General of the Council of Europe and Viviane Reding, Vice-President of the European Commission started official talks on the European Union's accession to the European Convention of Human Rights. This results from the entry into force of the Lisbon Treaty, which is reinforcing the role of the European Parliament - and raises a number of legal challenges for the conventional system of the Council of Europe. **However, as a former Member of the European Parliament, I also believe that the Lisbon Treaty offers new opportunities for co-operation between the European Parliament and the Parliamentary Assembly** - and this is a political momentum we have to use to join our forces, as I will highlight in my presentation.

The Parliamentary Assembly is currently preparing a report on "the impact of the Lisbon Treaty on the Council of Europe"¹, which should cover several aspects with regard to the relations between the EU and the Council of Europe in the post-Lisbon era. Gender equality is obviously an issue of common interest. Our respective political assemblies seek the same objectives, namely providing women with more rights, more equality and equal opportunities - however the means to achieve these objectives are different - but hopefully complementary. Allow me therefore to focus my intervention today on the key issues that are currently on our agendas, in Strasbourg and Brussels, with a view to coordinating our endeavours

1. Combating trafficking in human beings : avoiding duplication

The Assembly follows with great interest the drafting of the future EU directive on preventing and combating trafficking in human beings, on which the FEMM and LIBE committee are currently working.

In this respect, I would like to recall that the Council of Europe Convention on Action against Trafficking in Human Beings **came into force on 1 February 2008, and to date 28 European countries have ratified it (including 18 members of the European Union)**, while 15 others have signed it (including 8 EU members).² This **highly developed instrument** involves **countries of origin, transit and destination** and is open to non member states of the Council of Europe.

¹ See Doc 12114 (Rapporteur: Ms Lundgren, Sweden, ALD). The PACE Political Affairs Committee declassified a information note Information note on the fact-finding visit to Brussels (9-10 June 2010) - see Doc. AS/Pol (2010) 27 rev

² 19 Member States of the European Union already **ratified** the Convention up to 10 June 2010: Austria, Belgium, Bulgaria, Cyprus, Denmark, Estonia, France, Latvia, Luxembourg, Malta, the Netherlands, Poland, Portugal, Rumania, Slovakia, Slovenia, Spain, Sweden and the United Kingdom.

7 Member States of the European Union already **signed** the Convention up to 10 June 2010 : Germany, Finland, Greece, Hungary, Ireland, Italy, Lithuania

Source : <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=197&CM=8&DF=09/06/2010&CL=FRE>

When ratifying the Convention, the states parties willingly agree to **comply with the European standards enshrined therein and to be supervised by an independent monitoring mechanism³, the GRETA, which reports to the relevant national authorities.** The Convention is a **binding** legal instrument.

The independent Monitoring Mechanism (GRETA consisting of 13 independent experts) and the Committee of the Parties ensure that **Convention provisions are fully implemented** through a binding mechanism to monitor and evaluate countries' anti-trafficking policies⁴.

In this respect, I should point out that the Parliamentary Assembly has expressed its **concern regarding duplication of work** and a possible proliferation of monitoring processes in this area. In her report presented last January, my colleague from Austria, Ms Gisela Wurm, mentioned indeed the "monitoring fatigue" our member states may experience. As parliamentarians, we are also aware that duplication of monitoring mechanisms is costly, and this is likely to be unaffordable for our States in times of financial restrictions. Ms Lydie Err, Chairperson of the PACE Sub-Committee on Trafficking in Human Beings participated in your Joint Seminar on Combating and preventing trafficking in human beings on 9 June 2010. There she highlighted the fact that the "reporting" that could be included in the future directive could be different from the "monitoring" process already stipulated in the Council of Europe Trafficking convention. I shall also recall that:

- **The Parliamentary Assembly has strongly encouraged the European Union itself to accede to the Convention as soon as possible**, so that the same standards can be applied throughout Europe, including the European Union, and to ensure that Council of Europe standards serve as a reference point for all international instruments currently being drawn up on the subject⁵.
- **The standards** which the European Union is intending to set out in its future directive **should neither be incompatible with, nor be less demanding than, those of the Council of Europe.** In this respect, I am glad to see that a constructive dialog was launched with the Chairperson of the PACE Sub-Committee on Trafficking in Human Beings in this respect, and should be pursued in the coming months.

Members of parliaments, at European and national level, have a key role to play to combat trafficking in human beings. This is why the Parliamentary Assembly intends to organise an **international parliamentary conference on action against trafficking in human beings on 3 December 2010.** The aim will be to take stock of the work of international organisations, the implementation of international legal instruments and the involvement of national parliaments, including those of the states parties to the Council of Europe Convention. The contribution of the European Parliament and your co-rapporteurs would be particularly welcome to discuss how parliamentary initiatives could be promoted in a co-ordinated effort.

2. Violence against women : toward common standards ?

The Council of Europe is currently drafting a **convention to prevent and combat violence against women and domestic violence.** A text should be ready by the end of 2010. The Parliamentary Assembly remains mobilised to ensure that the future convention lays down demanding standards concerning the protection of victims, the prosecution of perpetrators and prevention of this human rights violation.

I believe that the recent initiatives launched by the Spanish presidency of the European Union and the European Parliament's proposals for reinforcing measures to combat violence against women are to be welcomed. They reflect the common focus of our activities **and our joint determination no longer to tolerate acts of violence against women deriving from unequal relations between the genders.** However, again, we must avoid that the new legal instruments that may be developed by the European Union duplicate Council of Europe instruments or result in less demanding standards. The Parliamentary Assembly is actively following the work of the CAHVIO, where the EU has an observer status. The Assembly adopted a number of reports these past months on the issue of violence against women. Three new reports are under preparation in relation to restraining orders in case of gender-based violence⁶, psychological violence⁷ and violence pornography⁸.

³ The Convention is the only international treaty with an independent control mechanism.

⁴ The first evaluation round began in February 2010. This year, ten countries will be monitored, six of which – Austria, Bulgaria, Cyprus, Denmark, Romania and Slovakia – are EU member states, the remaining four being Albania, Croatia, Georgia and Moldova. The first reports will be completed by the end of September 2011. All of the states parties will be evaluated by the end of 2013.

⁵ Assembly Resolution 1702 (2010) on Action against trafficking in human beings: promoting the Council of Europe Convention and Doc. 12096 (rapporteur: Ms Wurm, Austria, SOC)

⁶ European norms concerning the enforcement and supervision of restraining orders in case of gender-based violence (Rapporteur: Ms Kiuru, Finland, SOC), Doc 12254

With a view to ensuring an effective protection of women victims of gender-based violence at European level, it is essential that the European **Union clarifies its position as soon as possible regarding the implications of the entry into force of the Treaty of Lisbon and the EU's contribution to the drafting, but also to the implementation and monitoring of the future Council of Europe convention.** This is an issue your committee may want to closely follow, ensuring that the Council of Europe remains closely associated to future discussions on this subject.

3. A balanced participation of women and men in decision-making : more action needed

As you can see, the Parliamentary Assembly remains mobilised to combat violence against women - which is a result of an imbalance of powers between women and men. Promoting a balanced participation of women and men in decision making is crucial to change the gender relationship, mindsets and ensure that women find the place they deserve in European democracies. In this field, I am afraid that much remains to be done, and no progress should be taken for granted.

Recently, the Assembly adopted a report on *Increasing women's representation in politics through the electoral system*⁹ - to highlight the impact of electoral system on the participation of women in politics. With its **Gender Equality Prize**, first awarded in 2009 to the Portuguese Socialist Party, the Assembly has put an emphasis on the positive role political parties can play to ensure that women have access to elected positions, in political assemblies and within the decision-making bodies of the parties¹⁰.

In 2010, the Assembly paid special attention to the **economic situation of women**, with the adoption of reports on *The gender wage gap*¹¹, *Women and the economic and financial crisis*¹², *Decent pensions for women*¹³. *More women in economic and social decision-making bodies*¹⁴ are also needed and our Committee will organize a hearing on this subject on 10 September in Paris. *The real situation of rural women in Europe*¹⁵ will furthermore be debated in 2011 by the Assembly.

Three weeks ago, the Assembly adopted a position on *Combating sexist stereotypes in the media*¹⁶ - and I am glad to see that your Committee will debate the impact of advertising on consumer behaviour, which is very much influenced by sexist stereotypes indeed.

Finally, I would like recall that the Assembly considers that an *additional protocol to the European Convention of Human Rights* would secure the fundamental right to equality between women and men¹⁷ in the European Convention on Human Rights. The Committee on Equal Opportunities for Women and Men was entrusted to prepare a report on this quite challenging issue, that could however lead to a substantial change in ways to promote not only anti-discrimination, but also a positive right to gender equality.

Dear colleagues,

In these times of changes and challenges, I believe that a new window of opportunity is open. We need the FEMM Committee to help raise the standards in the field of gender equality, as much as the FEMM Committee relies on the PACE Committee for Equal Opportunities for Women and Men to improve women's rights and position in Europe and to promote these issues not only at Council of Europe level, but in each and every national parliament of the 47 member states. Ms Chairperson, my Committee is honoured to invite you in December to pursue this co-operation. In the meantime, I would be glad to hear your views on how co-operation can be developed between our two committees.

Thank you for your attention.

⁷ Action to combat violence against women must also take account of psychological violence (Rapporteur: Ms Kovács, Serbia, EPP/CD)

⁸ Violent pornography: a threat to women's dignity and rights (Rapporteur : Mr Stuligrosz, Poland, EPP/CD)

⁹ Res 1706 (2010), Rec 1899 (2010) and Doc 12097 (Rapporteur: Ms Err, Luxembourg, SOC)

¹⁰ See <http://assembly.coe.int/equalityprize>

¹¹ Rec 1907 (2010), Resolution 1715 (2010) and Doc. 12140 on The wage gap between women and men (Rapporteur: Mr Wille, Belgium, ALDE)

¹² Res 1719 (2010), Rec 1911 (2010) and Doc 12195 (Rapporteur: Ms Memecan, Turkey, ALDE).

¹³ Res 1752 (2010), Rec 1932 (2010) and Doc 12274 (Rapporteur : Ms Curdova, Czech Republic, SOC)

¹⁴ Doc. 12144 (Rapporteur : Ms Gautier, France, EPP/CD)

¹⁵ Doc. 11773, (Rapporteur: Ms Quintanilla Barba, Spain, EPP/CD)

¹⁶ Res 1751 (2010), Rec 1931 (2010) and Doc 12267 (Rapporteur :Ms Stump, Switzerland, SOC)

¹⁷ Doc 12229 (Rapporteur : Mr Zhidkikh, Russian Federation, EDG)