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## **Integration of Immigrant Women in Europe**

Recommendation 1732 (2006)

Reply from the Committee of Ministers  
adopted at the 969<sup>th</sup> meeting of the Ministers' Deputies (21 June 2006)

1. The Committee of Ministers has taken note with interest of Parliamentary Assembly Recommendation 1732 (2006) on the integration of immigrant women in Europe and welcomes the Assembly's interest in this question.
2. It shares the Assembly's opinion that it is essential to guarantee the protection of the fundamental rights of immigrant women in the Council of Europe's member states, especially as immigrant women are often faced with two-fold discrimination, because of their gender and their origin, both in the host societies and in the immigrant communities.
3. One important aspect of the work the Committee of Ministers does in this field concerns the shaping of migration and integration policies. These policies include a gender dimension, as recommended in the message the Committee of Ministers addressed in April 1998 to the Council of Europe's steering committees, encouraging them to use in their activities the gender mainstreaming strategy developed by the Steering Committee on Equality between Women and Men.
4. In keeping with this strategy, the European Committee on Migration (CDMG), which carries out activities aimed at fostering equality of opportunity between immigrant women and men in the host societies and encouraging the integration of immigrant women, duly takes gender mainstreaming into account in its current activities. One of these involves drafting guidelines on integrating migrants residing lawfully in the country, including women, into the labour market, and on integrating women into the host societies and reducing discrimination, including means of involving women in their children's educational process.
5. The Committee of Ministers pays considerable attention to establishing dialogue between migrants' countries of origin, transit and destination. Indeed, as mentioned by the Parliamentary Assembly in its recommendation, the Council of Europe's Political Platform on Migration serves as a forum where such dialogue is pursued and could be extended, at a future session, to the question of promoting equality between immigrant men and women. The Committee of Ministers is also considering the possibility of focusing more specifically in its future work programmes on the problems linked to discrimination against immigrant women, including those in an irregular situation, and their integration.
6. Beyond this approach, the Committee of Ministers also actively promotes respect for the rights and the legal protection of human beings, including immigrant women. It is aware of the importance of an independent legal status for women who have joined their spouses through the family reunification schemes in the member states, when the marriage is genuine and the spouses continue to live together. In this regard, it recalls the relevant provisions of its Recommendation Rec(2002)4 on the legal status of persons admitted for family reunification, to which the Assembly quite rightly refers.

7. On the specific question of the protection of immigrant women victims of violence, the Committee of Ministers informs the Assembly that the Task Force to combat violence against women, including domestic violence, set in place following the decisions of the Third Summit, has finalised the Blueprint of the Council of Europe Campaign to combat violence against women, including domestic violence. It welcomes the interinstitutional dimension of the campaign, which is scheduled to be launched in November 2006, and thanks the Assembly for the contribution it will be making to the achievement of its aims. The broad lines of action that have been traced include in particular public awareness and the promotion of effective measures to prevent and combat this violence, implementing Committee of Ministers' Recommendation Rec(2002)5 on the protection of women against violence.

8. The Committee of Ministers further wishes to draw the Assembly's attention to the fact that the 27th Conference of Ministers of Justice, to be held in Yerevan on 12 and 13 October 2006, on the theme: "Victims: place, rights and assistance", will focus on victims of violence, including violence against women, taking into account the civil and criminal law aspects of the subject.

9. In reply to the other points raised in paragraph 5.2 of Recommendation 1732 (2006), the Committee of Ministers invites the Assembly to refer to the comments of the European Committee on Legal Co-operation (CDCJ), appended hereto.

#### *Appendix to the reply*

#### **Opinion of the European Committee on Legal Co-operation (CDCJ)**

1. Following the adoption by the Parliamentary Assembly of Recommendation 1732 (2006) on the integration of immigrant women in Europe, the Committee of Ministers decided to refer it to the European Committee on Legal Co-operation (CDCJ) for information and possible comments before 31 March 2006. The Plenary of the CDCJ examined the recommendation and decided to submit to the Committee of Ministers its comments relating to those provisions which, in its view, are of concern to the CDCJ.

2. The CDCJ draws the attention of the Committee of Ministers to the fact that the topic of the 27th Conference of Ministers of Justice, due to take place in Yerevan, in autumn 2006, will be: "Victims: place, rights and assistance". At this conference, the Ministers will be invited to examine the question of victims of violence, including violence against women, taking into account the civil and criminal law aspects of the subject.

3. Paragraph 5.2.3. concerns the identification and non-application, renegotiation, rejection or denunciation of those international and bilateral legal instruments which contradict the provisions of the European Convention on Human Rights or its Protocol No. 7 and violate the fundamental principles of human rights, in particular with regard to personal status. The CDCJ considers that responsibility in this respect lies primarily with the member states. Furthermore, it is the responsibility of the European Court of Human Rights to evaluate whether there has been violation of the Convention.

4. Paragraph 5.2.4. concerns the recognition and enforcement of judgments in matters relating to marriage, divorce and custody. The CDCJ underlined the importance of this question and noted that the Council of Europe has already elaborated several legal instruments relevant to this question, namely the European Convention on Recognition and Enforcement of Decisions concerning Custody of Children and on Restoration of Custody of Children (ETS No. 105), as well as Recommendations Nos. R (95) 6 and R (99) 7 on the application of ETS No. 105. ETS No. 105 has been widely ratified and at present is in force in 34 Council of Europe member states.

5. As regards recognition and enforcement of administrative and judicial decisions concerning marriage and divorce, the Committee of Experts on Family Law (CJ-FA) is planning to carry out an activity with a view to establishing whether the existing Council of Europe legal instruments in the field of family law adequately cover the current needs of member states and today's society. This activity might reveal, *inter alia*, if there is any specific need to address this area in particular.