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7TH COUNCIL OF EUROPE CONFERENCE OF *MINISTERS* RESPONSIBLE FOR EQUALITY BETWEEN *WOMEN* AND *MEN*

RESOLUTION

“BRIDGING THE GAP BETWEEN *DE JURE* AND *DE FACTO* EQUALITY TO ACHIEVE REAL GENDER EQUALITY”

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The Ministers of the States participating in the 7th Council of Europe Conference of Ministers responsible for Equality between Women and Men (Baku, 24-25 May 2010) ;

1. *recalling* the core objective of the Council of Europe which is to preserve and promote human rights and their full enjoyment, democracy and the rule of law in which all activities must contribute to this fundamental objective;
2. *recalling* the European Convention on Human Rights and the revised Social Charter as well as the Declaration on Equality of Women and Men of the Committee of Ministers of the Council of Europe of 16 November 1988 affirming that equality between women and men is an integral part of human rights and a fundamental criterion of democracy as well as the new Declaration adopted on 12 May 2009 in Madrid which reaffirmed the commitment of the Committee of Ministers to make gender equality a reality;
3. *reaffirming* the principles and standards laid down in the recommendations in the field of gender equality adopted by the Committee of Ministers, in particular *Recommendation Rec (2003)3 on balanced participation of women and men in political and public decision-making* and *Recommendation CM/Rec (2007)17 on gender equality standards and mechanisms*;
4. *reaffirming* the commitments undertaken during the six previous European ministerial conferences on equality between women and men and pointing out the strategies and measures provided in the Plan of Action adopted by this Conference;
5. *welcoming* the ongoing preparation of a Council of Europe convention to prevent and combat violence against women and domestic violence;
6. *recalling* the *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW) and its Optional Protocol, the relevant International Labour Organisation (ILO) conventions, the Declaration and Platform for Action adopted at the United Nations 4th World Conference on Women and the other relevant United Nations documents;
7. *recalling* the gender-specific provisions of the Treaty establishing the European Union introduced by the Lisbon Treaty, as well as the relevant instruments of the European Union in this field and welcoming the creation of the European Institute for Gender Equality;
8. *noting* that despite positive and significant achievements in legislation and policy making, despite the progress achieved towards *de jure* gender equality, the realisation of *de facto* gender equality remains a challenge with regard to the unequal distribution of power and responsibilities, the gender pay gap and the unequal access to economic, social and cultural resources, due to the persistence of prevailing traditional gender roles, resulting in a lack of respect for and protection of women’s human rights;
9. *recognising* that male violence against women and girls remains a major structural and societal problem and that men’s active participation in combating this violence and in promoting gender equality should be developed and intensified;

10. *regretting* the under-utilisation of competences of women and men by society resulting from the persistence of stereotypes and prejudices in their respective roles and aware of the importance of the role played by education and the responsibility of the media in shaping gender representations, attitudes and behaviours;

11. *convinced* that the gap between *de jure* and *de facto* gender equality can only be bridged by the adoption of specific legislation, policies and programmes and their implementation through the use of positive action and gender mainstreaming, including gender budgeting;

12. *convinced* that in a difficult economic and social climate where all member states are confronted by budgetary constraints, the achievement of *de jure* and *de facto* gender equality can largely contribute to the improvement of this situation by offering all the benefits of an active society fully using the competences, the skills and creativity of all its members.

Recommend that the Committee of Ministers of the Council of Europe:

13. takes all the necessary measures for the achievement of the objectives set out in this Resolution, and continues its action in all its member states, in conformity with the commitments to its Declaration “Making gender equality a reality”;

14. pursues the Council of Europe’s activities, in particular through the implementation of the Action Plan “Taking up the challenge of the achievement of *de jure* and *de facto* gender equality” adopted during this Conference;

15. continues to follow-up the implementation of its recommendations in the field of gender equality, including the protection of women against violence;

16. enhances co-operation with other international intergovernmental organisations for bridging the gap between *de jure* and *de facto* gender equality in particular by concluding a cooperation agreement with the new European Institute for Gender Equality;

17. encourages co-operation with non-governmental organisations, social partners and other representatives of civil society with a view to establishing a strategic partnership aimed at achieving *de facto* gender equality.

Agree on the strategies for achieving gender equality set out in this Resolution and recommend governments, parliaments and all institutions and groups concerned, in particular national gender equality mechanisms, NGOs and other representatives of civil society to implement them, in particular in the following fields:

Legislation

18. eliminating in national legislation all discriminatory provisions that run counter to equality between women and men and set-up the necessary mechanisms to implement and monitor the implementation of this legislation, in particular through the registration of complaints whenever it is violated;

19. signing and ratifying all relevant international legal instruments concerning equality between women and men, such as Protocol No. 12 to the *European Convention of Human Rights*.

Policies

20. developing specific gender equality policies and measures, in particular positive action including temporary special measures, to eliminate all forms of discrimination against women and bridge the gap between *de jure* and *de facto* equality;
21. preparing and adopting national action plans, involving local and regional authorities as strategic planning instruments for establishing political commitments, targets, time frames and resources;
22. in parallel with these policies, adopting and implementing gender mainstreaming strategies, including gender budgeting;
23. to achieve the goals mentioned above, ensuring the effective functioning of national gender equality mechanisms by giving them clear mandates, well-defined functions and responsibilities and by providing them with the necessary human and financial resources;
24. calling upon national mechanisms for gender equality, NGOs and other associations working for the achievement of gender equality to co-operate closely at the different levels of implementation of gender equality
25. providing support to NGOs and other associations with a view to giving them the means to consolidate their role in building *de facto* gender equality.

Balanced participation of women and men in political and public life, including in decision-making

26. adopting and implementing positive action including temporary special measures to promote the balanced participation of women and men in political, public and economic decision-making;
27. establishing concrete goals and benchmarks to promote the balanced participation of women and men in political and public life in line with the measures proposed in *Recommendation Rec(2003)3 on balanced participation of women and men in political and public decision making*;

Reconciliation of family and private life and working life

28. encouraging the economic independence of women and the empowerment of women by guaranteeing that equality is respected in the labour market and economic life, in particular through the implementation of *Recommendation R (96) 5 on reconciling work and family life* in priority areas such as:
 - the organisation of working time;
 - the abolition of discrimination between women and men in the labour market and especially the gender pay gap;
 - the development of adequately financed services in favour of families;
 - the adaptation of social security schemes and tax systems to the increasing diversity of working patterns;
 - the organisation of school time and curricula;
 - the equal sharing of caregiving and household responsibilities between women and men

Preventing and combating gender based violence against women

29. take the necessary measures to implement the *Recommendation (2002)5 on the protection of women against violence* and to this end ensure that this implementation is supported by appropriate resources;

Combating multiple discrimination against vulnerable groups of women and girls

30. Recognising that vulnerable groups of women and girls, including migrant women and girls, women and girls with disabilities, women and girls discriminated on grounds of their sexual orientation or gender identity and transgender persons are subject to multiple discrimination and taking all necessary measures to ensure their full and equal enjoyment of all human rights and fundamental freedoms.

Combating stereotyped gender roles, in particular in media and education

31. taking the necessary measures, including by involving men, to fight and eliminate gender stereotypes in all spheres of life, in particular by encouraging a non-stereotyped portrayal of women and men in public life;

32. encouraging the use of non-sexist language and bringing the language used in legal texts, public administration and education into line with the principle of gender equality;

33. taking the necessary measures to enhance the role of education in combating gender stereotypes and in promoting *de facto* gender equality;

34. providing both boys and girls with an education free from gender stereotypes defending gender equality and to this end implementing the measures proposed in *Recommendation CM/Rec (2007)13 on gender mainstreaming in education*;

35. establishing regular communication with media organisations to promote, whilst fully respecting the freedom and independence of the media, a non-stereotyped image of women and men based on respect for the human person and human dignity as well as the further development of codes of conduct for media professionals;

36. in line with *Recommendation n°R (84) 17 on equality between women and men in the media*, supporting training and awareness-raising for students of journalism and media personnel on questions linked to gender equality and on the use of non-sexist language in the media and how to avoid sexist stereotypes and sexism;

37. promoting balanced participation of women and men in decision-making positions in the media, in particular in management, programming and regulatory bodies.

Recommend that the Secretary General of the Council of Europe:

38. actively promote balanced participation of women and men within the Secretariat and in the steering committees and other bodies of the Council of Europe;

39. progressively implement gender mainstreaming, including gender budgeting, in all programmes and activities within the Council of Europe;

40. present, every year, a report on the progress achieved in the implementation of gender equality policies in the Council of Europe institutions and bodies.