

# HUMAN RIGHTS OF WOMEN

*"The human rights of women throughout the life cycle are an inalienable, integral and indivisible part of universal human rights."*  
World Conference on Human Rights, 1993



Women make up more than half of the world and Europe's population, and should therefore fully enjoy all human rights enshrined in the Universal Declaration of Human Rights, on an equal footing with men, and on an equal footing among themselves.

Several international human rights instruments focusing on women's rights and empowerment have been adopted over the last 40 years, including the Beijing Platform for Action and CEDAW, but equality between women and men is still not a reality in Europe; violations of women's and girls' human rights are still prevalent at all levels, in different spheres of society and life; women and girls lack knowledge about their rights; and some women are made more vulnerable to the violation of their rights due to their multiple identities. More and more violations of women's human rights are emerging in the case of migrant, refugee, asylum-seeking and undocumented women, in a context of globalisation and increased migration flows.

Promoting, respecting and guaranteeing women's human rights is an integral commitment of all Member States, which should be accompanied by an obligation for all Member States to act with due diligence, in order to provide a framework to prevent and combat all human rights violations, including women's human rights and their right to equality.

## BEIJING '95 STRATEGIC OBJECTIVES



- Promote and protect the human rights of women, through the full implementation of all human rights instruments, especially the Convention on the Elimination of All Forms of Discrimination against Women.
- Ensure equality and non-discrimination under the law and in practice.
- Achieve legal literacy.

## MIGRANT WOMEN IN EUROPE

The European Union is a region of destination for many individuals, leaving their country for various reasons: refugees, displaced persons, unaccompanied minors, families, students, migrant workers; some of them might also be undocumented. Women are an integral part of these migration flows, and face specific situations which make them vulnerable to the violation of their human rights.

Some have fled their country because of gender persecution, but not all asylum policies implement the UN High Commission for Refugees' gender-sensitive guidelines which would grant them asylum. Some women arrive in the EU on the basis of family ties, with a temporary residence permit connected to a partner; this lack of individual rights means that access to basic services can

be compromised; for women in an abusive relationship, status dependency prevents them from claiming their right to life and dignity and leaving the relationship without fearing of deportation. Women's vulnerability as domestic workers needs to be taken into account more seriously, and the overrepresentation of migrant women in prostitution should alert policy and decision-makers to the links between trafficking and the sex trade and push them to adopt abolitionist policies.

The European Parliament is regularly raising the alarm on the situation of migrants, asylum seekers and undocumented persons in the EU, including women and girls (see in 2013 the EP resolution on undocumented women).



## EUROPEAN WOMEN'S LOBBY ACTIONS

- **"Equal Rights. Equal Voices. Migrant women's integration in the labour market in six European cities: A comparative approach" (2012):** the study by the EWL and the European Network of Migrant Women (ENoMW) reveals that targeted national and local policies make a difference in integrating migrant women to the labour market.
- In the context of the European Commission public consultation on the right to family reunification, ENoMW and the European Women's Lobby produced a lobbying campaign that calls for gender-sensitive EU policies on family reunification: **"Lobbying Kit - EU Directive on the right to family reunification in Europe: What is at stake for migrant women?" (2012)**, as a follow-up of ENoMW's publication "Family Reunion Legislation in Europe: Is it Discriminatory for Migrant Women?" (2011).
- In 2010, the EWL co-organised an event in the EP on **"Preventing Undocumented Women and Children from Accessing Health Care: Fostering Health Inequalities in Europe"**, together with the European Anti-Poverty Network, Médecins du Monde, and the Platform for International Cooperation on Undocumented Migrants (PICUM); a report was published with the outcomes of the meeting.
- **"En-gendering the European Asylum Support Office":** In 2011, the EWL, together with Amnesty International END FGM campaign and ILGA Europe, issued a series of recommendations for the integration of a gender perspective into the work of the European Asylum Support Office.



# HUMAN RIGHTS OF WOMEN IN THE EUROPEAN UNION

The EU correctly takes pride in its commitment to the respect and promotion of human rights, but this commitment has so far mainly been associated with external EU policies. The EU has developed Human Rights Guidelines, which have been adopted at ministerial level and therefore represent a strong political signal that they are priorities for the Union. The Guidelines address a wide range of rights, such as freedom of expression, humanitarian law, human rights defenders, rights of the child, human rights of LGBTI persons, freedom of religion or belief, violence against women, death penalty, and torture. Since 2009, the EU Charter of Fundamental Rights has been a guiding text for EU action and a tool for the Advocates General of the European Court of Justice. However, there is still obvious discrepancy between the EU external and internal action, and a lack of monitoring and action within its borders.

By creating the Fundamental Rights Agency and the European Institute for Gender Equality, the EU has equipped itself with structures monitoring the implementation of some human rights within its borders. Several EU directives prohibit discrimination,

but the prevalent phenomenon of multiple discrimination, particularly faced by women, is not adequately addressed by the EU: legislation providing for non-discrimination against women does not go beyond employment and goods and services, and there is still no EU legislation prohibiting discrimination on the grounds of age, sexual orientation, disability, and religion or belief (while such legislation exists in some EU Member States and can assist women in being protected against discrimination). In this context, women facing multiple discrimination are not adequately protected by the EU. Moreover, a comprehensive internal strategy on human rights is nevertheless still missing, to guarantee that all individuals, including all women and girls, can fully enjoy their human rights in Europe.

In 2007, the EU signed the UN Convention for the Rights of Persons with Disabilities, which entered into force with respect to the EU in 2011. Until now, the EU has not ratified any other human rights instruments, despite its new legal capability to do so.

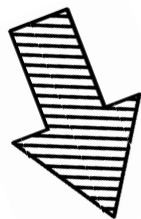


## GOOD PRACTICE

- Ireland has the most rights-based approach to supporting domestic workers.
- In Finland, multiple discrimination is mentioned in the anti-discrimination law.
- EWL members have developed projects to support migrant women in different ways: the Belgian Vrouwenraad has led the project "Empowerment of female asylum seekers" in 2012-14; the German NGO Maisha provides business plan templates for migrant women considering setting up their own business.

## CHALLENGES

- Many international instruments directly impact on the human rights of individuals; for example the Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, as well as the International Convention on the Elimination of all forms of Racial Discrimination, the Convention on the Protection of the Rights of All Migrant Workers, the Convention on the Rights of the Child, or the Convention against Torture. The EU has not ratified them, and the EU Member States repeatedly add reservations to international human rights instruments.
- Women's rights organisations face attacks and threats in several countries in the EU; it can be physical attacks against women defending the right to abortion, such as in France and Spain; in other countries, women's organisations are put on a black list by their government (as in Hungary) and cannot enjoy their right to association and freedom of expression.
- Women's human rights defenders face distinct forms of violation of their human rights (including sexual violence), because they are women. The EU should be strong on protecting them inside and outside its borders.
- Women in very vulnerable situations should be given information and access to justice: women in detention and prison, in hospitals or care institutions, in youth establishments.
- There is an urgent need to add explicit clauses and binding regulations on multiple discrimination to national legal systems.
- At the international level, women's human rights are under threat: some countries regularly object to the implementation of their obligations by referring to their sovereignty over the values they commit to.



## OUR DEMANDS **Women's rights are human rights.**

- **Sign and ratify the CEDAW Convention and its Optional Protocol.**
- **To the EU Member States: withdraw all reservations made to the international human rights instruments, including CEDAW and the EU Accession Treaties, and implement the CEDAW Committee's recommendations.**
- **Develop an EU internal Human Rights Strategy with a strong women's rights and gender dimension.**
- **Mainstream women's rights, including the goal of gender equality, into all EU policies on human rights and on migration and asylum.**
- **Implement systematic gendered human rights impact assessment for all EU legislation.**
- **Eliminate all gaps in the EU legislation on discrimination by: adopting legislation that prohibits sex discrimination in all sectors, including education and media; adopting legislation prohibiting discrimination on the grounds of age, sexual orientation, disability, religion or belief.**
- **Develop compulsory training programmes on human rights, women's rights, multiple discrimination and gender equality, for all the persons working in the European institutions, delegations and agencies, including the European Court of Justice, as well as internal awareness raising campaigns against gender stereotypes.**
- **Sanction any violation of the right of association and expression and any attacks against women's rights organisations, and support these organisations as part of the EU civil and democratic dialogue.**
- **Take measures to give access to justice to women, including to the European Court of Justice, by disseminating relevant information about their human rights and possibilities of action, using adequate and non-sexist language, providing free legal aid, and supporting women's organisations undergoing strategic litigation.**

