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Committee on Women's Rights and Gender Equality

2011/2185(INI)

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OPINION

of the Committee on Women's Rights and Gender Equality

for the Committee on Foreign Affairs

on the Annual Report on Human Rights in the World and the European Union's policy on the matter including implications for the EU's strategic human rights policy
(2011/2185(INI))

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SUGGESTIONS

The Committee on Women's Rights and Gender Equality calls on the Committee on Foreign Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

- having regard to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and its Optional Protocol,
 - having regard to the UN Declaration on the Protection of Women and Children in Emergency and Armed Conflict, and to Security Council Resolutions 1325 (2000) and 1820 (2008),
 - having regard to the European Union guidelines on violence against women and girls and combating all forms of discrimination against them,
 - having regard to the 'Action-Oriented Paper on strengthening the EU external dimension on action against trafficking in human beings: Towards Global EU Action against Trafficking in Human Beings',
 - having regard to the Commission's Women's Charter,
 - having regard to the Recommendation of the Council of Europe Committee of Ministers on measures to combat discrimination on grounds of sexual orientation or gender identity (CM/Rec(2010)5) and to the recommendation and resolution of the Parliamentary Assembly of the Council of Europe on the same topic (Recommendation 1915 and Resolution 1728 respectively),
- A. whereas women's rights, as recognised by international conventions and legal standards, should systematically be made the cornerstone of all bilateral relations, particularly those with third countries with which the EU has signed association and cooperation agreements;
- B. whereas violence and/or discrimination against women cannot be justified on any political, religious or cultural grounds;
- C. whereas the term 'violence against women' is to be understood as any act of gender-based violence which results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion and arbitrary deprivation of liberty, whether occurring in public or private life;
- D. whereas, unacceptably, sexual violence in the form of mass and ethnic rapes, human trafficking and other forms of sexual abuse of women and children is still used as a war tactic by armed forces in conflict regions around the world, including as 'spoils of war', with perpetrators of sexual violence taking advantage of conflict situations; whereas rape in wartime has been recognised by the United Nations as a crime against humanity, and whereas since 2008 the United Nations Security Council has been committed to combating the use of sexual violence as a war tactic;

- E. whereas the importance of women's involvement and of a gender perspective is underlined by the fact that, where more women are engaged in conflict resolution and peace-building processes, they play a key role in peace negotiations, broadening the scope of reconstruction, rehabilitation and peace consolidation;
- F. whereas various forms of abuse of women continue to occur, but often go unreported because they are perpetrated by members of the victim's immediate family;
1. Welcomes the European Commission Women's Charter, which promotes gender equality at both EU and international level, and the EU Plan of Action on Gender Equality and Women's Empowerment in Development for the period 2010-2015, and calls for efforts to achieve the MDG on gender equality and maternal health to be stepped up;
 2. Stresses in particular the need to promote health education and appropriate programmes for sexual and reproductive health, which are a prominent part of the EU's development and human rights policy towards third countries;
 3. Calls on the Commission and the Council to ensure that women in conflict situations have fair access to public healthcare systems and adequate gynaecological and obstetric care as defined by the World Health Organisation;
 4. Expresses its deep concern about entrenched gender-based discrimination and domestic violence in both urban and rural areas in several third countries, the high rates of sexual violence and rape of women and girls in South Africa, inadequate investigations (which are often obstructed by gender bias), obstacles to access to healthcare, and delays in providing medical treatment to victims;
 5. Asks for women's rights to be taken better into account in all external action policies and financial instruments with a view to increasing gender mainstreaming through geographic and thematic programmes and to better coordination among the instruments; takes the view that equality between men and women and the protection of women's human rights should be fully enshrined in all relevant areas of the EU's external action policy and all actions and programmes falling within it;
 6. Calls on the Commission and the Member States actively to promote non-discrimination with reference to sex, race, ethnic origin, religion or belief, disability, age or sexual orientation in its foreign policy, including through the European Instrument for Democracy and Human Rights (EIDHR);
 7. Welcomes the 'toolkit' adopted by the Council's working party on human rights in 2010 with the aim of helping the EU institutions, the Member States, the delegations and other bodies to react swiftly when the human rights of LGBT people are violated; calls on the Commission to address the structural causes of such violations;
 8. Reiterates that women's rights should be an important part of the human rights dialogues conducted by the EU and of the EU's political dialogue with third countries with which cooperation or association agreements have been signed, in line with the human rights clauses in these agreements, and that women's participation in peaceful transitions – both at the negotiating table and in active roles – should be expanded; calls on the Commission

and the Council to take all appropriate measures in the event of any violation of these provisions;

9. Is deeply concerned about the rise of gender-based violence in many parts of the world, which is one of the symptoms of the worldwide crisis, and especially about the increasing incidence of femicide (the homicide of women and girls) in some Latin American countries, which is taking place against a backdrop of generalised violence and structural discrimination; strongly condemns all kinds of gender-based violence and the aberrant crime of femicide, along with the prevailing impunity for such crimes, which further encourages the murderers;
10. Calls on the Commission and the EEAS to establish clear lines of responsibility between themselves and to coordinate relevant actions on the part of the EU delegations with those of Member States' embassies in the countries concerned, with a view to translating the declaration made by the Vice-President/High Representative, Catherine Ashton, on femicide into concrete policies to which sufficient resources are allocated; likewise calls on the Commission to provide political and financial support for the work of the Inter-American System of Human Rights on the issue of femicide, and to contribute to the implementation of its judgments;
11. Supports the Latin American states when it comes to fulfilling their obligation of due diligence in terms of preventing, monitoring, investigating and prosecuting femicide, imposing sanctions and providing compensation; calls on the Commission to raise this topic on a regular basis within political dialogues, in particular the existing human rights dialogues, and to offer cooperation in looking for ways to eliminate violence against women and femicide, in the context of the bi-regional partnership;
12. Urges the Commission and Council, therefore, to further encourage third countries to make express provision for women's rights in their legislation, to guarantee that these rights are respected, and to implement gender-sensitive policies and mechanisms to give women greater involvement in decision making in public life, be it political, economic or social;
13. Calls on the Commission to make the issue of women's rights central to the negotiations with all candidate countries, without exception, to remind the Turkish authorities that the persistent severity of violence against women, including honour killings and early and forced marriages, remains a major issue for Turkey, to stop overlooking the ineffectiveness of remedies and the Turkish authorities' lenience and failure to punish the perpetrators effectively, to urge the Turkish Government to speed up reforms, introduce gender equality and anti-violence programmes at all levels of the education system and train public officials, the police, the judiciary and civil society, and to ask Turkey to implement effective prevention, protection and prosecution policies and deliver tangible progress in terms of respecting and implementing women's rights; maintains, furthermore, that Turkey should comply with its international obligations under, for example, the Convention on the Elimination of All Forms of Discrimination against Women, the Cairo Programme of Action, the Beijing Platform for Action and the UN Millennium Declaration;
14. Calls on the Commission and the Member States to address violence against women and

the gender-related dimension of human rights violations internationally, in particular in the context of the bi-lateral association and international trade agreements in force and those under negotiation;

15. Underlines the fact that the aims of political dialogue should also include the waiving of all reservations to the CEDAW and the ratification of its Optional Protocol by all partner States;
16. Recognises the positive role played by the EIDHR in protecting women's rights and women's rights defenders, and welcomes the regional and thematic awareness-raising campaigns organised as part of the fight against stereotypes, discrimination and domestic violence, in line with the EU guidelines on violence against women and girls, on sexual violence against women in conflict, forced and early marriage, female genital mutilation and women's participation in democratic process;
17. Calls, nevertheless, on the Commission to make further use of the EIDHR in order to address all forms of physical, social and psychological violence against women, as well as to develop measures to reinforce women's rights and their position in society;
18. Stresses the need to intensify efforts, at both grass-roots and policy level, to eliminate female genital mutilation and all traditions and practices which harm women and the girl-child, highlighting the fact that such practices constitute a severe violation of the human rights and physical integrity of women and girls, and calls on the Member States to adopt the UN initiative to institute a world day against female genital mutilation;
19. Supports all women around the world who are fighting for women's rights, and takes particular note of recent events in Saudi Arabia, where a growing number of women are driving cars and striving for equality;
20. Calls on the Commission and the Member States to review and improve significantly the provisions set out in the proposal for a new Multiannual Financial Framework 2014-2020 with regard to gender equality in the context of external relations;
21. Calls on the Commission to set up a European Observatory on Violence against Women;
22. Recalls that Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of mass rapes, human trafficking and other forms of sexual abuse of women and children or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities, and Directive 2009/52/EC of the European Parliament and the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals are useful tools for the protection of victims of trafficking and should be fully implemented;
23. Underlines that failure to register children, especially girls, is the first denial of their rights; calls on the Commission, therefore, to support registration of births in third countries where necessary; emphasises the need to promote the recognition of mothers' right to receive protection and support and to care for and bring up their children, along with the need to promote women's health and economic security;

24. Calls for an increased focus on, and better financing of, programmes aimed at ensuring access to education for all girls (bearing in mind that keeping girls in education is a cornerstone when it comes to building more gender-equal societies), promoting women's economic independence and reducing sexual exploitation of girls and women worldwide;
25. Underlines that working towards increased access to sexual and reproductive rights and health services is an important part of safeguarding women's human rights; calls on the EU, in this connection, to step up its work on achieving the Millennium Development Goals in terms of improving maternal health, including through access to information, modern contraception and a range of reproductive health services; urges the Commission to pursue this aim in all its international development policy action;
26. Acknowledges the role of the EIDHR and other instruments in democracy building in third countries and recalls that democracy entails the full participation of women in public life, as shown in the aftermath of the Arab Spring and as stated in international and regional instruments such as the Protocol to the African Charter on Human and Peoples' Rights on the rights of women in Africa;
27. Supports the Commission in the area of healthcare, particularly with regard to the prevention of HIV and AIDS, and asks that it emphasise the need for health education, especially for women who are pregnant or breastfeeding;
28. Welcomes the presence of a gender expert in most of the EUEOMs and the attention given to women's participation in electoral processes and calls for the necessary measures to be put in place to ensure their inclusion in all EUEOMs;
29. Calls for the conclusions of the EUEOM reports on women's political participation in electoral processes to be channelled into geographical and thematic programmes in the countries concerned;
30. Welcomes the creation of UN Women and calls on the EU to work closely with the institution at international, regional and national level to enforce women's rights;
31. Emphasises that women must have control over their sexual and reproductive rights, notably through easy access to contraception and abortion; points out that the right to reproductive health is an integral element of human rights; underlines that reproductive rights rest on the recognition of the basic right of all couples and individuals to decide freely and responsibly the number, spacing and timing of their children and to have the information and means to do so, and the right to attain the highest standard of sexual and reproductive health, and that they include the right of all to make decisions concerning reproduction free of discrimination, coercion and violence (WHO definition);
32. Strongly supports the inclusion of Gender Advisors or Gender Focal Points in EU delegations and Common Security and Defence Policy (CSDP) missions, and calls on the HR/VP to provide them with adequate resources and authority;
33. Calls for specific support from the European Institute for Gender Equality (EIGE) as regards the collection, processing and dissemination of effective gender mainstreaming practices in the implementation of the Beijing indicators in the area of women's rights;

34. Undertakes to include women's rights more systematically in its own human rights debates and resolutions, and to use the Sakharov Prize network, and especially female winners of the Prize, to advocate women's rights in the world;
35. Calls on the Commission to combat gender-selective abortion, the infanticide of girl babies and all other harmful traditions – still pervasive in many societies – which promote the image of daughters as a burden and of sons as financial providers; asks the Commission to use its development and aid budget for this purpose;
36. Calls on the Commission to work to prevent gender-biased sex selection, not through any restrictions on access to reproductive health services and technology, but through intensified efforts to end structural discrimination against women and girls, including by abolishing sex-discriminatory legislation, empowering women and girls through education and addressing policies on aspects such as inheritance, dowries, the financing of old age, other personal security issues and the determination of surnames;
37. Calls on the Commission to promote the active participation in all cooperation and development programmes of NGOs engaged in promoting the rights and conditions of women;

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	28.2.2012
Result of final vote	+: 27 -: 2 0: 1
Members present for the final vote	Regina Bastos, Edit Bauer, Andrea Češková, Edite Estrela, Iratxe García Pérez, Sophia in 't Veld, Teresa Jiménez-Becerril Barrio, Nicole Kiil-Nielsen, Silvana Koch-Mehrin, Constance Le Grip, Astrid Lulling, Elisabeth Morin-Chartier, Siiri Oviir, Raúl Romeva i Rueda, Joanna Senyszyn, Joanna Katarzyna Skrzydlewska, Britta Thomsen, Angelika Werthmann, Marina Yannakoudakis, Anna Záborská, Inês Cristina Zuber
Substitute(s) present for the final vote	Vilija Blinkevičiūtė, Kent Johansson, Christa Klač, Kartika Tamara Liotard, Ana Miranda, Mariya Nedelcheva, Katarína Neved'alová, Antigoni Papadopoulou, Sirpa Pietikäinen