

Protecting human rights of women refugees and asylum seekers

An event at the 60th Session of the Commission on the Status of Women co-organised by the Council of Europe and the Permanent Mission of Bulgaria to the United Nations

Monday 14 March 2016 (1.15 - 2.30 pm)

Trusteeship Council Chamber – Conference Building, United Nations, New York

Every day women and girls are stalked, harassed, raped, mutilated, forced by their family to enter into a marriage, sterilised against their will or psychologically and physically abused. The examples of violence are endless and its victims countless. Hidden under a cultural blanket of fear, shame and silence, the endemic violence they suffer mostly goes unreported. The global refugee crisis has further exacerbated the violation of women's and girls' rights. As they flee their homes and countries in search for safety and a better life, they face growing threats from violence, systematic sexual abuse and non-respect of their rights.

The event will highlight the challenges faced by refugee and women asylum seekers, highlight measures contained in the Council of Europe standards in particular the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), the Convention on the protection of children against sexual exploitation and sexual abuse (Lanzarote Convention), and the Convention on action against trafficking in human beings, as well as present good practices identified.

Keynote speakers

- ▶ **Sergiy Kyslytsya, Chairperson**, Gender Equality Commission of the Council of Europe; Deputy Foreign Minister of Ukraine
- ▶ **Purna Sen, Director**, Policy Division, UN Women
- ▶ **Salla Saastamoinen, Director** for Equality, European Commission
- ▶ **Marcy Hersh, Senior Advocacy Officer**, Women's Refugee Commission
- ▶ **Velina Todorova, Associate Professor**, University of Plovdiv and Bulgarian Academy of Sciences
- ▶ **Fakhra Salimi, Director**, MiRA Resource Centre for Black, Immigrant and Refugee Women, Norway
- ▶ **Moderator: Marja Ruotanen, Director**, Human Dignity and Equality, Council of Europe



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The Council of Europe Convention on Preventing and Combating Violence against Women (Istanbul Convention) entered into force on 1 August 2014. The Convention covers various forms of gender-based violence: physical, sexual and psychological violence, stalking, sexual harassment, female genital mutilation, forced marriage, forced abortion and forced sterilisation. It is important to point out the relevance of the Convention in the international context: the Convention explicitly states that it shall apply in times of peace and in situations of armed conflict. The Convention requires states parties to ensure that gender-based violence against women may be recognised as a form of persecution within the meaning of the 1951 Refugee Convention. Migrant women, with or without documents, and women asylum-seekers are particularly vulnerable to gender-based violence. To address the particular issues linked to women asylum-seekers, the Istanbul Convention establishes the obligation to introduce gender-sensitive procedures, guidelines and support services in the asylum process. Introducing a gender perspective into procedures allows for differences between women and men to be taken into account. The Convention ensures its provisions are implemented without discrimination on the ground of migrant status, refugee status or other status.

The Council of Europe Convention on Action against Trafficking in Human Beings entered into force on 1 February 2008. It is a comprehensive treaty with binding legal provisions in the areas of prevention, protection of the rights of victims, prosecution of traffickers, and international co-operation. The Convention requires states parties to put in place adequate identification procedures which enable the detection of victims of trafficking, including among people seeking international protection and migrants, and to enable them to exercise a series of rights to assistance, protection and compensation. The fact of being a victim of human trafficking cannot preclude the right to seek and enjoy asylum and parties to the Convention must ensure that victims of trafficking have access to fair and efficient asylum procedures, and that the principle of non-refoulement is observed. The Convention also places an obligation on parties to enable migration to take place legally. The implementation of the Convention is monitored by the Group of Experts on Action against Trafficking in Human Beings (GRETA) which has dedicated a thematic section in its 5th General Report to the identification and protection of victims of trafficking among asylum seekers, refugees and migrants.

The Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse (“the Lanzarote Convention”) entered into force in 2010. Protecting children is at the heart of the Convention. Parties are required to criminalise all forms of sexual offences against children and take measures to prevent sexual violence, to protect child victims and to prosecute perpetrators. The Lanzarote Committee, which monitors the implementation of the Convention by the parties, also facilitates the collection, analysis and exchange of information, experience and good practices to improve parties’ capacity to prevent and combat sexual exploitation and sexual abuse of children. The Convention applies to children on the move or otherwise affected by migration in the states parties, a crucial concern in Council of Europe member states presently. The Convention is open to accession by any country, including non-member states of the Council of Europe.