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Combatting violence against women: all EU countries must ratify the Istanbul Convention

MEPs called on the 11 member states that haven't ratified the Istanbul Convention to do so, in a plenary debate with Commissioner Ansip on Monday evening.

- The Council of Europe Convention on preventing and combatting violence against women entered into force in 2014
- To date, 11 member states still have not ratified the Istanbul Convention
- One in three women in the EU has experienced physical and/or sexual violence

European Parliament Press Release (13.03.2018) - <http://bit.ly/2p8TrOn> - To date, the 11 member states that still haven't ratified the [Council of Europe Convention on preventing and combatting violence against women and domestic violence](#), known as the Istanbul Convention, are: Bulgaria, Croatia, Czech Republic, Greece, Hungary, Ireland, Latvia, Lithuania, Luxembourg, Slovakia and the United Kingdom.

During the debate, a vast majority of MEPs regretted the fact that these countries (including Bulgaria, which is currently holding the Council Presidency) fail to consider the Convention as the best available instrument when it comes to fighting violence against women. They stressed that reluctance to ratify the text was often based on misconceptions and misleading arguments regarding how the word "gender" is used in the Convention. They urged the EU Commission and the Council to take tangible action to help all member states to ratify the text as quickly as possible.

Some MEPs expressed fierce opposition to what they consider "the ideological baggage" of the text and its definition of gender. They rejected the idea that the EU has any competence on the issue and called for respecting "the internal order of every society".

Commissioner Andrus Ansip reiterated that the Convention was about preventing violence against women, without any other hidden purpose, and hoped that member states that still have doubts about fully implementing the Convention will consider its fundamental purpose: supporting female victims of violence.

Context

The Istanbul Convention, the most comprehensive international treaty on fighting violence against women, was adopted by the Council of Europe in 2011. It entered into force in August 2014 and was signed by the EU in June 2017.

According to the European Commission, one in three women in the EU has been a victim of physical and/or sexual violence since the age of 15, over half of women have experienced sexual harassment and one in 20 has been raped.

Further reading:

[After Bulgaria, Slovakia too fails to ratify the Istanbul Convention](#)

New EU Gender Equality Index for 2017

By Mia Haas-Goldberg

HRWF (11.10.2017) – Today, the European Institute for Gender Equality (EIGE) released its 2017 Gender Equality Index. At its core, the Index serves as a comprehensive measure for assessing and monitoring progress in gender equality across EU member states. The Index has been recognized for its critical contribution to policy-making and increased awareness at EU and national levels.

This third edition includes a new intersectional approach to data collection for men and women, as well as information on social power and health behaviors. For the first time, the Index also measures gender gaps in decision-making in research, media, and sports in an attempt to strengthen public discourse and policy within these respective spheres.

According to the 2017 Index, there is a definite increase in the share of women engaged in political and economic decision-making since 2010, while gender inequalities in the domain of time use for care and social activities are “persistent and growing.” Overall, the Index points to slow growth in gender equality across all member states and domains over the past ten years.

[See the full Gender Equality Index here.](#)

EU guidelines on LGBTI: key tool to promote human rights worldwide

MEPs denounced the persecution of same-sex orientation persons outside the EU and urged a better implementation of the EU Guidelines on human rights of LGBTI, on Monday.

European Parliament (25.09.2017) – <http://bit.ly/2wTYzrh> – The Subcommittee on Human Rights hosted a public hearing on the human rights of Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) persons outside the EU and the implementation of the EU Guidelines on Monday afternoon.

“Sexual orientation and gender identity are in essence an individual choice, which should under no circumstances be subject to any legal codification or discriminatory practices”, said the Chair of the Subcommittee on Human Rights, Pier Antonio PANZERI (S&D, IT). “Unfortunately, more than 72 countries worldwide still criminalise homosexuality with at least five applying the death penalty”, he added.

MEPs discussed with a wide range of experts the status of consensual same-sex relations worldwide. They called for an end to violence and all forms of discrimination against the LGBTI community in Chechnya and urged the Russian authorities to respect human dignity and urgently conduct investigations on the cases reported.

DROI Members welcomed the recent commitment of the Tunisian government to guarantee the protection of human rights of LGBTI persons. Members committed themselves to raising the LGBTI situation in their future meetings with their counterparts. They stressed the need to repeal laws such as article 230 which are not in line with the rule of law and individuals rights as enshrined in the Constitution.

Filling in the gap between words and actions

How the EU Guidelines on the promotion and protection of the human rights of LGBTI people should better promote and protect the human rights of LGBTI persons was the core of the second panel discussion.

"These Guidelines are a great instrument", stated Alexander Hammelburg from the Federation of Dutch Associations for Integration of Homosexuality (COC). Members agreed that the European Union could make a significant difference for LGBTI people across the world through the engagement on the ground of the EU Delegations.

In last year's Annual Report on Human Rights and Democracy in the World, MEPs called on the European Commission and the EEAS to start working on a proper and active implementation of the guidelines. In this regard, Daina Ruduša from ILGA-Europe identified some recommendations such as better engaging with civil society organisations, training EU Delegation staff or leading by example.

MEPs agreed with Scott Busby, Deputy Assistant Secretary of the U.S. Department of State, that the EU and the United States should strengthen their cooperation on the multilateral level, in particular by supporting the mandate of a UN Independent Expert on Sexual Orientation and Gender Identity. They agreed to work hand in hand on the swift appointment of a new independent expert after the recent and regrettable resignation of Vitit Muntarbhorn.

European Court of Justice rules against the wearing of the headscarf in the private sector

European Parliament Anti-Racism and Diversity Intergroup (ARDI) (14.03.2017) - <http://bit.ly/2IZsRIR> - The European Court of Justice (ECJ) issued a ruling against two women employees who were dismissed because they wore the headscarf. "*An internal rule of an undertaking which prohibits the visible wearing of any political, philosophical or religious sign does not constitute direct discrimination,*" the court said in a statement. "*However, in the absence of such a rule, the willingness of an employer to take account of the wishes of a customer no longer to have the employer's services provided by a worker wearing an Islamic headscarf cannot be considered an occupational requirement that could rule out discrimination.*"

The Court also ruled that a ban may also constitute "*indirect discrimination*" if people adhering to a particular religion or belief were specifically targeted. The Court added that indirect discrimination is permissible if it is "*objectively justified by a legitimate aim,*" such as a company's policy of neutrality, as long as the means of achieving it are appropriate and necessary.

The two cases concern two female Muslim employees in [Belgium](#) and [France](#) who had been dismissed for refusing to remove their headscarves, which did not cover the face.

The Belgian woman had been working as a receptionist for G4S Secure Solutions, which has a general ban on wearing visible religious or political symbols, while the French claimant is an IT consultant who was told to remove her headscarf after a client complained.

The case of the Belgian women stems from an “unwritten rule” where G4S banned employees from wearing signs of their political, philosophical or religious beliefs, although the company only updated its workplace regulations the day after the woman started wearing a hijab.

Although they rules apply to all beliefs, the ECJ said it was possible that such rules could be deemed indirect discrimination for targeting Muslims or other religious groups with visible manifestations of their faith and referred the issue back to the Belgian Court of Cassation.

Soraya Post, Co-President of ARDI, said: “I welcome the decision that employers are not now allowed to pander to the prejudices of their clients. However at a time of increasing hate crimes against Muslims, this ruling sends the wrong signal and will lead to only further direct and indirect discrimination against Muslims both in the labour market and in society at large. Muslim women already face high levels of discrimination and difficulties in accessing the labour market according to the European Network Against Racism’s Forgotten Women project and this decision will prevent more Muslim women from being able to access the labour market. Moreover in countries where national law doesn’t provide appropriate safeguards, this ruling opens a Pandora’s Box and will result in many Muslim women and those who wear visible manifestations of their faith being fired under the guise of neutrality. This is anything but neutrality.”

Sajjad Karim, Vice-President of ARDI, said: “Today’s ruling in effect makes Muslim women and people from other religious groups have to choose between their fundamental right to religious expression and access to the labour market. This is unacceptable and will only isolate people with religious convictions who wish to express their belief.”

More reading: [Court of Justice of the European Union PRESS RELEASE No 30/17](#)