

**Recommendation CM/Rec(2007)17
of the Committee of Ministers to member states
on gender equality standards and mechanisms**

(Adopted by the Committee of Ministers on 21 November 2007
at the 1011th meeting of the Ministers' Deputies)

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Bearing in mind that the enjoyment of the rights set forth in the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) and its protocols, as well as the rights set forth in the revised European Social Charter, must be secured without discrimination on any ground such as sex, and that Protocol No. 12 to the ECHR guarantees the enjoyment of any right set forth by law without discrimination on any ground such as sex, and considering other specific instruments such as the Council of Europe Convention on Action against Trafficking in Human Beings;

Recalling its declaration on equality of women and men, adopted on 16 November 1988, reaffirms that equality of women and men is a principle of human rights, and a sine qua non of democracy and an imperative of social justice;

Recalling that the declaration on equality between women and men as a fundamental criterion of democracy, adopted at the 4th European Ministerial Conference on Equality between Women and Men (Istanbul, 13-14 November 1997), states that the achievement of equality between women and men is an integral part of the process leading to a genuine democracy, that as a prerequisite the participation of all members of society, women and men, in all walks of life, has to be fully secured, and that democracy must become gender aware and gender sensitive;

Recalling that the resolution on achieving gender equality: a challenge for human rights and a prerequisite for economic development, adopted at the 6th European Ministerial Conference on Equality between Women and Men (Stockholm, 8-9 June 2006), states that one of the main goals of any democratic society must be to achieve de facto gender equality and that there can be no sustainable economic development without the full participation of women, and bearing in mind that the appendix to this resolution draws up strategies for achieving gender equality in all spheres of society;

Bearing in mind the Declaration and the Action Plan, adopted at the Third Summit of Heads of State and Government of the Council of Europe (Warsaw, 16-17 May 2005), in which the member states declare that equal participation of both women and men is a crucial element of democracy, and therefore confirm their commitment to achieving real equality between women and men;

Recalling all the relevant recommendations of the Committee of Ministers to member states of the Council of Europe and in particular the following: Recommendation No. R (84) 17 on equality between women and men in the media; Recommendation No. R (85) 2 on legal protection against sex discrimination; Recommendation No. R (85) 4 on violence in the family; Recommendation No. R (90) 4 on the elimination of sexism from language; Recommendation No. R (96) 5 on reconciling work and family life; Recommendation No. R (98) 14 on gender mainstreaming; Recommendation No. R (2000) 11 on action against trafficking in human beings for the purpose of sexual exploitation; Recommendation Rec(2002)5 on the protection of women against violence; and Recommendation Rec(2003)3 on balanced participation of women and men in political and public decision making;

Bearing in mind that the Universal Declaration of Human Rights (UDHR) proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, including distinction based on sex;

Bearing in mind that the States Parties to the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR) have the obligation to ensure the equal right of women and men to the enjoyment of all economic, social, cultural, civil and political rights set forth in these covenants, and considering also some specific instruments such as the relevant International Labour Organisation (ILO) conventions;

Bearing in mind that the States Parties to the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) condemn discrimination against women in all forms, and agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and of achieving substantive gender equality;

Bearing in mind that the Beijing Declaration and Platform for Action adopted at the United Nations 4th World Conference on Women reaffirm that the human rights of women and the girl child are an inalienable, integral and indivisible part of universal human rights, and that the advancement of women and the achievement of equality between women and men are a matter of human rights and a condition for social justice and should not be seen in isolation as a women's issue; recalling that the aim of the Beijing Platform for Action is to promote and protect the full enjoyment of all human rights and fundamental freedoms of all women throughout their lives, and that to this end, 12 critical areas of concern have been identified and strategic action to be taken in these areas has been set up;

Recalling that in the report of the Ad Hoc Committee of the whole of the 23rd special session of the United Nations General Assembly (Beijing +5 political declaration and outcome document), as well as in the political declaration from the 49th session of the United Nations Commission on the Status of Women in March 2005 (Beijing +10), progress was reviewed and appraised and obstacles and current challenges identified in the implementation of the Platform for Action: it was recognised that the goals and commitments made in the Platform for Action have not been fully implemented and achieved, and it was agreed upon that further actions and initiatives should be taken to overcome obstacles and to achieve the full and accelerated implementation of the Platform for Action at all levels and in all areas;

Bearing in mind the United Nations Millennium Development Goals, adopted at the Millennium Summit in 2000, which consider gender equality as a fundamental and cross-cutting goal, and also as a prerequisite for the achievement of all the other goals, and the resolution adopted by the United Nations General Assembly on the 2005 World Summit Outcome, which followed up the outcome of the Millennium Summit, in which it is reaffirmed that gender equality and the promotion and protection of the full enjoyment of all human rights and fundamental freedoms for all are essential to advancing development, peace and security, and that progress for women is progress for all;

Recalling the gender-specific provisions of the Treaty establishing the European Community (EC Treaty) introduced by the Amsterdam Treaty, as well as the relevant regulations, directives, decisions, recommendations and resolutions in this field;

Considering that, although the principle of gender equality has been widely accepted and that measures have been taken in most countries, a gap still persists between principles and practice, between de jure equality and de facto equality;

Considering also that, in order to bridge that gap, it is time not only to set standards but to ensure their implementation, conducive to an effective achievement of substantive gender equality, including the regular monitoring and assessment of such processes;

Considering, on the other hand, the specific nature of discrimination against women, as having a structural and horizontal character, that pervades all cultures and communities, as well as all sectors, levels and areas, throughout life, and the need to address such discrimination in a systematic and comprehensive way, in order to achieve full and substantive gender equality;

Considering, in this regard, that governments should encourage the respect and full implementation of the principle of gender equality also by independent bodies (private persons or enterprises, media organisations, autonomous academic institutions, etc.), and promote proactive measures for gender equality and the creation of a general climate that may be conducive to that aim,

Recommends that the governments of member states take or reinforce necessary measures to implement gender equality in practice, taking fully into account the following principles and standards:

A. General standards

1. Gender equality as a principle of human rights and a government responsibility

1. Gender equality is a principle of human rights and women's human rights are an inalienable, integral and indivisible part of universal human rights. Gender equality is also a requirement for the achievement of social justice and a sine qua non of democracy.

2. Acceptance of these principles implies not only the elimination of all forms of discrimination, legal or otherwise, on the basis of sex, but also the fulfilment of a number of other requirements that must be seen as qualitative indicators of political will to achieve substantive gender equality or de facto equality.

3. Elements indicating states' political will and commitment to gender equality in this regard include the following:

i. that gender equality policies be devised and included in the overall framework of human rights protection and promotion, even if specific programmes and responsible institutions are required in particular areas;

ii. that no cultural tradition or social custom that negatively affects, in particular, women's and girls' full enjoyment of human rights or their human dignity be accepted or tolerated. The measures taken to eradicate these traditions or customs shall be complemented by appropriate measures aimed to meet the specific needs of the women concerned;

iii. that no social, economic or political circumstance be invoked to deny or not fulfil gender equality requirements or the enjoyment by women of their human rights;

iv. that the global nature and horizontal character of gender equality objectives be acknowledged and pursued through comprehensive action plans and programmes that encompass different areas and different levels of governance and that must be closely monitored and evaluated;

v. that adequate human and financial resources be allocated to programmes, projects and initiatives for the achievement of gender equality and women's empowerment and that gender budgeting be used in all programmes in all areas, as a necessary tool to guarantee that the principle of gender equality is respected in the distribution and allocation of resources;

vi. that sex-disaggregated data and statistics in all areas and regarding all policies and programmes be regularly gathered and analysed, as indispensable tools to monitor progress on the way to achieving substantive gender equality.

2. Gender equality as a concern and responsibility of society as a whole

4. Gender equality is not a women's issue but one that concerns men as well and affects society as a whole. Besides being a requirement of democracy and social justice, gender equality is also a public good, providing social, political and economic benefits to the individuals in society and to society as a whole.

5. Even if governments hold primary responsibility and are particularly accountable in the promotion of gender equality and women's empowerment, all other social actors, public and private, and all sectors of cultural, economic, social and political life are also responsible and must be involved in the pursuit and achievement of gender equality, as a common responsibility, and in the process of social and cultural change that it requires.

6. Elements indicating states' political will and commitment to gender equality in this regard include the following:

i. regular assessment of the relative percentages of women and men in leading bodies at all levels of the organisation and functioning of society, including leading bodies of political and administrative institutions and of civil society organisations (political parties, social partners, youth organisations, academic institutions, private sector organisations, etc.);

ii. existence of mandatory/voluntary gender equality plans in political and administrative institutions and in civil society organisations, including private sector organisations, and the adoption of norms/guidelines to achieve balanced participation of women and men in their leading bodies, including targets and timeframes of implementation;

iii. existence of and support to research and policy-related analytical studies on women's participation at the different levels of these institutions and organisations, including at decision-making level, on obstacles/barriers which prevent women's access to decision-making and on effective strategies to promote that participation.

3. Commitment, transparency and accountability in the achievement of gender equality

7. Because gender equality is a requirement of democracy and of human rights, governments of member states have a clear and pressing obligation to eliminate discrimination and achieve gender equality. Commitment and transparency in the adoption, implementation and evaluation of their gender equality policies are requirements that governments must follow; they must also be accountable in regard to the results of these policies.

8. Elements indicating states' political will and commitment to gender equality in this regard include the following:

i. clear identification and acknowledgement of problems and shortcomings that, in spite of equality norms and past efforts, persist in regard to the situation of women and the achievement of gender equality;

- ii. establishment of targets and time frames for the effective implementation of gender equality plans and programmes in all relevant public policy areas;
- iii. adoption and use of clear indicators, both quantitative and qualitative, to evaluate results and progress achieved;
- iv. creation or reinforcement of monitoring mechanisms, both at central and decentralised level, to pursue the process of establishment of gender equality;
- v. regular reporting to parliament on progress achieved and obstacles encountered;
- vi. regular evaluation of progress at all levels of implementation of gender equality policies;
- vii. establishment of formal co-operation structures and mechanisms and other links with civil society organisations working for the promotion of human rights and gender equality;
- viii. establishment of regular communication channels with media organisations to ensure a frequent flow of information on gender equality issues and on programmes and progress in this area;
- ix. adoption of methodologies for the implementation of the gender mainstreaming strategy, including gender budgeting, gender-based analysis/gender impact assessment, cross-checking where necessary gender- or sex-related data with statistics on socio-economic or other relevant personal circumstances.

4. Ratification of relevant treaties and implementation of all relevant international legal instruments

9. International legal instruments on human rights in general and on women's and girls' full enjoyment of human rights in particular are a fundamental and authoritative basis and a framework for national policies to eliminate discrimination on the grounds of sex and promote gender equality. Their ratification is a first decisive step towards these objectives and their full implementation must be ensured and constantly monitored and evaluated.

10. Fundamental international instruments in this regard can be of a general nature, like the ICESCR and the ICCPR, where Article 3 recognises that women and men are equally entitled to the rights set forth in the covenants; the ECHR and the revised European Social Charter which have similar provisions in Article 14 and Article E respectively; Protocol No. 12 to the ECHR, which follows the same principle but extends this protection to any right set forth by law; or the revised European Social Charter which, in Article 20, provides for an express ban on discrimination on the grounds of sex in matters of employment and occupation.

11. Other instruments, instead of having a core and cross-cutting provision, integrate the principle of non-discrimination on the grounds of sex/gender equality in a systematic manner throughout the text, as it is the case of the Council of Europe Convention on Action against Trafficking in Human Beings.

12. Finally, other instruments like the CEDAW, although comprehensive in scope, address specifically the matter of discrimination against women and the achievement of substantive gender equality in a variety of sectorial areas on the basis of cross-cutting provisions, such as those contained in Articles 1 to 5 of the CEDAW.

13. Elements indicating states' political will and commitment to gender equality in this regard include the following:

- i. ratification without reservations of all relevant instruments addressing matters related to the elimination of all forms of discrimination against women or based on sex and to the achievement of gender equality and speedy withdrawal of reservations where they have been formulated;
- ii. fulfilment without delay, where necessary, of the relevant internal procedures for the implementation of the provisions of the international legal instruments, including the adoption of the necessary national regulations and measures;
- iii. regular monitoring and evaluation at national level of the implementation of international obligations;
- iv. timely fulfilment of reporting obligations on the implementation of international legal instruments.

5. Adoption and effective enforcement of gender equality legislation and integration of a gender perspective in legislation in all areas

14. National gender equality legislation is a necessary basis for effective policy measures to promote gender equality and eliminate discrimination on the grounds of sex, as well as a basic tool for raising awareness on gender equality. Governments should give priority to the development, adoption and enforcement of effective national gender equality legislation, and to the integration of a gender perspective into all areas of governance, both in laws and policies.

15. Elements indicating states' political will and commitment to gender equality in this regard include the following:

- i. inclusion of the principle of non-discrimination on the grounds of sex and of the principle of equality of women and men in national constitutions or in other fundamental laws;
- ii. adoption/existence of legislation prohibiting sex-based discrimination in all aspects of life and all areas of society, and ensuring de jure gender equality, including effective sanctions in cases of violation of the law;
- iii. adoption/existence of legislation allowing the use of positive action/temporary special measures to overcome the effects of structural and historic discrimination and to accelerate the achievement of de facto equality;
- iv. adoption/existence of mechanisms for regular and systematic scrutiny of all internal laws in order to guarantee that no direct or indirect sex-based discriminatory provisions are adopted or maintained in the existing legislation;
- v. establishment/existence of specialised institutional mechanisms for the enforcement of gender equality legislation;
- vi. establishment/existence of specialised institutional mechanisms entrusted with the task of receiving complaints from individuals and groups on alleged violations of gender equality provisions. The submission of a complaint to such a mechanism and the subsequent opinion it may result in must not preclude further consideration by the courts;

vii. adoption/existence and implementation of guidelines on the inclusion of a gender perspective in the drafting of legislation and in the designing of policies in all areas.

6. Elimination of sexism from language and promotion of language that reflects the principle of gender equality

16. Language has a fundamental role in forming an individual's social identity and interacts with social attitudes and culture. The use of language in which the presence, equal status and roles of women and men in society are reflected equally and treated with the same value and dignity is both an essential aspect of gender equality and an approach to achieving substantive equality.

17. Actions of member states must be targeted at the promotion of the use of non-sexist language in all sectors, particularly in the public sector and at all levels and in all forms of education and in media.

18. Elements indicating states' political will and commitment to gender equality in this regard include the following:

- i. adoption/existence and implementation of norms imposing an obligation on the public sector to use non-sexist language in official documents, particularly in legal texts, policy papers, programmes, forms and questionnaires;
- ii. existence of a clear mandate of gender equality institutions and other relevant institutions to monitor the implementation of the principle of the use of non-sexist language;
- iii. existence/promotion of gender-based research into language used particularly in the information sector, including media, and in education;
- iv. existence of initiatives to encourage the elimination of discriminatory expressions, which describe women and men in terms of their physical appearance or of the qualities and gender roles attributed to their sex.

B. Standards in specific areas

19. Achievement of substantive gender equality requires the adoption, without delay, of proactive policies to guarantee the implementation of existing legal provisions and norms in specific areas of civil, political, economic, social and cultural life.

20. Progressive realisation of the objective of gender equality, both de jure and de facto, must be regularly monitored and assessed. This involves a process that requires the creation and use of tools and instruments, including quantitative and qualitative indicators, to evaluate change and measure progress in achieving the required standards in all spheres of public and private life.

21. It is important to note the fact that measures and policies in different specific areas are complementary to each other, often cutting across various sectorial areas and must therefore be implemented simultaneously. For instance, measures in the field of education and training, including vocational and technical training, influence the situation of women and men in the labour market and their opportunities in social and political life. Similarly, measures aiming at a more qualified integration in the labour market have a decisive impact in social protection entitlement. In the same vein, measures aiming at balanced participation of women and men in political and public life are instrumental for a more democratic society and responsive and accountable governance.

1. Private and family life

22. Women and men are equal in dignity and rights in all spheres, including private and family life. Social significance of maternity and paternity and the role of both parents in the upbringing of children must be taken into consideration to ensure that both women's and men's human rights are fully and equally respected. The government should promote the equal sharing of tasks in regard to family responsibilities, and ensure that these family responsibilities are not a basis for discrimination.

23. Elements indicating states' political will and commitment to gender equality in this regard include the following:

- i. ratification and full implementation of relevant international treaties, taking particularly into account Articles 9, 15 and 16 of the CEDAW, together with General Recommendation No. 21 on equality in marriage and family relations adopted by the Committee on the Elimination of Discrimination against Women, Article 10 of the ICESCR, Article 23 of the ICCPR, Articles 8 and 12 of the ECHR, Article 5 of Protocol No. 7 to the ECHR, and Articles 16, 20 and 27 of the revised European Social Charter;
- ii. full implementation of relevant international non-binding legal instruments, in particular Article 16 of the UDHR;
- iii. adoption/existence and enforcement of legal provisions securing women and men equal rights and responsibilities in regard to marriage, family life and dissolution of marriage, and an equal right to choose one's own family name, as well as one's own professional occupation, in accordance with relevant international instruments ratified by the member states;
- iv. adoption/existence and enforcement of legal provisions securing women and men equal social and economic rights and responsibilities during marriage and cohabitation, and also in case of divorce and separation, including provisions stating that paid and non-paid contributions - such as child care and household maintenance, or work in family business - must both be considered as valuable contributions to the household;
- v. adoption/existence and enforcement of legal provisions against forced and early marriages, ensuring free and full consent and establishing the adult age of 18 years as a minimum age for marriage for both women and men, and of measures that protect, assist and support girls/women and boys/men who have been forced into such marriages or been threatened with the possibility of such a marriage, as well as awareness-raising measures, including dialogue with ethnic and religious communities and their leaders, educational institutions, health-care institutions, etc. In cases where exceptions to the age of marriage are justified, the principle of gender equality must be fully respected;
- vi. adoption/existence and implementation of measures to ensure that the right to decide freely and responsibly on the number and spacing of children is fully guaranteed to women and men on the basis of equality;
- vii. adoption/existence and enforcement of provisions that secure women and men the same parental rights and responsibilities, irrespective of marital status, including provisions on economic maintenance for children, parental responsibilities and contact with children in cases of separation;
- viii. adoption/existence and enforcement of equal provisions for women and men on the personal right to acquire, change or retain nationality, as well as to transmit it to children, including norms that do not automatically change spouses' nationality,

render her/him stateless, or force one spouse to adopt the nationality of the other;

ix. adoption/existence and enforcement of equal provisions for women and men on legal capacity in civil matters irrespective of marital status, for example ownership, ability to conclude contracts, administer property and heritage, as well as equal treatment at all stages of procedure in courts and tribunals;

x. existence of regular time-use surveys indicating women's and men's average use of time, particularly on child care or care of dependants, household maintenance and other family tasks;

xi. existence and regular implementation of measures, such as awareness-raising campaigns, aiming at eliminating gender stereotypes of girls' and boys', women's and men's roles in family life, and at overcoming traditional social and cultural barriers that prevent girls and boys, women and men from enjoying their rights equally.

2. Education, science and culture

24. Educational choices and achievements influence women's and men's professional career and the well-being of their individual and family life, as well as their life in society. Governments have the obligation to promote access to education as a right for girls as well as boys, women as well as men, on an equal basis, at all levels of education, lifelong learning, science, research and culture.

25. Equal opportunities in regard to education, science and culture are essential for better human and economic development and are a driving force for social change. On the other hand, equal access of women to high level qualifications is not only a basic right, but it is also instrumental for a more balanced society and for the achievement of gender equality.

26. Elements indicating states' political will and commitment to gender equality in this regard include the following:

i. ratification and full implementation of relevant international treaties, taking particularly into account Article 10 of the CEDAW, Article 13 to 15 of the ICESCR, Article 2 of the Protocol No. 12 to the ECHR, and Articles 10, 17 and 20 of the revised European Social Charter;

ii. full implementation of relevant international non-binding legal instruments, in particular Articles 26 and 27 of the UDHR, as well as of strategic objectives and actions contained in Chapter IV of the Beijing Platform for Action, in particular Section B (education and training of women);

iii. explicit inclusion of the principle of gender equality in national framework legislation on education and of a gender perspective in all education policies;

iv. inclusion of a gender equality perspective, in the framework of human rights, in teachers' initial training, retraining and in-service training programmes;

v. inclusion of a gender perspective in policies and plans for developing and implementing new information and communication technologies (ICTs), including measures to increase women's capacity-building in regard to ICTs;

vi. regular monitoring of educational curricula, subject contents, education standards, teaching and learning resources, and classroom and school organisation, in order to eliminate gender stereotypes at all levels of the educational system;

vii. implementation of positive actions/temporary special measures to ensure that girls and boys have equal access to education and vocational training in those fields where there is traditionally an over-representation of one of the sexes, as well as to ensure equal development of personal skills which stereotyped views of sex roles have tended to associate with one of the sexes, such as self-esteem, teamwork, talking to an audience or peaceful conflict resolution;

viii. integration, in formal and non-formal education, of the principle of equal rights and equal access of girls and boys, women and men to the enjoyment of all human rights, in particular civil, political, economic, social and cultural rights;

ix. existence of gender/women's studies and research in universities and research institutions and their adequate support and financing;

x. regular monitoring and assessment of girls' and boys', women's and men's participation at all levels of the educational system;

xi. regular monitoring of women's and men's access to postgraduate programmes and completion of degrees, including access to grants and scholarships on an equal basis;

xii. regular assessment of women's participation in scientific research programmes and projects and in their management or co-ordination;

xiii. awareness-raising campaigns addressed at the general public on gender equality/non-discrimination as a human rights principle, aiming at cultural change in regard to gender stereotypes and traditional roles of women and men.

3. Economic life

27. Equal opportunities in the labour market and in economic life, economic independence and the opportunity to exercise power in economic decision-making structures are vital to the achievement of gender equality. There are still considerable differences between men and women in this respect.

28. Women participate less than men in remunerated work, they more often work part time, their average salary is substantially inferior to that of men and the principle of equal pay for equal work and work of equal value is not always fully respected. Furthermore, women are poorly represented in economic decision making, whether in the formulation of public, economic and financial policies or in the private sector, as entrepreneurs or in decision-making positions in economic life in general.

29. The gender gap in time used on paid and unpaid work, due to stereotyped gender roles, unequal sharing of family responsibilities and insufficient care services, as well as the persistence of a gender segregated labour market, are important explanations for this situation, which governments must address.

30. Elements indicating states' political will and commitment to gender equality in this regard include the following:

- i. ratification and full implementation of relevant international treaties, taking particularly into account Articles 11 and 13 of the CEDAW, Articles 7 and 10 of the ICESCR, ILO Conventions No. 100, 111 and 183, Articles 1, paragraph 2, 4, paragraph 3, 8, 20, 26 and 27 of the revised European Social Charter, as well as the promotion of the full implementation of the standards contained in European Union legislation requiring equal treatment of women and men in regard to employment, including access, working conditions, inter alia, flexible working time, career development and promotion, equal pay, dismissal, reversal of the burden of proof in cases of discrimination on the grounds of sex, sexual harassment, protection of pregnancy, maternity and paternity, as well as in the access to and supply of goods and services;
- ii. full implementation of relevant international non-binding legal instruments, as well as of strategic objectives and actions contained in Chapter IV of the Beijing Platform for Action, in particular Section F (women and the economy);
- iii. adoption/existence of national and/or regional and local plans for gender equality in work and employment in the public sector, and creation/existence of institutional mechanisms to monitor their implementation and evaluation of progress, as well as encouragement of the creation of such plans in the private sector;
- iv. adoption/existence and enforcement of laws and measures to prevent, combat and punish sexual harassment and other forms of victimisation in the workplace and to protect victims;
- v. adoption/existence and implementation of plans/programmes to promote the vocational training of women and their integration in the labour market, as well as proactive measures for women and men to overcome the persisting horizontal and vertical segregation on this market;
- vi. adoption/existence and implementation of legal and administrative measures to promote women's equal participation in economic decision making, including implementation of plans for gender balanced participation in boards and other decision-making structures of economic and financial institutions and private enterprises;
- vii. adoption/existence and implementation of national programmes, which should include instruments and services such as financial advice and availability of loans, for supporting female entrepreneurship;
- viii. adoption/existence of training and competence-building programmes in the field of gender equality for policy makers and decision makers;
- ix. information and awareness-raising campaigns addressed at the general public on the right of women and men to equality in the labour market and in economic life;
- x. regular gathering, analysis and dissemination of sex-disaggregated statistics on women's and men's participation in the labour market and economic life, including sectors, hierarchical levels, career development, income, wages, full-time/part-time employment, employment contract conditions, etc.

4. Political and public life

31. Participation in political and public life is a basic right of citizenship and must be enjoyed by women and men on a parity basis. The balanced participation of both sexes at all levels of political and public life, including at decision-making level, is therefore a requirement of human rights that can ensure the better functioning of a democratic society.
32. The existence and regular functioning of a parity democracy is also a guarantee that women's and men's interests and needs are fully taken into account in policy making and in the running of society. In achieving the goal of equal participation of women and men, a minimum participation rate of 40% for each sex is considered as the parity threshold to be attained.
33. Elements indicating states' political will and commitment to gender equality in this regard include the following:
 - i. ratification and full implementation of relevant international treaties, taking particularly into account Articles 7 and 8 of CEDAW, together with General Recommendation No. 23 on political and public life adopted by the Committee on the Elimination of Discrimination against Women, and Article 25 of the ICCPR;
 - ii. full implementation of relevant international non-binding legal instruments, in particular Article 21 of the UDHR and Recommendation Rec(2003)3 of the Committee of Ministers of the Council of Europe on balanced participation of women and men in political and public decision making, as well as of strategic objectives and actions contained in Chapter IV of the Beijing Platform for Action, in regard to the electoral system, that may guarantee in particular Section G (women in power and decision making);
 - iii. adoption/existence and implementation of norms, legal or administrative, including balanced participation of women and men in elected assemblies or bodies;
 - iv. adoption/existence and enforcement of laws/regulations or other initiatives aiming at balanced participation of women and men in government appointed posts;
 - v. adoption/existence and implementation of equality plans in decision-making bodies in political and public life, including senior management of public administration, judiciary, diplomacy, etc., and the setting of progressive timeframes;
 - vi. regular assessment of the participation of women and men in decision-making bodies, both elected and appointed, including percentages of members of each sex in these bodies and identification of obstacles encountered and strategies needed to overcome the identified barriers;
 - vii. existence of capacity building and training programmes aimed at political participation and representation on a parity basis, for both women and men, and in particular for youth groups and other relevant audiences;
 - viii. regular monitoring of progress towards gender balance within political parties, particularly in regard to their decision-making bodies, electoral lists and other selection processes of candidates;
 - ix. systematic inclusion of the gender dimension in campaigning for all elections for bodies at national, regional or local levels, as well as bodies at international level;

x. information and awareness-raising campaigns addressed at the general public on gender balanced/parity participation of women and men at all levels of political and public life.

5. Reconciliation of private/family life and professional/public life

34. Gender stereotypes and a strong division of gender roles influence social models that tend to see women as mainly responsible for family and private life (in the area of unpaid work) and men in the public sphere and professional work (in the area of paid work). Such division leads to the persistence of unequally shared domestic and family responsibilities, being one of the major reasons for discrimination against women in the labour market and for their limited social and political participation.

35. The balanced participation of women and men in professional/public life and in private/family life is, therefore, a key area for gender equality and is essential for the development of society. On the other hand, reconciliation of work and public life with family and private life, promoting self-fulfilment in public, professional, social and family life, is a precondition for a meaningful quality of life for all, women and men, girls and boys, and for the full enjoyment of human rights in the political, economic, cultural and social spheres.

36. Elements indicating states' political will and commitment to gender equality in this regard include the following:

i. ratification and full implementation of relevant international treaties, taking particularly into account Article 11 of CEDAW, ILO Convention No. 156 and Article 27 of the revised European Social Charter;

ii. full implementation of relevant international non-binding legal instruments, in particular Recommendation No. R (96) 5 of the Committee of Ministers of the Council of Europe on reconciling work and family life, as well as of strategic objectives and actions contained in Chapter IV of the Beijing Platform for Action, in particular Section F (women and the economy);

iii. adoption/existence and enforcement of legislation on maternity and paternity protection, including provisions on paid maternity leave, paid parental leave equally accessible to both parents, and paid non-transferable paternity leave, as well as specific measures addressed equally to women and men workers, to allow the fulfilment of family responsibilities, including care and assistance to sick or disabled children or dependants;

iv. existence of a network of public-funded or public-supported services for families - child care and care for elderly, disabled or other dependent persons - on a wide, adequate coverage basis, able to respond to personal and family needs;

v. adoption/existence and implementation of initiatives to encourage private and public sector management to introduce and develop family-friendly management practices at work, equally accessible to women and men, such as flexible working time arrangements, different kinds of personal leave programmes, etc;

vi. adoption/existence and implementation of measures and initiatives to encourage the harmonisation between hours of operation of schools and child-care institutions and regular working hours;

vii. awareness-raising campaigns addressed at the general public on the importance of an equal sharing of family tasks and responsibilities between women and men, including the need of boys' and girls' contributions to the household as a meaningful element in their education;

viii. existence of regular time-use surveys indicating women's and men's average use of time on paid and unpaid work.

6. Social protection

37. Social protection is a basic human right and a means to effectively promote social cohesion. However, women are often disadvantaged in this regard, due to a number of factors linked to their situation in the labour market and to varying degrees of social vulnerability on the basis of traditional gender roles and social norms. Less qualified jobs, lower salaries, shorter professional careers or longer career breaks with negative consequences on personal entitlement to pensions are among the factors leading to this situation. Additional difficulties may arise from traditional situations where women have no individual rights to social security, but are dependent on their husbands/partners' rights. Individualisation of rights would, therefore, appear as a more favourable system in terms of gender equality.

38. An increased risk of poverty can particularly affect certain categories of the population where women are often the majority: the unemployed, single parents, older people living alone, and families with several dependants. Furthermore, poverty and material deprivation are often compounded by an inability to participate fully in social life as a result of an inadequate access to employment, education and training, housing, or health care.

39. In planning and implementing social protection policies, it is the responsibility of governments to take fully into account the specific situation of women and men in the labour market and society at large, as well as their current social responsibilities, in order to guarantee formal and substantive equality for both sexes in the access to and enjoyment of social protection rights and entitlements.

40. Elements indicating states' political will and commitment to gender equality in this regard include the following:

i. ratification and full implementation of relevant international treaties, taking particularly into account Articles 11 and 13 of the CEDAW, Article 10 of the ICESCR, ILO Convention No. 102, Articles 12, 13, 14, 30 and 31 of the revised European Social Charter, and the European Code of Social Security;

ii. full implementation of relevant international non-binding legal instruments, in particular Articles 22 and 25 of the UDHR;

iii. adoption/existence, of sustainable and adequate social protection schemes that take into account specific situations of women in the labour market and in social and economic life, for example part-time work, career interruptions, lower average salary, etc.;

iv. existence of pension systems that take into account specific aspects of working careers and the current unequal sharing of responsibilities between women and men (child care, care for dependant family members, etc.), including, when appropriate, compensatory measures in order to mitigate negative consequences of current pension systems on women;

v. existence/organisation of subsidiary social protection (assistance, supplementary benefits, minimum income) in such a way that payment of the benefits concerned is not subject to humiliating conditions or compromised by arbitrary controls;

vi. existence of gender sensitive training programmes aimed at specific groups at risk of poverty and exclusion, often female dominated, in order to promote their integration into the labour market;

vii. existence of social protection measures to ensure that break-up of marriage or cohabitation (divorce, separation) does not imply for any of the partners, with or without children, any intolerable consequences in regard to housing, indebtedness or similar circumstances, so as to avoid the risk of social exclusion;

viii. existence of social protection measures to secure the right to housing and decent living conditions to single-parent families, headed mostly by women.

7. Health, including sexual and reproductive matters

41. The equal right of women and men to health, including sexual and reproductive health, embraces many other human rights that are recognised in international treaties and human rights documents and which must be enjoyed by both women and men on an equal basis.

42. The health of women and men is clearly influenced by their biological sex. However, socially constructed gender roles and gender inequalities also have a major impact on well-being. Reasons for these variations and consequently different needs of women and men related to their biological differences and the social context must be observed in the provision of health care throughout their lives, from infancy to old age.

43. Gender equality requires that women and men be given equal opportunities to realise their potential for health, including through equal access to services and quality of care.

44. This further implies that women's and men's health must be considered of equal value and that both women and men must have a non-negotiable right to decide over their own body, including sexual and reproductive matters. Such acknowledgement must be reflected in the development, implementation, access to, monitoring and evaluation of health-care services and in research priorities.

45. Elements indicating states' political will and commitment to gender equality in this regard include the following:

i. ratification and full implementation of relevant international treaties, taking particularly into account Article 12 of the CEDAW, together with General Recommendation No. 24 on women and health adopted by the Committee on the Elimination of Discrimination against Women, Article 12 of the ICESCR, and Article 11 of the revised European Social Charter;

ii. full implementation of relevant international non-binding legal instruments, in particular Article 25 of the UDHR, as well as of the Programme of Action of the International Conference on Population and Development (Cairo, 5-13 September 1994), and of the strategic objectives and actions contained in Chapter IV of the Beijing Platform for Action, in particular Sections C (women and health) and I (human rights of women);

iii. existence and promotion of gender-sensitive education and information about health, including sexual and reproductive health, namely through the educational system and awareness-raising programmes and full information on family planning options, aimed at the general public, including through the media and health services;

iv. existence of equal quality and gender-sensitive health-care services for women and men, both as regards common health concerns and different ones, arising from biological differences, for example in regard to reproductive health and socio-economic inequalities between women and men;

v. existence of full and equal access to relevant, appropriate, timely and understandable information and counselling services, necessary for women and men to make decisions about their health, regardless of their marital status and age and even if specific methods and treatments are not available in a given country;

vi. existence of gender sensitive preventive, biomedical, behavioural, epidemiological and health-service research, including in the testing of new and emerging drugs and medical technologies, benefiting women and men equally;

vii. provision of gender equality training in basic and continuing education for health professionals, including integration of this dimension as part of training in health-care ethics, to ensure that the interests and needs of both women and men are equally addressed and that they are treated with respect, dignity, privacy and confidentiality;

viii. existence of policies and effective implementation of measures - including the training of professionals - addressing health aspects of violence, including domestic and sexual violence and harmful traditional practices, in particular female genital mutilation, forced and early marriages, honour crimes, etc., aimed both at providing adequate health care to victims and preventing future cases.

8. Media

46. Media in modern societies hold an immense potential for social change as they can either hinder or hasten structural change towards gender equality.

47. While respecting fully the independence of the media and the freedom of expression, states should encourage effective measures to ensure that gender equality, as a principle of human rights, is respected in the media, in accordance with the social responsibility that is linked to the power they hold in modern societies.

48. Elements indicating states' political will and commitment to gender equality in this regard include the following:

i. full implementation of strategic objectives and actions contained in Chapter IV of the Beijing Platform for Action, in particular Section J (women and the media);

ii. adoption/existence and implementation of norms, consistent with freedom of expression, against threats to human dignity, gender-based violence and the negative use of women's and men's image in the media, including in advertising, as well as guidelines for the safeguard of human dignity and for the projection of positive, balanced and diverse portrayals of women's and men's images and roles;

iii. encouragement, to the extent consistent with freedom of expression, of adoption and implementation of self-regulatory measures, guidelines, codes of conduct or other forms of regulations within media organisations that include the matter of sex-based discrimination/gender equality, promote the use of non-sexist language and the presentation of non-stereotyped images and exclude the use of violent or degrading materials;

- iv. regular assessment of the participation of women in decision-making and management levels and in technical services of media organisations, both public and private, as well as in advisory, regulatory and monitoring bodies of the media sector;
- v. regular assessment and encouragement of women's presence as journalists and participants in the different content areas of printed, broadcast and electronic media - news, politics, culture, entertainment, advertising, etc.;
- vi. encouragement of research projects on media coverage of women's participation in education, science and culture, politics, economy and social life, as well as the impact of the media in the shaping of values and attitudes, needs and interests of women and men throughout their lives;
- vii. encouragement of gender-sensitive training for media professionals, including owners and managers.

9. Violence against women

49. Violence against women takes place in our world under various forms, such as rape and other forms of sexual violence, physical and psychological violence within and outside the family or domestic unit, sexual harassment, violence in conflict and post-conflict situations, violence in institutional environments, failure to respect freedom of choice with regard to reproduction, female genital mutilation, crimes in the name of honour, forced and early marriages and, in general, traditional practices harmful to women and girls.

50. Violence against women is one of the most serious violations of human rights and fundamental freedoms of women and an obstacle to the enjoyment of those rights and freedoms. Furthermore, violence against women is a waste of capacities and resources for economic and social development; it is also one of the means by which women are forced into a subordinate position compared with men and is, therefore, a decisive impediment to the achievement of gender equality.

51. The prevention and elimination of violence against women are essential components in protecting women's full enjoyment of human rights and are prerequisites for the achievement of gender equality.

52. Elements indicating states' political will and commitment to gender equality in this regard include the following:

- i. ratification and full implementation of relevant international treaties, taking particularly into account Article 6 and other relevant provisions of the CEDAW, together with General Recommendation No. 19 on violence against women adopted by the Committee on the Elimination of Discrimination against Women, and Article 16 of the revised European Social Charter;
- ii. full implementation of relevant international non-binding legal instruments, in particular the Declaration on the Elimination of Violence against Women (Resolution 48/104 of the United Nations General Assembly), the Intensification of efforts to eliminate all forms of violence against women (Resolution 61/143 of the United Nations General Assembly) and Recommendation Rec(2002)5 of the Committee of Ministers of the Council of Europe on the protection of women against violence, as well as of the strategic objectives and actions contained in Chapter IV of the Beijing Platform for Action, in particular Sections D (violence against women) and I (human rights of women);
- iii. adoption/existence and enforcement of legislation and effective judicial procedures to prevent violence against women, protect the victims and punish the perpetrators, as well as protection against retaliation upon victims of violence or those that denounce it or accept to testify;
- iv. adoption/existence and implementation of preventive measures of a legal, political, social, educational and cultural nature, namely addressed at potential victims, as well as potential perpetrators;
- v. adoption/existence of comprehensive national action plans, the implementation of which must be regularly monitored and evaluated;
- vi. adoption/existence of adequate measures, establishment of services and implementation of activities to support and protect victims of violence, such as women's shelters and hotlines, as well as intervention programmes for perpetrators of violence, and appropriate support, including financial support, to NGOs working in these areas;
- vii. adoption/existence of educational programmes and specific training for all professionals involved in any kind of intervention with victims of violence, namely judicial, health and educational personnel, social workers, the police, etc.;
- viii. existence of a clear political message addressed at the general public, including media professionals, of zero tolerance to any kind of violence against women;
- ix. information and awareness-raising campaigns addressed at the general public on the issue of violence against women as a human rights violation, including specific information addressed to boys and men on their responsibility in regard to prevention and elimination of violence against women;
- x. systematic and regular gathering and analysis of data and information, including sex-disaggregated statistics on the type and extent of gender-based violence against women, and dissemination of such information to the general public.

10. Trafficking in human beings

53. Violations of certain human rights, including discrimination on the grounds of sex, are both a cause and a consequence of trafficking in human beings. This increasing phenomenon is a specific manifestation of violence and a modern form of slavery that entails grave violations of human rights and is an offence to the dignity and integrity of human beings. Protection of human rights must, therefore, be the framework of all actions against trafficking.

54. Women and girls are often discriminated against and their human rights are violated even before becoming victims of trafficking, because they are more often faced with marginalisation, poverty and unemployment than men. Inequalities between women and men must be systematically addressed in the development and implementation of actions against trafficking in human beings.

55. Elements indicating states' political will and commitment to gender equality in this regard include the following:

- i. ratification and full implementation of relevant international treaties, taking particularly into account Article 6 of the CEDAW, the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and the Council of Europe Convention on Action against Trafficking in Human Beings;

- ii. full implementation of relevant international non-binding legal instruments, in particular Recommendation No. R (2000) 11 of the Committee of Ministers of the Council of Europe on action against trafficking in human beings for the purpose of sexual exploitation, as well as the strategic objectives and actions contained in Chapter IV of the Beijing Platform for Action, in particular Section I (human rights of women);
- iii. adoption/existence and enforcement of legislation and effective judicial procedures to protect victims of trafficking and punish perpetrators;
- iv. adoption/existence and implementation of comprehensive national action plans against trafficking in human beings in which gender equality is fully taken into consideration, namely in regard to prevention, including measures for discouraging the demand, to protection, including rehabilitation, and to prosecution;
- v. creation/existence of mechanisms for an effective co-ordination of actions of all sectors whose involvement is essential in preventing and combating trafficking, in which gender equality and human rights mechanisms, relevant NGOs and other organisations of civil society must participate and where gender-balanced participation must be ensured;
- vi. existence of proper training in preventing and combating trafficking in human beings and in identifying and assisting victims and protecting their human rights, for all those actors, who, in the course of their work, have contact with victims;
- vii. adoption/existence and implementation of measures to favour programmes for reintegration of victims into society, including reintegration into the education system and the labour market;
- viii. existence of appropriate technical and financial support to NGOs and other relevant organisations/groups of civil society engaged in assistance to victims;
- ix. systematic and regular gathering and analysing of data and information, including sex-disaggregated statistics on the type and extent of trafficking in human beings, and dissemination of such information to the general public.

11. Conflict and post-conflict situations

56. Women and children make up an estimated 80% of the world's refugee population. They are particularly vulnerable in conflict situations; effective protection must, therefore, be provided to them in these situations, either in armed or other conflicts and foreign occupation. Their voice needs to be heard in the prevention and resolution of conflicts and their specific needs must be dealt with in post-conflict reconstruction.

57. Women's participation in conflict prevention and resolution at decision-making levels must, therefore, be increased, as women have a significant contribution to make, particularly as regards peace building and prevention of further armed conflicts. Their participation in decision-making institutions and mechanisms for the prevention, management and resolution of conflict, including peace negotiations, and democratisation of societies after conflict must not fall under 40%, considered as the parity threshold.

58. Elements indicating states' political will and commitment to gender equality in this regard include the following:

- i. ratification and full implementation of relevant international treaties, taking particularly into account the Rome Statute of the International Criminal Court;
- ii. full implementation of relevant international non-binding legal instruments, in particular the United Nations Security Council Resolution 1325 on Women, Peace and Security, and the Council of Europe Resolution on the roles of women and men in conflict prevention, peace building and post-conflict democratic processes - a gender perspective, adopted at the 5th European Ministerial Conference on Equality between Women and Men, as well as of the strategic objectives and actions contained in Chapter IV of the Beijing Platform for Action, in particular Section E (women and armed conflicts);
- iii. regular assessment and dissemination of information on the incidence of abuse of the human rights of women in conflict situations aiming at the reduction of this incidence, alongside with active promotion of non-violent forms of conflict resolution;
- iv. introduction/existence of mechanisms for adequate consideration of the special needs and contributions of women and men in restructuring projects in post-conflict society;
- v. existence of arrangements for the inclusion of women in structures and mechanisms aimed at the reconstruction of societies in post-conflict situations, such as peace negotiations committees, and other decision-making bodies, along with the regular assessment of women's participation in these bodies, to ensure that gender balance is progressively reached;
- vi. promotion/existence of initiatives to encourage the participation of women in peacekeeping missions in order to ensure the inclusion of women peacekeepers in national contingents participating in international operations;
- vii. encouragement/existence of systematic training for members of peacekeeping operations by governments/states who contribute to peacekeeping forces, which takes into account gender equality concerns, with a view to preventing in particular violence against women and trafficking in human beings;
- viii. existence of mechanisms to provide protection, assistance and training to refugee women and other displaced women in need of international protection, as well as to internally displaced women;
- ix. systematic consideration of the gender dimension at every stage of the procedures on asylum and reception of refugees.

12. Specific situation of vulnerable groups exposed to multiple discrimination

59. Certain groups of women, due to the combination of their sex with other factors, such as their race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status, are in an especially vulnerable position. In addition to discrimination on the grounds of sex, these women are often subjected simultaneously to one or several other types of discrimination.

60. Governments must, therefore, pay special attention to the specific needs that women of these groups have for protection against discrimination and for positive action to gain de facto equality.

61. Elements indicating states' political will and commitment to gender equality in this regard include the following:

- i. ratification and full implementation of relevant international treaties, taking particularly into account Articles 3.g and 6 of the United Nations Convention on the Rights of Persons with Disabilities, Protocol No. 12 to the ECHR, Articles 1, paragraph 2, 16, 19 and 20 of the revised European Social Charter and Council of Europe Framework Convention for the Protection of National Minorities;
- ii. full implementation of relevant international non-binding legal instruments, as well as of the strategic objectives and actions contained in Chapter IV of the Beijing Platform for Action, in particular Section I (human rights of women);
- iii. adoption/existence and enforcement of legal prohibitions of discrimination on any of the above-mentioned grounds;
- iv. adoption/existence and implementation of an active policy to prevent all forms of discrimination;
- v. adoption/existence and implementation of positive action to combat multiple discrimination, in view of achieving de facto equality;
- vi. establishment/existence of institutional mechanisms tasked with the responsibility to co-ordinate actions to raise awareness and combat discrimination on any grounds, always taking into account the gender specificities of such discrimination and the need for gender-balanced participation in these mechanisms;
- vii. regular assessment of the integration of a gender perspective in policies and programmes addressed at groups exposed to multiple and coexisting discrimination;
- viii. regular assessment of the integration into gender equality policies of the specific concerns of women belonging to groups exposed to multiple and coexisting discrimination;
- ix. regular gathering and analysis of sex-disaggregated statistics, whenever possible, of documentation/information on the specific aspects of women belonging to groups exposed to multiple and coexisting discrimination, and promotion of research on multiple discrimination, always bearing in mind the gender aspects of such discrimination;
- x. information and awareness-raising initiatives addressed at the general public and groups exposed to multiple and coexisting discrimination on the issue of multiple discrimination, including its gender-specific aspects and problems.

C. Strategies, mechanisms and tools to achieve gender equality

1. Implementation of complementary strategies as obligations of the state in its commitment to equality

62. The setting of legal standards to guarantee the enjoyment of the principle of gender equality and non-discrimination is not sufficient to achieve substantive gender equality. To comply with the commitments made, governments must put in place and efficiently implement proactive policy measures and various strategies which have been recognised by international organisations as indispensable to pursue the objective of gender equality in an effective way. A dual approach to these strategies is commonly accepted: on the one hand, specific actions including positive action/temporary special measures and, on the other hand, gender mainstreaming to be applied to all policy areas and processes.

63. The extent of development and use of these strategies in national gender equality policy varies from country to country and often depends on the existence of a number of conditions. The effective functioning of institutional mechanisms for gender equality is a precondition for the successful development of these complementary strategies, which are instrumental if properly understood, developed and used.

64. Specific actions, including positive actions and temporary special measures, addressed at women and society at large, are recognised as the traditional mandate of national institutional mechanisms for gender equality; however, they must be complemented by gender mainstreaming, a strategy which must involve a variety of actors responsible for policies in all sectors and levels of governance.

65. To organise the efficient complementary and parallel use of specific gender equality policies and the strategy of gender mainstreaming, the availability of certain instruments is crucial to support their development and implementation and to organise responsibility for pursuing the achievement of gender equality in a systematic and planned manner.

66. Systematic information and communication strategies and national gender equality action plans are further basic requirements for governments in their task to devise and pursue a gender equality policy in the dynamic context of our societies.

67. Elements indicating states' political will and commitment to fulfil these responsibilities include the following:

- i. ratification and full implementation of relevant international treaties, taking particularly into account Articles 1 to 5 of the CEDAW, together with General Recommendation No. 25 on temporary special measures, adopted by the Committee on the Elimination of Discrimination against Women, Article 3 of the ICESCR and the ICCPR; Article 14 of the ECHR and Article E of the revised European Social Charter, which provide a cross-cutting basis for the enjoyment of all the rights enshrined in these treaties, as well as Article 20 of the revised European Social Charter, which provides for an express ban on discrimination on the grounds of sex in matters of employment and occupation and obliges states to promote equal opportunities and equal treatment;
- ii. full implementation of relevant international non-binding legal instruments, in particular Recommendation No. R (98) 14 of the Committee of Ministers of the Council of Europe on gender mainstreaming and the Resolution on achieving gender equality: a challenge for human rights and a prerequisite for economic development, adopted at the 6th European Ministerial Conference on Equality between Women and Men (Stockholm, 8-9 June 2006), as well as of the strategic objectives and actions contained in Chapter IV of the Beijing Platform for Action, in particular Section H (institutional mechanisms for the advancement of women);
- iii. existence and explicit recognition of a legal basis for introducing specific actions, including positive actions or temporary special measures, according to Article 4 of the CEDAW;
- iv. existence and enforcement of a binding obligation to adopt and pursue a strategy of gender mainstreaming, including gender budgeting and gender-based analysis/gender impact assessment in all areas of governance and clear identification of actors responsible for its development, implementation and evaluation;

v. adoption/existence and effective implementation of periodic national action plans for gender equality and of indicators to measure their outcomes and progress achieved in their implementation, to support systematic and regular reporting and, if necessary, the reviewing of actions and strategies in order to better achieve the objectives of such action plans;

vi. development and implementation of adequate information and communication strategies aiming at an understanding and a broad consensus on the development of national gender equality policy, its promotion and implementation, and at fostering public opinion, new perceptions and cultural changes in public opinion, including through raising awareness of social organisations and the media.

2. Establishment or reinforcement of institutional mechanisms/national machinery for gender equality

68. Institutional mechanisms/national machinery are essential instruments that governments must establish or reinforce to pursue their obligation to eliminate discrimination on the grounds of sex and to achieve gender equality.

69. There is an overall trend towards the diversification and multiplication of gender equality mechanisms and their progressive establishment in various policy areas and at different levels of power, including in parliaments, regional and local level bodies and also as independent institutions.

70. As regards institutional mechanisms within government structures, there are no ideal, fixed models valid for every country. Economic, social, cultural and political realities differ from country to country and institutional mechanisms, to be effective and sustainable, must fit into the national context and be sensitive to these realities.

71. However, some basic requirements for the creation, reinforcement or effective functioning of these mechanisms can be pointed out and envisaged as indicators of the political will and commitment and of the strategic goals of states in regard to the achievement of gender equality.

72. Such elements include:

i. full implementation of the strategic objectives and actions contained in Chapter IV of the Beijing Platform for Action, in particular Section H (institutional mechanisms for the advancement of women);

ii. that gender equality mechanisms be at the highest political level; more specifically, that the national co-ordinating unit be at the highest level of government, under the direct responsibility of the president, prime minister or cabinet minister, and that units or focal points be set up within ministries or other government departments or within regional and local power structures, at the highest level of those departments and structures;

iii. that institutional mechanisms have the necessary authority, visibility, political recognition, necessary funding and human resources, and that their action is fully supported by political power at the different levels of its exercise;

iv. that the overall structure of gender equality machinery includes an interdepartmental/interministerial structure with high level representatives with decision-making powers from all relevant policy areas in order to ensure the effective functioning of the process of gender mainstreaming;

v. that the mandate of institutional mechanisms has a clear legal basis with well-defined functions and responsibilities; and that these necessarily include the dual-track approach to gender equality work: 1. specific policies and actions, including positive action when appropriate, in critical areas for the advancement of women and for gender equality; 2. promotion, monitoring, co-ordination and evaluation of the process of gender mainstreaming in all policies and programmes;

vi. that institutional mechanisms develop gender expertise both within themselves and as capacity builders for gender equality at different levels of government and administration and for that purpose develop methods, instruments and tools for gender analysis/gender impact assessment and gender budgeting, as well as training on gender equality and the use of these methods, instruments and tools;

vii. that resources for the core operational costs of institutional mechanisms - staff, facilities, regular functioning of the institution - are the sole responsibility of the state, even if funding for specific actions and projects can also be found from various sources;

viii. that institutional mechanisms establish formal and informal links of co-operation with other public institutions and administrations in general;

ix. that institutional mechanisms establish formal and informal links of co-operation with a wide range of civil society organisations, namely women's and human rights NGOs, the media, the research and academic community, social partners and other relevant social actors, as well as with international and European organisations pursuing gender equality objectives;

x. that mechanisms for gender equality are established at parliamentary level, as well as independent agencies and other bodies, such as ombudspersons that may receive complaints for discrimination on the basis of sex.

3. Development of studies and instruments to evaluate women's and men's situation and measure progress of that situation

73. While formal gender equality can be achieved quite rapidly by enshrining this principle into constitutions, laws or specific norms, the same does not happen in regard to substantive gender equality. Its achievement is a complex process which must be regularly monitored and evaluated.

74. As a first step it requires an in-depth knowledge of women's and men's real situation in all areas of life, and of the obstacles and barriers that stand in the way of gender equality. A second step consists in the devising of strategies, plans and programmes to overcome these obstacles and barriers. A third step is the implementation of these strategies and plans and their regular assessment and evaluation, a process that requires adequate tools and instruments to measure progress.

75. Elements indicating states' political will and commitment to fulfil these responsibilities include the following:

i. development and adoption of quantitative and qualitative indicators to capture the real situation of women's and men's lives and to measure progress in the changing of that situation where the achievement of gender equality so requires;

- ii. regular collection and analysis of sex-disaggregated statistics and other data necessary to support the indicators, either by specialised dedicated surveys or by the inclusion of routine gender-relevant variables into mainstream, regular surveys; in both cases the involvement of the entities responsible for the statistical system is essential;
- iii. inclusion of clear targets, time frames and benchmarks in policies and programmes adopted for the achievement of gender equality and regular monitoring of their implementation;
- iv. adoption/existence of tools and instruments for gender-based analysis/gender impact assessment of laws and policies (checklists, manuals, handbooks, statistics, questionnaires, specific software, surveys, forecasts, or other similar tools), and for gender budgeting; these practices must become a matter of routine in policy making, both before and after planning and implementation;
- v. existence and support of studies and research into gender relations, including women's studies and gender studies in universities and other research institutions and the financing of such studies and research projects.

4. Establishment of co-operation and partnerships

76. Because gender equality is a concern of all members of a society, the full involvement of boys and men is decisive and instrumental to achieve that aim, which will have a positive impact on and bring added value to the lives of both girls and boys, women and men.

77. The establishment and development of effective channels of co-operation and partnership within governmental and administrative structures, in all areas and at all levels, and between government and civil society organisations have been recognised as an important strategy for the effective promotion of gender equality, which, being a common objective, concerns society as a whole.

78. Women's NGOs and human rights NGOs, social partners, academic and research institutions, and the media are among the most relevant of civil society organisations whose co-operation is fundamental to achieve gender equality.

79. Elements indicating the states' political will and commitment to reach this common objective include the following:

- i. establishment of strategies to involve boys and men in gender equality;
- ii. creation/existence of interdepartmental structures with high-level representatives from all policy areas and at all policy levels responsible for planning, co-ordination, implementation and evaluation of gender mainstreaming in all policies and programmes;
- iii. creation/existence of regular channels of institutionalised dialogue and co-operation with civil society organisations working for gender equality, such as women's and human rights organisations; for example, their inclusion in consultative bodies and the establishment of regular consultation procedures in relation to equality policies and plans;
- iv. creation/existence of programmes of technical/financial support for civil society organisations, particularly women's organisations and human rights organisations, in their work for gender equality and regular assessment of projects developed in this context;
- v. establishment of regular dialogue/co-operation with other civil society organisations, including media organisations, social partners, research and academic institutions, professional organisations and specific interest groups, in order to raise gender equality awareness;
- vi. regular assessment of co-operation and partnership with civil society organisations in the development and implementation of programmes and projects aiming at the achievement of gender equality (number of programmes/projects, audiences targeted, rate of success, etc.);
- vii. effective co-operation at regional and international levels, including through bilateral and transnational projects and sharing of experiences and good practices.