

THE IMPACT OF THE ACTIVITIES OF THE COUNCIL OF EUROPE FOR THE PROMOTION OF GENDER EQUALITY

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ABSTRACT: *Women's rights are thoroughly examined in this work from the standpoint of international and European law. The examination of the legal framework for women's rights at the international, regional, and European levels—particularly as it relates to gender equality and associated issues—is particularly significant in this research prejudice. The article first examines international statutes, publications, and documents by various authors on this subject, as well as international standards pertaining to EU and EC law. It then discusses the law, court cases, regulations pertaining to women's rights, and documents that support gender equality and nondiscrimination. The notion of gender equality and discrimination in the European Union is dynamic, subject to interpretation based on individual circumstances, and is always bringing about new developments and adjustments.*

KEYWORDS: *Court, Institutional Environment, Directives, International Standards*

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1. INTRODUCTION

One of the main pillars of the nation's progress is gender equality. Although formal rights under fundamental human rights are now enshrined in international constitutions and laws, women are still underrepresented in national parliaments and other positions of leadership, management, and decision-making. Today, there is a strong emphasis on women's rights and the achievement of gender equality. This is because women make up half of society and their rights are regarded as essential components of human rights. The evolution of human rights law's history demonstrates how the growing participation of women in global affairs has brought attention to concerns pertaining to women. The United Nations Charter has included new, significant tangible provisions that are crucial for women. The United Nations was tasked with creating relief organizations and advancing social and economic development. Women's groups seized upon this chance. Their activism and professional work have made a major contribution to the acceptance of women's rights as human rights. The United Nations Commission on the Status of Women, which was established in 1947, was instrumental in this process. Among its many accomplishments was the drafting of the Convention on the Elimination of All Forms of Discrimination Against Women (KEFDG-CEDAW) and the inception of four international conferences for women, which were held in Beijing, Mexico, Copenhagen, and Nairobi. The majority of the UN member nations have signed the documents that came out of these sessions. Their articulation was acknowledged as a component of international human rights legislation for the first time. The inclusion of women's rights in the framework of international law and national, regional, and international human rights policies has been made easier by this acknowledgment. Many international and regional human rights instruments and policy agreements were adopted alongside the KEFDG, forcing governments to enact national policies targeted at the defense, realization, and application of women's rights. All types of violence against women are harm caused by compulsion or force, and they transcend repressive conduct and prejudice in general. They've been linked to practices that support and maintain gender inequality as well as disparities between men and women. As a symptom of the underlying inequality that exists between men and women, violence against them is a type of discrimination against them. The KEFDGs, although being the most significant international document pertaining to women, do not specifically address violence against women, in contrast to several other laws and regulations. Documents from the United Nations, as well as international and regional organizations, contend that gender discrimination based on violence is a unique type of discrimination that violates international human rights law. This fact was initially acknowledged in 1985 during the First World Conference on Women in Nairobi. The concluding paper, "Future Strategies, Nairobi," draws a connection between gender inequality and violence against women, asserting that the former impedes the latter. It was suggested that governments

should make more efforts to create or enhance programs that support victims of abuse by offering housing, counseling, and legal services. They should also raise public awareness of violence against women as a societal issue. The KEFDG Committee acknowledges domestic abuse and other forms of violence against women as forms of discrimination in its overall proposal. Violence against women is thus included in the definition of discrimination included in the KEFDG. This implies the KEFDG's specific provisions may have been violated by acts of violence against women. While violence is perpetrated in many spheres of society, gender-based violence, akin to domestic abuse, is mostly targeted at women with the intention of depriving them of certain rights and perpetuating their collective reliance. Women's human rights have come to be respected and acknowledged as essential components of all human rights, as well as a distinct legal entity over time. The inclusion of women's rights in the framework of international law and national, regional, and international human rights policies has been made easier by this acknowledgment. Many international and regional human rights instruments and policy agreements were adopted alongside the KEFDG, forcing governments to enact national policies targeted at the defense, realization, and application of women's rights.

2. METHODOLOGY

The text also includes the process, which is very significant because it was created using several techniques. It took a long time to prepare this document because there are numerous research documents on the subject based on EU and EC legislation, international statutes, and document publications by various authors. These references to local and national laws, case law, and established practice are also included. The document's use of the historical method is especially significant since it provides a broad overview of the history of gender equality and how it has expanded and solidified women's roles in society. The information in this article, which includes theories pertaining to women's rights and national, international, and European legislation protecting women, is examined in great detail, making the analytical technique all the more significant. A thorough analysis of European and regional jurisprudence on gender equality and discrimination concerns is also provided. The comparative approach is especially significant in this text since it addresses women's rights, gender equality, and nondiscrimination on a comparative basis. Particularly, the nations of the European Union are being compared.

3. COUNCIL OF EUROPE ACTIVITIES AIM TO PROMOTE GENDER EQUALITY

Up to 1979, the European Commission's (EC) efforts to promote gender equality, with a particular emphasis on women's employment and legal status, were mostly case-by-case in nature. In addition, studies are done on violence against women, equality, and the status of women in politics and education. The resolution includes certain rights not found in the European Social Charter, including general equality of treatment, equal opportunity, and treatment for workers of both sexes who have family obligations. The 1988 European Social Charter's Additional Protocol. Numerous specific promises are included in this Declaration, including involvement in and access to social services, professions, information, etc. at all levels. The European Community (EC) carried out a comprehensive study on gender equality in Europe in 1989, marking the institution's 14th anniversary. The study included an analysis of how international equality measures were incorporated into Member State legal frameworks and proactive measures taken in the event of reverse discrimination. The Observatory on Equality of Women and Men was founded by this Committee, which also planned several meetings and working conferences. The Commission also looked into how women in Central and Eastern European nations were treated precariously while their economies were changing. Positive discrimination, or positive processes, has been incorporated into personnel regulations at the Council of Europe Secretariat, providing underrepresented genders with priority. Every year, the European Council releases a report detailing the Secretariat's marketing efforts. The Commission acknowledged women's rights as human rights and concentrated on promoting equality and democracy, ending all forms of violence against women, and granting women the right to vote. Freedom in terms of lifestyle and reproduction. As a contribution to the Beijing Conference, the European Community (EC) hosted a conference on "Equality and Democracy" in 1995. One democratic element that is highlighted is the ability to choose to become a mother. Within this framework, it is understood that advocating for true gender equality entails advocating for human rights and pluralistic democracy.

3.1. The European Union, Women's Rights and Gender Equality

In actuality, the European Community has been developing policies on human rights in comparison to third countries since the 1980s. These policies are now represented in the so-called Copenhagen criteria. (February 2009, at 27) Consequently, the equal pay for equal labor concept was incorporated in the 1957 Treaty of Rome. The contemporary gender equality laws in Europe were made possible by this ruling. Following the Treaty of Amsterdam's 1999 coming into effect, one of the European Community's primary responsibilities is to advance gender equality (Article 2 EC). The decision to add a new article to the Treaty of Amsterdam prohibiting discrimination throughout Europe was made by all member states in unanimity. " This means that fight against discrimination was first expressly provided for. According to Anastasi, Mandro-Balili, Shkurti, and Bozo (2012), the lengthy fight against discrimination and inequality is the source of EU laws and practices.

3.1.1. The Founding and Revision Treaties of The European Union

The Treaties establishing the European Communities did not specifically include anti-discrimination provisions because their purpose was to regulate sectoral policies and strategies, and the fight against discrimination was not on the agenda at the outset of European integration. The Union Treaty, which established a unified Commission and Council for the three European Communities, was signed in Brussels in 1965. The Treaty of Amsterdam contained two general provisions, Article 119, which prohibited discrimination based on the State and stipulated that men and women should receive the same salary (Canaj, 2014, 20). However, there were no express provisions against discrimination. However, as the establishment of the Common Market and the economic growth of a unified Europe were at the core of it, both of these clauses were viewed as supplementary instruments for its formation. Ruda (2008), p. 12 Discrimination was really considered a human rights issue up to the end of the 1980s and the beginning of the 1990s, and as such, it was "gladly" left to the Council of Europe and the Convention on Human Rights, rather than being tackled by the EU. Human rights. Nonetheless, there were attempts to enact legislation promoting gender equality, and in the 1990s, "issues of discrimination on other grounds" were added to the European agenda in addition to sexual discrimination. (Picari, 2008:14). This happened as a result of fresh societal issues that were acknowledged on a political level as issues in need of resolution. Racism's difficulties had become manifestly obvious, had evolved into a rather subtle but severe issue that needed to be addressed, and could therefore no longer be "ignored" by the EU, which had close ties to concerns pertaining to the labor market, immigration, and refugee policy. Effective lobbying by NGOs, the European Parliament, and certain interest groups has put pressure on EU institutions to support the integration of national minorities and to create and implement a more comprehensive legal framework for these minorities' employment without discrimination. a significant effect. Ruda (2008), p. 8. The proposal of creating an anti-discrimination directive was introduced and pushed by a coalition of NGOs, and it was well-received by civil society.

- New laws that support treating men and women equally have been introduced; Member States did, however, provide limited agreement, even if they did not wish to publicly oppose these anti-discrimination measures. This is evident in two aspects of the accepted text: first, it just lays out the legal foundation for action. There are no immediate repercussions from Article 13 and Member States are not required to outlaw discrimination. Second, because decisions must be made unanimously by the Council and Parliament only has advising authority, the process of making decisions can greatly impede the pace of advancement. The fact that not all Member States initially consented to implement the Maastricht Social Protocol or to sign the Agreement on Social Policy further illustrates how far away Member States were from freely adopting new advances in this field (Siofra O'Leary 2002, 86). This does not, however, lessen the significance of this act in the EU's battle against discrimination, and it also helps to explain why new law is developing in the EU so quickly.

3.1.2. Treaty of Lisbon

The implementation of the Lisbon Treaty, which reaffirmed significance of gender equality within the EU. In this sense, the Lisbon Treaty just alters the current treaties rather than abrogating them. It is important to emphasize that, in addition to the other actions that must be performed within the context of the development of European integration, the Treaty of Lisbon represents one of the new phases in the process of establishing an ever closer Union between the peoples of Europe. The fact that the amended Treaty retains the main innovations and modifications from the Constitutional Treaty, while

emphasizing them differently, is another reason for optimism. Since gender equality is one of the shared ideals upon which the European Union was built, it will, for example, be taken into consideration when determining whether a nation in Europe qualifies to become a member. Along with the duty to end inequality, one of the responsibilities of the European Union is the promotion of gender equality. Addressing the EU Charter of Fundamental Rights is another crucial issue. The Lisbon Treaty resolves all of the issues that have arisen and all of the challenges in establishing the legal value of the Charter by amending Article 6 and leaving it out of the Treaty owing to the objections of those States that feared being investigated by the Court of Justice in these specific areas.

Gender equality in the EU is also an essential component of this document. The 54-article Charter outlines fundamental rights related to citizenship, equality, dignity, freedom, and justice. It is based on international conventions, member state customs, and community treaties, such as the European Charter of Fundamental Rights and Freedoms (ECHR) Convention of 1950 and the European Social Charter of 1989. As a result, even though it was solemnly proclaimed to be an important document, its legal value was uncertain because it did not take the form of a binding document for the Member States, it did not fall under EU legislation, and the difficulty lay in its implementation. This indicates that the subject's subjective applicability is not restricted to those who are citizens of an EU member state alone. This is a very significant remark that comes from the way the Charter's provisions are written. The phrase "any individual" rather than "any citizen who holds the citizenship of one of the EU Member States" is one example of this. As a result, those who are nationals of non-EU nations—described previously as non-EU economic immigrants—also fall under the purview of the Charter (L. Manca, 2003). Some of the Charter's provisions, which refer to the individual as a human being in general, also apply to foreign nationals who are temporarily or permanently present in an EU Member State.

4. CONCLUSION

Not only do women make up half of society, but the contemporary notion of valuing their rights as an essential component of humanity means that women's rights, their fulfillment, and the advancement of gender equality are heavily stressed today. There is a shared human and human nature that transcends the distinctions between males and females. In the framework of a free and democratic society, it is precisely this human "essence" that makes and ought to make women genuine bearers of equal rights with men. Achieving this ideal is not a dream, as evidenced by mature democracies in civilized nations. The establishment of a society with equal possibilities for the sexes and via their interaction in all domains and realms of social organization is an essential instrument for the achievement of this aim. As part of the Common External Security Policy, the European Union has adopted human rights policies for both internal and external ties. The Council of the European Union publishes an annual human rights report that highlights the significance of these policies for the Union. In addition to its public pronouncements, the Council engages in human rights diplomacy based on cases. The EU, the greatest contributor in the world, is vital to the advancement of gender equality and the empowerment of women and girls. Gender equality and women's empowerment have received more attention thanks in large part to the Millennium Development Goals (MDGs). Since 2004, the EU's funding has also contributed to real progress being made. Still, there are a lot of holes, so this is insufficient. In addition to being significant principles and goals in and of themselves, gender equality, human rights, and the empowerment of women and girls are necessary preconditions for inclusive, equitable, and sustainable development. The European Union is now engaged in international talks over a new development agenda. The EU is persuaded that achieving gender equality and the empowerment of all women and girls requires a specific target on the post-2015 global development agenda. The EU, the greatest contributor in the world, is vital to the advancement of gender equality and the empowerment of women and girls. Gender equality and women's empowerment have received more attention thanks in large part to the Millennium Development Goals (MDGs). Since 2004, the EU's funding has also contributed to real progress being made. Still, there are a lot of holes, so this is insufficient. In addition to being significant principles and goals in and of themselves, gender equality, human rights, and the empowerment of women and girls are necessary preconditions for inclusive, equitable, and sustainable development. The European Union is now engaged in international talks over a new development agenda.

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