

Tuesday, October 8, 2013

- (b) whether, in cases where an employee sues an employer, the fall-back clause which applies where there is no habitual place of work should be reworded so as to refer to the place of business from which the employee receives or received day-to-day instructions rather than to the engaging place of business;

7. Instructs its President to forward this resolution to the Council and the Commission, and to the European Economic and Social Committee.

P7_TA(2013)0400

Gendercide: the missing women?

European Parliament resolution of 8 October 2013 on Gendercide: the missing women? (2012/2273(INI))

(2016/C 181/04)

The European Parliament,

- having regard to Article 3 of the Treaty on European Union (TEU) which emphasises values common to the Member States, such as pluralism, non-discrimination, tolerance, justice, solidarity and equality between men and women, and Article 8 of the Treaty on the Functioning of the European Union (TFEU) which lays down the principle of gender mainstreaming, as it states that the Union shall in all its activities aim to eliminate inequalities, and to promote equality, between men and women,
- having regard to Article 19 of the TFEU which refers to combating discrimination based on sex,
- having regard to Article 23 of the Charter of Fundamental Rights of the European Union,
- having regard to the United Nations Convention of 18 December 1979 on the Elimination of All Forms of Discrimination against Women (CEDAW),
- having regard to the Beijing Declaration and Platform for Action adopted by the Fourth World Conference on Women on 15 September 1995, and to its resolutions of 18 May 2000 ⁽¹⁾, 10 March 2005 (Beijing + 10) ⁽²⁾, and 25 February 2010 (Beijing + 15) ⁽³⁾,
- having regard to the Millennium Development Goals (MDGs) adopted at the Millennium Summit of the United Nations in September 2000, and in particular the MDG on promoting gender equality and empowering women as a prerequisite for overcoming hunger, poverty and disease, reaching equality at all levels of education and in all areas of work, equal control over resources and equal representation in public and political life,
- having regard to the European Pact for Gender Equality (2011-2020), adopted by the European Council in March 2011,
- having regard to the European Consensus on Development,

⁽¹⁾ OJ C 59, 23.2.2001, p. 258.

⁽²⁾ OJ C 320 E, 15.12.2005, p. 247.

⁽³⁾ OJ C 348 E, 21.12.2010, p. 11.

Tuesday, October 8, 2013

- having regard to the European Convention on Human Rights and Biomedicine,
- having regard to the European Union Guidelines on promoting compliance with international humanitarian law (IHL), on the death penalty, on torture and other cruel, inhuman or degrading treatment or punishment, and on human rights defenders, as well as on human rights dialogues with non-EU countries, on the promotion and protection of the rights of the child, and on violence against women and girls and combating all forms of discrimination against them,
- having regard to the Council Conclusions of 2 December 1998 establishing that the annual assessment of the implementation of the Beijing Platform for Action will be based on quantitative and qualitative indicators and benchmarks,
- having regard to the Council Conclusions of 2 and 3 June 2005 in which the Member States and the Commission are invited to strengthen institutional mechanisms for promoting gender equality and to create a framework for assessing the implementation of the Beijing Platform for Action for more consistent and systematic monitoring of progress,
- having regard to the Council Conclusions of 5 and 6 December 2007 on the review of the implementation of the Beijing Platform for Action by EU institutions and the Member States, as well as to the accompanying report of the Portuguese Presidency, endorsing indicators on women and poverty,
- having regard to the Commission's 'Strategy for equality between women and men: 2010-2015', presented on 21 September 2010, and the accompanying staff working document on actions to implement the strategy,
- having regard to the Commission Staff Working Document on the EU Plan of Action on Gender Equality and Women's Empowerment in Development (2010-2015),
- having regard to the common declaration by EU ministers for gender equality of 4 February 2005, in the context of the 10-year review of the Beijing Platform for Action, reaffirming, inter alia, strong support and commitment to the full and effective implementation of the Beijing Declaration and Platform for Action,
- having regard to the conclusions adopted by the UN Commission on the Status of Women at its 57th session on 15 March 2013, which for the first time in an international text specifically acknowledge the phenomenon of gender-related killings or 'femicides',
- having regard to the 2011 interagency statement on 'Preventing gender-biased sex selection' presented by the Office of the United Nations High Commissioner for Human Rights (OHCHR), the United Nations Population Fund (UNFPA), the United Nations Children's Fund (UNICEF), UN Women and the World Health Organisation (WHO),
- having regard to the Declaration and Programme of Action of the 1994 Cairo International Conference on Population and Development (ICPD), the key actions for its further implementation as well as the United Nations General Assembly Resolution 65/234 on the Follow-up to the International Conference on Population and Development beyond 2014 (December 2010),
- having regard to its resolution of 13 March 2008 on Gender Equality and Women's Empowerment in Development Cooperation ⁽¹⁾, in particular paragraph 37,
- having regard to its resolution of 16 December 2010 on the Annual Report on Human Rights in the World 2009 and the European Union's policy on the matter ⁽²⁾, especially paragraph 76 which emphasises the need to eliminate all forms of discrimination and violence against women and girls, including the sex-selective abortion,

⁽¹⁾ OJ C 66 E, 20.3.2009, p. 57.

⁽²⁾ OJ C 169 E, 15.6.2012, p. 81.

Tuesday, October 8, 2013

- having regard to its resolution of 13 December 2012 on the annual report on human rights and democracy in the world 2011 and the European Union's policy on the matter ⁽¹⁾,
 - having regard to its resolution of 11 October 2007 on the murder of women (femicide) in Mexico and Central America and the role of the European Union in fighting the phenomenon ⁽²⁾;
 - having regard to Rule 48 of its Rules of Procedure,
 - having regard to the report of the Committee on Women's Rights and Gender Equality and the opinion of the Committee on Development (A7-0245/2013),
- A. whereas 'gendercide' is a sex-neutral term referring to the systematic, deliberate and gender-based mass killing of people belonging to a particular sex, which is a rising but underreported problem in several countries, with lethal consequences; whereas this report specifically explores the causes, current trends, consequences and ways of combating the gender-biased sex selection practices, which also take the forms of infanticide and violence through sex selection (other terms, such as 'femicide/feminicide', for which a special Parliament report already exists ⁽³⁾, have been used to refer to the killing of women and girls as the utmost expression of discrimination and violence against women);
- B. whereas, despite recent legislation against sex-selective practices, girls are to a disproportionate degree the target of ruthless sexual discrimination, often extended to include unborn, predetermined baby girl foetuses, which are aborted, abandoned or killed, for no other reason than the fact that they are female;
- C. whereas it has been estimated that, as early as 1990, more than 100 million women were demographically 'missing' from the world's population due to gendercide ⁽⁴⁾; whereas according to recent estimates this number has increased to almost 200 million women 'missing' from the world's population ⁽⁵⁾;
- D. whereas gendercide is a global issue of concern not only in Asia and Europe but also in North America, Africa and Latin America; whereas gendercide is committed everywhere pregnant women, on purpose or under pressure, decide not to give birth to girl foetuses because they are considered a burden to the society;
- E. whereas in Asia, and especially in China, India and Vietnam, there are particularly distorted sex ratios; whereas in 2012, 113 boys were born for every 100 girls in China, and 112 boys were born for every 100 girls in India and Vietnam ⁽⁶⁾;
- F. whereas in Europe there are particularly distorted sex ratios in some countries, given that, in 2012, 112 boys were born for every 100 girls in Albania, Armenia, Azerbaijan and Georgia ⁽⁷⁾;

⁽¹⁾ Texts adopted: P7_TA(2012)0503.

⁽²⁾ OJ C 227 E, 4.9.2008, p. 140.

⁽³⁾ On 11 October 2007 European Parliament adopted a resolution on the murder of women (feminicide) in Mexico and Central America and the role of the European Union (EU) in fighting the phenomenon. Parliament repeated its condemnation of femicide in its latest Annual Human Rights Report adopted in December 2010. Femicide is also mentioned in the EU Guidelines on Violence against Women, adopted by the EU Council in December 2008. In April 2009, EU Presidency issued a statement welcoming the start of the IACtHR trial, and in June 2010, the EU High Representative Catherine Ashton issued a declaration on behalf of the EU expressing her concern about femicide in Latin America, condemning 'all forms of gender violence and abhorrent crime of femicide', and welcoming the IACtHR judgment.

⁽⁴⁾ Amartya Sen, *More Than 100 Million Women Are Missing*, The New York Review of Books, Vol. 37, No. 20, (December 20, 1990), available at: <http://www.nybooks.com/articles/3408>

⁽⁵⁾ United Nations Fact Sheet: International Women's Day 2007, available at <http://www.un.org/events/women/iwd/2007/factsfigures.shtml>

⁽⁶⁾ Map of the World by Sex ratio at birth, http://en.worldstat.info/World/List_of_countries_by_Sex_ratio_at_birth

⁽⁷⁾ http://en.worldstat.info/World/List_of_countries_by_Sex_ratio_at_birth

Tuesday, October 8, 2013

- G. whereas the practice of gendercide is most often found deeply rooted in cultures exhibiting 'son preference', gender inequality, persisting discrimination and stereotypes against daughters, and, in some cases, in countries applying coercive government policies;
- H. whereas perceptions of 'son preference' are deeply rooted and constitute part of long-standing traditions relevant to issues such as property inheritance, the reliance of ageing parents on sons for economic support and security, the continuance of the family name and lineage, and a desire to be spared traditionally high dowry costs for daughters in order to avoid financial hardship;
- I. whereas inadequate social security systems, schemes and insurance options for families in several cultures may, misleadingly, lead to 'son preference' and to sex-selective practices;
- J. whereas sex-selective practices disrupt gender balance in societies, cause skewed population sex ratios and have economic and social impacts; whereas gender imbalance in the form of 'excess men' affects long-term social stability, leading to an overall increase in criminality, frustration, violence, trafficking, sex slavery, exploitation, prostitution and rape;
- K. whereas a patriarchal culture of persistent 'son preference' not only preserves stereotypes, democratic deficits and gender inequalities but also discriminates against women, and thus presents obstacles hindering them from fully enjoying equal treatment and equal opportunities in all areas of life;
- L. whereas the occurrence of sex-selective practises, higher rates of mortality among very young girls and lower rates of school enrolment for girls than boys, may suggest that a 'son preference' culture is prevailing in some societies; it is important to investigate and diagnose whether such phenomena are accompanied by further democratic deficits against girl children, such as deterioration in their access to nutrition, education, health care, sanitation facilities, safe water, medical care and social assistance, in order to find effective ways to combat them;
- M. whereas the demographic deficits of females in many countries cannot be addressed owing to a lack of reliable statistical data for monitoring births and deaths;
- N. whereas the empowerment of women will aid in promoting the behavioural and social change needed to eradicate sex-selective practices in the long term;
- O. whereas eradicating sex-selective practices is a complex process which requires a range of inter-connected approaches and methods, including specialised training for medical staff to advice and prevent sex-selective practices in the EU and worldwide;
- P. whereas advocacy, policy measures and good practices such as the 'Care for Girls' campaign in China, aiming at raising awareness of the value of girls, and the 'Balika Samriddhi Yojana' scheme in India, providing monetary incentives for educating girls from poor families, are essential to change behavioural attitudes towards girls and women;
- Q. whereas the successful example of South Korea is notable as the country has managed to reverse a highly distorted sex ratio of 114 males born for every 100 females in 1994 to 107 males born for every 100 females in 2010 ⁽¹⁾;

⁽¹⁾ UNFPA, Report of the International Workshop on Skewed Sex Ratios at Birth: Addressing the Issue and the Way Forward, October 2011.

Tuesday, October 8, 2013

1. Stresses that gendercide remains a crime and a severe violation of human rights that necessitates effective ways to address and uproot all the fundamental causes leading to patriarchal culture;
2. Stresses that all states and governments have an obligation to promote and safeguard human rights and to prevent discrimination as a basis for eliminating all forms of violence against women;
3. Calls on governments to devise and apply measures that promote fundamental changes in people's ideas about and attitudes towards women, in order to tackle harmful beliefs and behaviour which perpetuate violence against women;
4. Calls on governments to specifically categorise femicide or gendercide as a crime and to draw up and implement legislation so that femicide cases are investigated, perpetrators tried and survivors ensured easy access to health care and long-term support;
5. Underlines that according to the Council of Europe Convention on preventing and combating violence against women and domestic violence, and to the Beijing Declaration and Platform for Action, any family or societal pressure on women to pursue sex-selective abortion is considered a form of physical and psychological violence;
6. Points out that eradicating sex-selective practices is a complex process which requires a range of inter-connected approaches and methods, from studying the root causes and cultural and socio-economic factors characteristic of countries where son/male preference exists, to campaigning for the rights and status of girls and women and introducing laws and regulations; more broadly, deems that the only sustainable way to prevent further developments in sex-selective practices is by promoting equal value of the sexes in every society;
7. Stresses the need, and calls on the Commission, to promote a thorough scientific investigation and examination of the root causes of sex-selective practices with a view to promote research into those country-specific customs and traditions that may lead to sex selection and the long-term societal consequences of sex selection;
8. Calls for detailed analysis of the underlying financial and economic reasons that contribute to sex-selective practices; calls, furthermore, on governments actively to address such burdens that are placed on families and that can lead to the phenomenon of a male surplus;
9. Stresses the importance of drafting legislation against sex selection, which should include social protection packages for women, better monitoring of the implementation of the existing legislation, and a stronger focus on the cultural and socio-economic causes of the phenomenon, in order to tackle the issue in a sustainable and holistic way, upholding gender equality and encouraging active participation on the part of civil society;
10. Calls on governments to eliminate democratic and legislative deficits, combat persisting obstacles discriminating against girl children, ensure inheritance rights for women, enforce national legislation that guarantees women equality with men before the law in all sectors of life, and provide economic, educational and political empowerment to girls and women;
11. Calls on the Commission to support and encourage all types of initiatives to increase awareness on gender-biased discrimination, including gendercide, and to find effective ways to combat it by offering guidance, assistance, appropriate policies and funding, as part of its external relations, humanitarian aid and gender mainstreaming;

Tuesday, October 8, 2013

12. Points out that the failure to empower women and girls, as well as the absence of efforts to change social norms and structures, has serious legal, ethical, health and human rights implications and potentially serious longer-term consequences that are damaging to the societies concerned;

13. Stresses that, according to several studies, gender imbalance could lead to: increases in trafficking for the purposes of marriage or sexual exploitation; violence against women; child, early and forced marriages; and HIV/AIDS and other sexually transmitted diseases (STDs); stresses that gender imbalance thereby poses a threat to societal stability and security, and calls, therefore, for in-depth reviews of the possible health, economic and security consequences of this spiralling male surplus;

14. Supports relevant reforms, continued monitoring and effective implementation of gender equality and non-discrimination legislation, particularly in low- and middle-income countries and transition countries;

15. Calls on the Commission to work intensively to prevent gender-biased sex selection, not by imposing restrictions on access to reproductive health services and technology but by promoting responsible use of it, to introduce and strengthen guidelines, to provide specialised training for medical staff to advise on and prevent sex selective practices, with the rare exception of justified cases for sex-linked genetic diseases, and to prevent the use and promotion of technologies for sex-selection and/or for profit purposes;

16. Emphasises that legislation to manage or limit sex selection must protect the right of women to have access to legitimate sexual and reproductive health technologies and services without their husbands' authorisation, that such legislation must be implemented in an effective way, and that appropriate sanctions must be imposed on those breaking the law;

17. Encourages closer engagement and cooperation between governments and the medical community and calls for stricter guidelines for the self-regulation of clinics and hospitals, as an active measure to prevent sex selection as a business for financial gain;

18. Calls on the Commission and the Member States to identify clinics in Europe that conduct sex-selective abortions, provide statistics on this practice and elaborate a list of best practices for preventing them;

19. Recognises that ensuring and promoting the rights of women and girls, by offering them equal opportunities, particularly in education and employment, is vital for tackling sexism and building a society in which the principle of gender equality becomes a reality; highlights the fact that the improvement of levels of education, employment opportunities and integrated health care services, including sexual and reproductive health care services for women, plays a vitally important role in efforts to eradicate sex-selective practices — from abortion to infanticide — and to achieve overall economic growth in developing countries and reduce poverty; underlines that the empowerment of women and the involvement of men are key to fighting gender inequality and to promoting the behavioural and social change needed to eradicate sex-selective practices in the long term;

20. Calls, therefore, on the Commission to promote an educational and social environment in which both sexes are respected and treated equally, and in which both sexes receive recognition for their abilities and potential, without stereotypes and discrimination, while reinforcing gender mainstreaming, equal opportunities and equal partnership;

21. Calls on the Commission, and urges relevant international organisations, to support educational programmes that empower women, enabling them to develop self-esteem, acquire knowledge, make decisions and take responsibility for their own lives, health and employment, and allowing them to live a financially independent life;

Tuesday, October 8, 2013

22. Calls on the Commission, the EEAS and the governments of third countries to devise information campaigns that promote the principle of gender equality and that seek to raise awareness of the need for each member of a couple to respect the human rights of his/her partner, particularly the rights of property, employment, appropriate health care, justice and education;
23. Recalls the Millennium Development Goals (MDGs) and stresses that access to education and healthcare, including sexual and reproductive health and rights, are basic human rights; stresses the need for making special and specific reference to gendercide and sex-selection issues in dialogues and reports on the MDGs and in other experience-sharing international fora;
24. Stresses that the ability of women to exercise of their rights is necessarily bound up with their capacity to take decisions individually and independently of their spouse, for which reason it is essential to ensure that women have access to education, work, health care, and ready access to contraception and a bank account without requiring the authorisation or consent of another person;
25. Calls on the governments of partner countries to reduce health care costs for the treatment of children, notably girls, who sometimes die as a result of the bad or inadequate care they receive;
26. Calls on governments to improve women's access to health care, in particular prenatal and maternal care, education, agriculture, credit and microloans, economic opportunities and property;
27. Calls for special emphasis to be placed on creating the conditions for solidarity in developing countries, inter alia through the establishment of pension funds, in order to reduce economic burdens on families and individuals, thus reducing their dependence on and preference towards male children;
28. Notes that sex-selection practices still persist even in prosperous regions with literate populations;
29. Encourages the development of support mechanisms for women and families that can provide information and advice to women about the dangers and damage of sex-selective practices and to provide counselling to support women who may be under pressure to eliminate female foetuses;
30. Encourages civil society and government agencies to take joint action to promote information and public awareness campaigns about the negative consequences of sex-selective practices for the mother;
31. Calls on the Commission to provide technical and financial support for innovative activities and education programmes that aim to stimulate debate and understanding of the equal value of girls and boys, using all available media and social networks, targeting and involving young people, religious and spiritual leaders, teachers, community leaders and other influential personalities, in an effort to modify the cultural perceptions of gender equality of a given society and to underscore the need for non-discriminatory behaviour;
32. Calls for the EU to include a strong gender component, and a focus on the empowerment of women, in all its partnerships and dialogues with developing countries, as called for in the European Consensus on Development; considers, furthermore, that there is a need for gender mainstreaming in all stages of budget support, inter alia by promoting dialogue with women's associations in developing countries and by introducing gender-differentiated indicators;

Tuesday, October 8, 2013

33. Calls on the authorities of the countries concerned to improve the monitoring and statistical data collection of sex ratios, and to take action to address possible imbalances; calls, in this connection, for closer cooperation between the EU, UN agencies and other international partners and partner governments;

34. Calls on the Commission and all relevant stakeholders to take the necessary legislative or other measures to ensure that practicing forced abortions and sex-selective surgery to terminate pregnancy without prior and informed consent or understanding of the procedure by the women involved is criminalised;

35. Calls on governments and all relevant stakeholders to ensure that legislation on sex selection is implemented effectively and that appropriate sanctions are imposed on those breaking the law;

36. Calls on the Commission to enhance cooperation with other international organisations and bodies such as the UN, WHO, UNICEF, OHCHR, UNFPA and UN Women to tackle sex-selective practices and to combat their root causes in all countries, and to network with governments, parliaments, various stakeholders, media, non-governmental organisations, women organisations and other community bodies in order to increase awareness of gendercide and ways to prevent it;

37. Calls on the Commission and the EEAS to collaborate with the aforementioned international organisations to tackle sex-selective practices and to combat their root causes in all countries, and to network with governments, parliaments, various stakeholders, media, non-governmental organisations, women organisations and other community bodies in order to increase awareness of gendercide and ways to prevent it;

38. Calls on the Commission and the EEAS, when discussing humanitarian aid packages, to prioritise gendercide as an issue to be addressed by the third countries concerned, enjoining them to commit themselves to make the eradication of gendercide a priority, to increase awareness about this issue and to press for its prevention;

39. Calls for the EU and its partner countries to improve, through development cooperation, the monitoring and data collection of sex ratios at birth, and to take prompt action to address possible imbalances; stresses that human rights clauses relating to gender discrimination should also be included in international trade and cooperation agreements;

40. Calls on the European Union to ensure a rights-based approach encompassing all human rights, and to include a strong focus on the empowerment and the promotion, respect and fulfilment of women's and girl's rights, including their sexual and reproductive rights and gender equality as preconditions to combat gendercide, as a key issue in the post-2015 development policy agenda;

41. Asserts that, when implementing the specific clauses on the prohibition on coercion or compulsion in sexual and reproductive health matters agreed on at the Cairo International Conference on Population and Development, as well as the legally binding international human rights instruments, the *acquis communautaire* and the Union's policy competencies in those matters, Union assistance should not be provided to any authority, organisation or programme which promotes, supports or participates in the management of any action which involves such human rights abuses as coercive abortion, forced sterilisation of women or men, or determination of foetal sex resulting in prenatal sex selection or infanticide;

42. Instructs its President to forward this resolution to the Council, the Commission and the governments of the Member States.
