ISTANBUL CONVENTION

Council of Europe Convention
on Preventing and Combating
Violence Against Women
and Domestic Violence

COUNCIL OF EUROPE
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ISTANBUL CONVENTION

Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence

1

Why a convention on violence against women and domestic violence?

2

How does the Istanbul Convention help to address these challenges?

3

Who joined so far?

4

How will the Istanbul Convention be monitored?

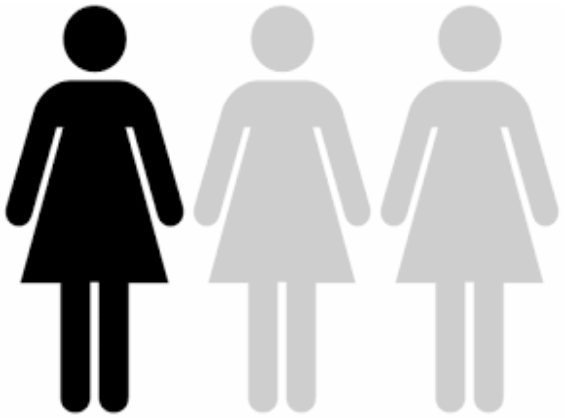
1

Why a convention on violence against women and domestic violence?

... the sad reality is ..

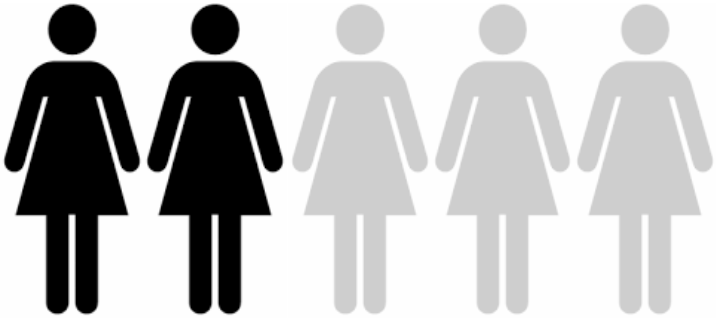
Violence against women is the most pervasive form of violence
Britain's 100,000 mutilated women
TEEN IDOL TIFFANY IN TERROR AS STALKER HAUNTS BIG COMEBACK
National Law School student gang-raped
The isolation of battered woman
Abducted, raped and robbed
No killer doing time
Cases of violence against women on the increase
Women's (dis)empowerment
Lack of political will, resource constraint major factors
How could Donna have protected herself?
Businessman in court for pulling gun on wife

1 in 3 women has experienced some form of physical and/or sexual abuse since the age of 15



Source: EU Fundamental Rights Agency Survey 2014

2 in 5 have experienced some form of psychological abuse



Source: EU Fundamental Rights Agency Survey 2014

75% of working women have experienced some form of harassment in their lifetime

Source: EU Fundamental Rights Agency Survey 2014

Women disproportionately affected by domestic violence, rape, forced marriage, and sexual harassment

…

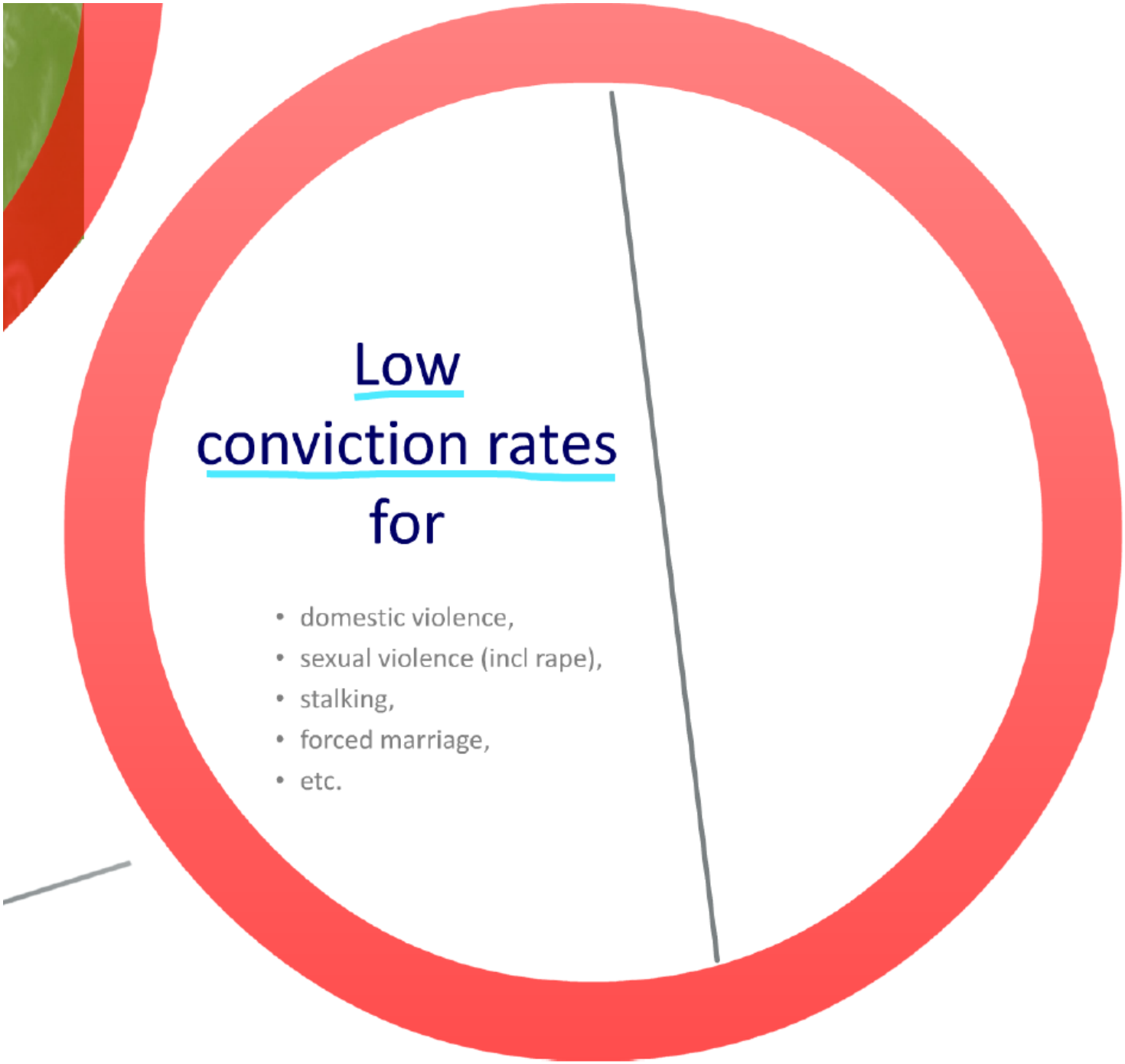
because of unequal
power relations
between women and men

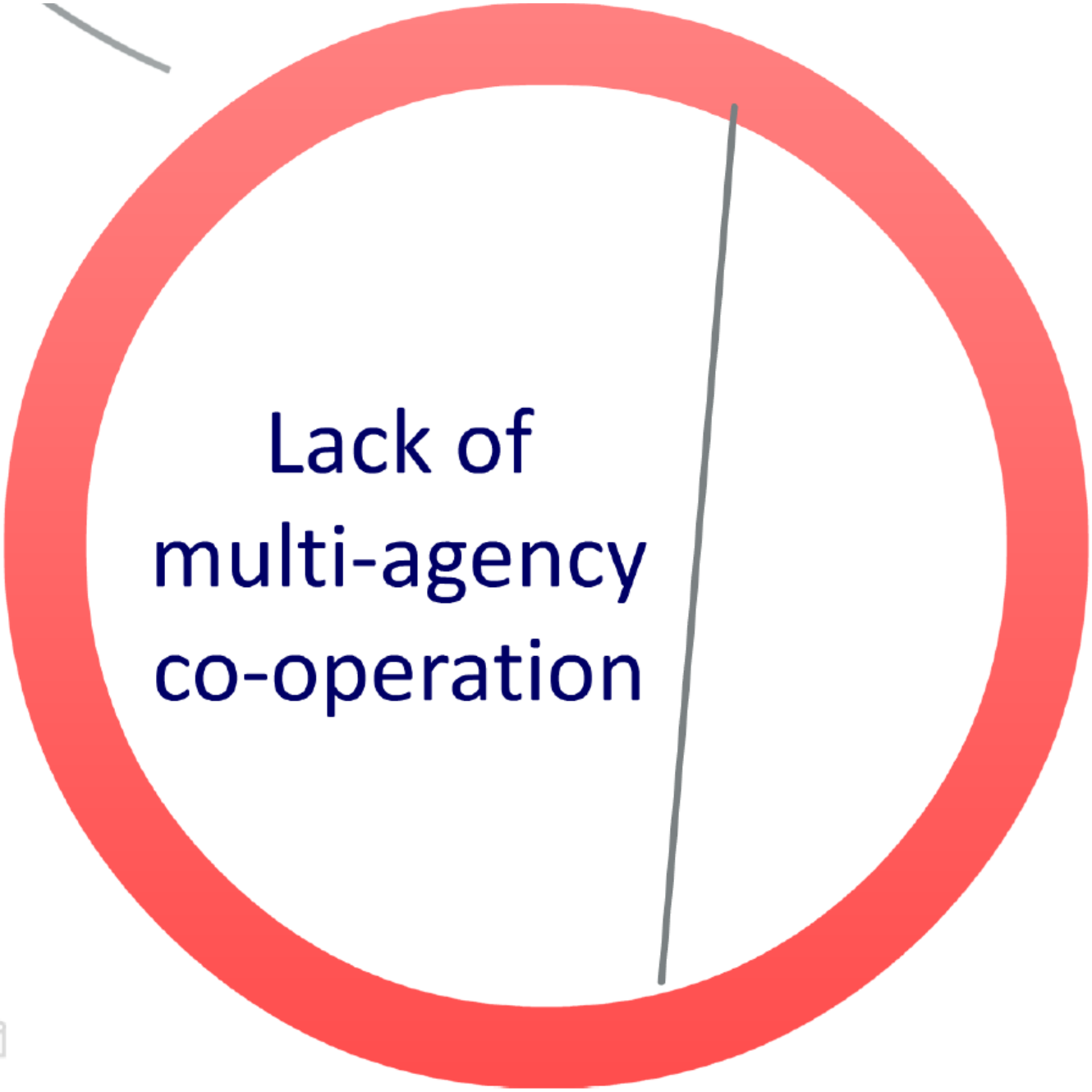
…

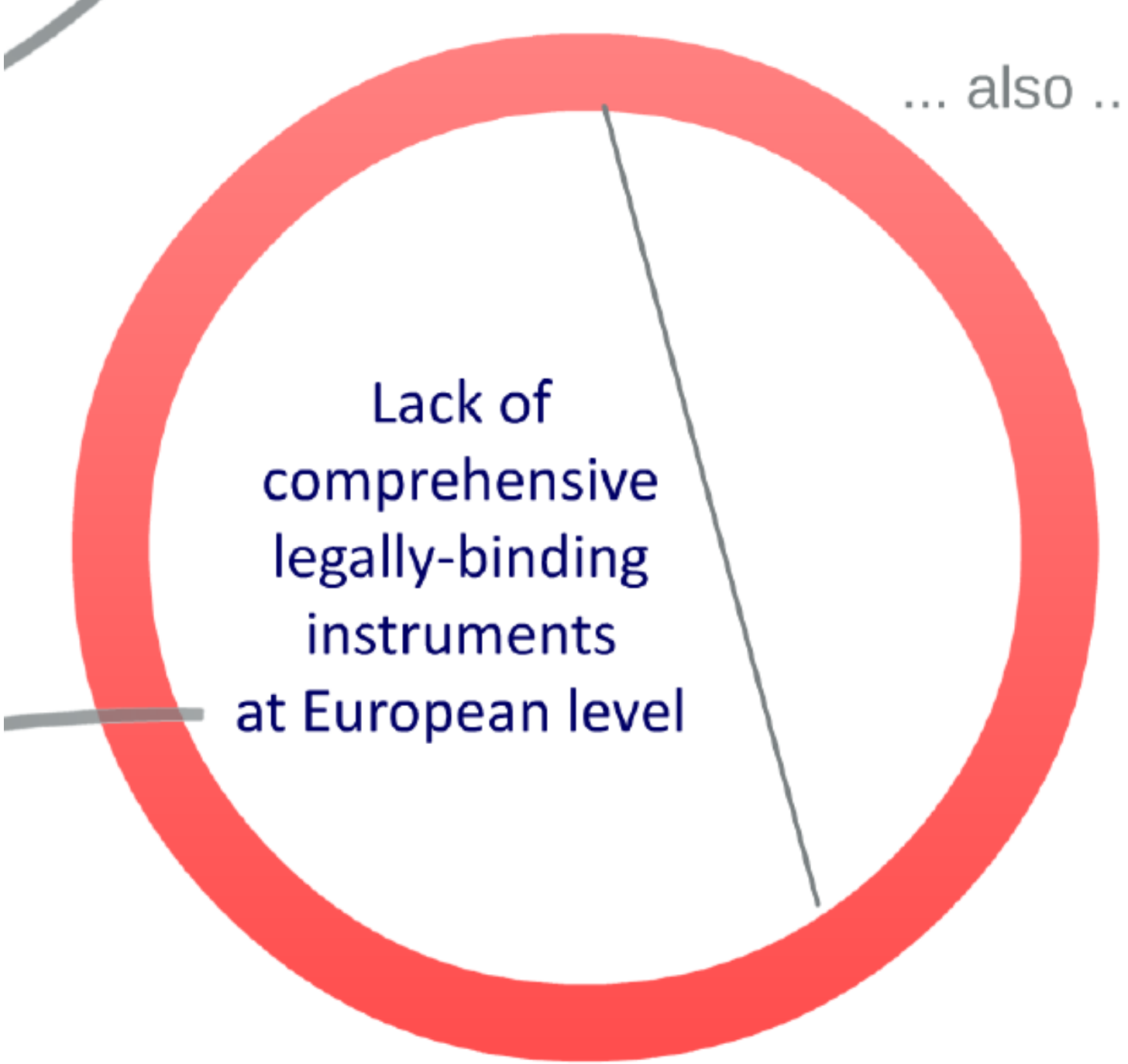
rooted in social and cultural
structures, norms and values

Negative and discriminatory attitudes towards women victims

from the police, judiciary
or social services
at the domestic level


Low conviction rates for
• domestic violence,
• sexual violence (incl rape),
• stalking,
• forced marriage,
• etc.


Lack of
multi-agency
co-operation


... also ..
Lack of
comprehensive
legally-binding
instruments
at European level

2

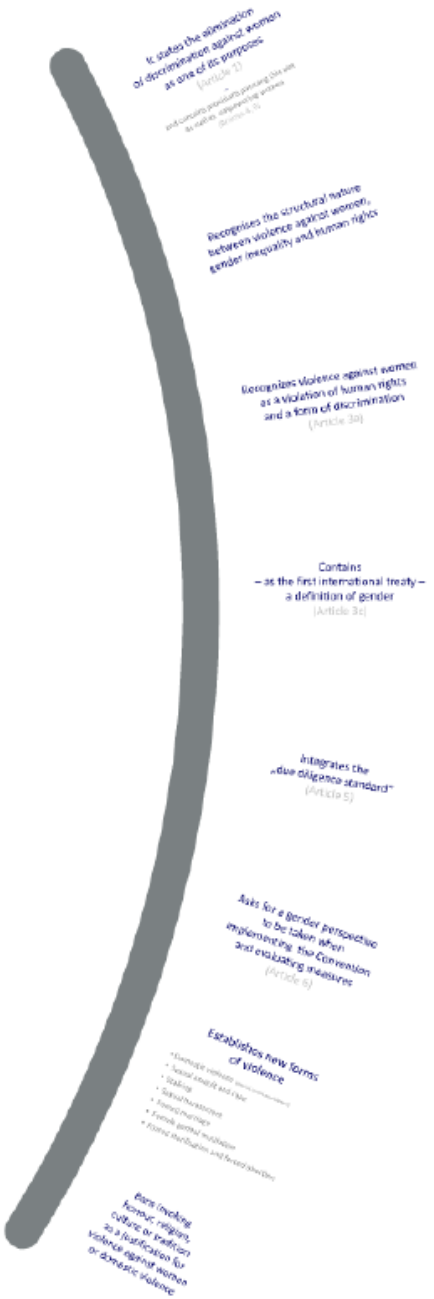
How does the Istanbul Convention help to address these challenges?

The Istanbul Convention

introduces a couple of

groundbreaking

features



It states the elimination
of discrimination against women
as one of its purposes
(Article 1)

…

and contains provisions pursuing this aim
as well as empowering women
(Articles 4, 6)

Recognises the structural nature between violence against women, gender inequality and human rights

Recognizes violence against women as a violation of human rights and a form of discrimination

(Article 3a)

Contains
– as the first international treaty –
a definition of gender
(Article 3c)

Integrates the
„due diligence standard“
(Article 5)

Asks for a gender perspective to be taken when implementing the Convention and evaluating measures

(Article 6)

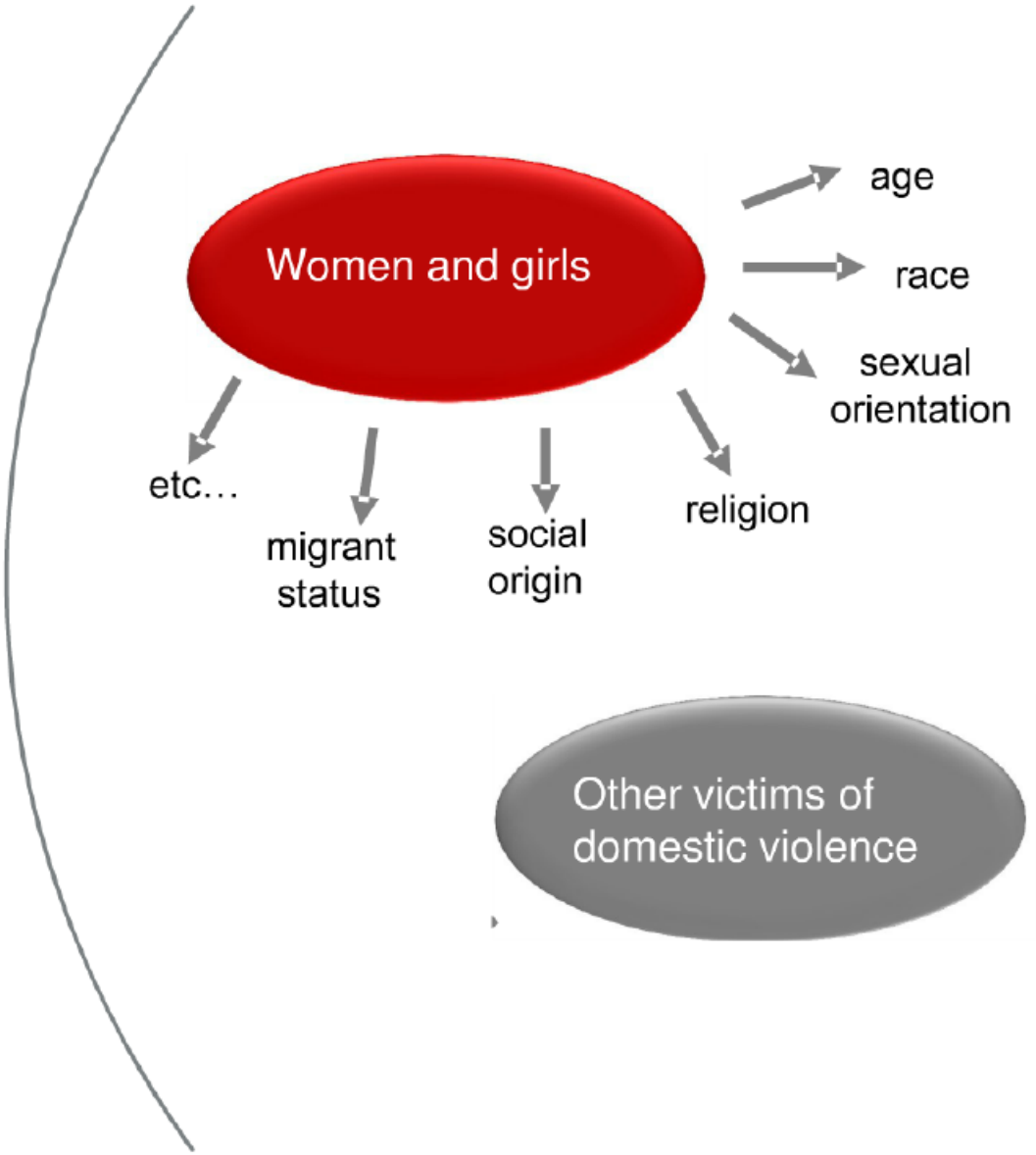
Defines and establishes sanctions for specific forms of violence

- Domestic violence (physical, sexual, psychological)
- Sexual assault and rape
- Stalking
- Sexual harassment
- Forced marriage
- Female genital mutilation
- Forced sterilisation and forced abortion

Bans invoking
honour, religion,
culture or tradition
as a justification for
violence against women
or domestic violence

The Istanbul Convention

covers



The Istanbul Convention

is based on

4P's

1 **P**revention

2 **P**rotection
and support services

3 **P**rosecution

Integrated
4 **P**olicies

PREVENTION

... Regularly run awareness-raising campaigns

... Tackle attitudes, prejudices, gender roles and stereotypes through teaching material

... Training of professionals in close contact with potential victims

... Developing prevention and treatment programmes

... Work closely with NGOs and other members of the civil society, the private sector and the media

PROTECTION AND SUPPORT SERVICES

... Set-up shelters in sufficient numbers and in a wide geographic distribution

... Introduce free of charge 24/7 telephone helplines that ensure confidentiality

... Improve reporting procedures

... Ensure that general support services can support or refer victims of all forms of violence against women

... Set-up specialist support services

... Set-up rape crisis centres or sexual assault referral centres

PROSECUTION

... Ensure that violence against women is criminalised and appropriately punished

... Ensure that victims have access to special protection measures during investigation and judicial proceedings

... Ensure that law enforcement agencies respond immediately to calls for assistance and manage dangerous situations adequately

ENSURING CRIMINAL PROSECUTION

... **Ex parte** and **ex officio** proceedings in cases of

- Physcial violence
- Sexual violence and rape
- Forced marriage
- Female genital mutilation
- Forced abortion and forced sterilisation

... Victims should not bear responsibility for deciding whether or not the police and prosecution should take action

... Investigations or prosecution does not depend on a report or complaint filed by a victim
... Proceedings may continue event if report or complaint is withdrawn.

... Ban on mandatory mediation or ADR

PROTECTIVE MEASURES DURING INVESTIGATIONS AND JUDICIAL PROCEEDINGS

Some examples

... Ensure that victims, witnesses and family members are safe from intimidation, retaliation and repeat victimisation

... If in danger, provide information to victims on the status of the perpetrator

... Protect the privacy and the image of the victim.

... Ensure that contact between victim and perpetrator is avoided

... Provide competent interpreters

... Allow victims to testify without being present

INTEGRATED POLICIES

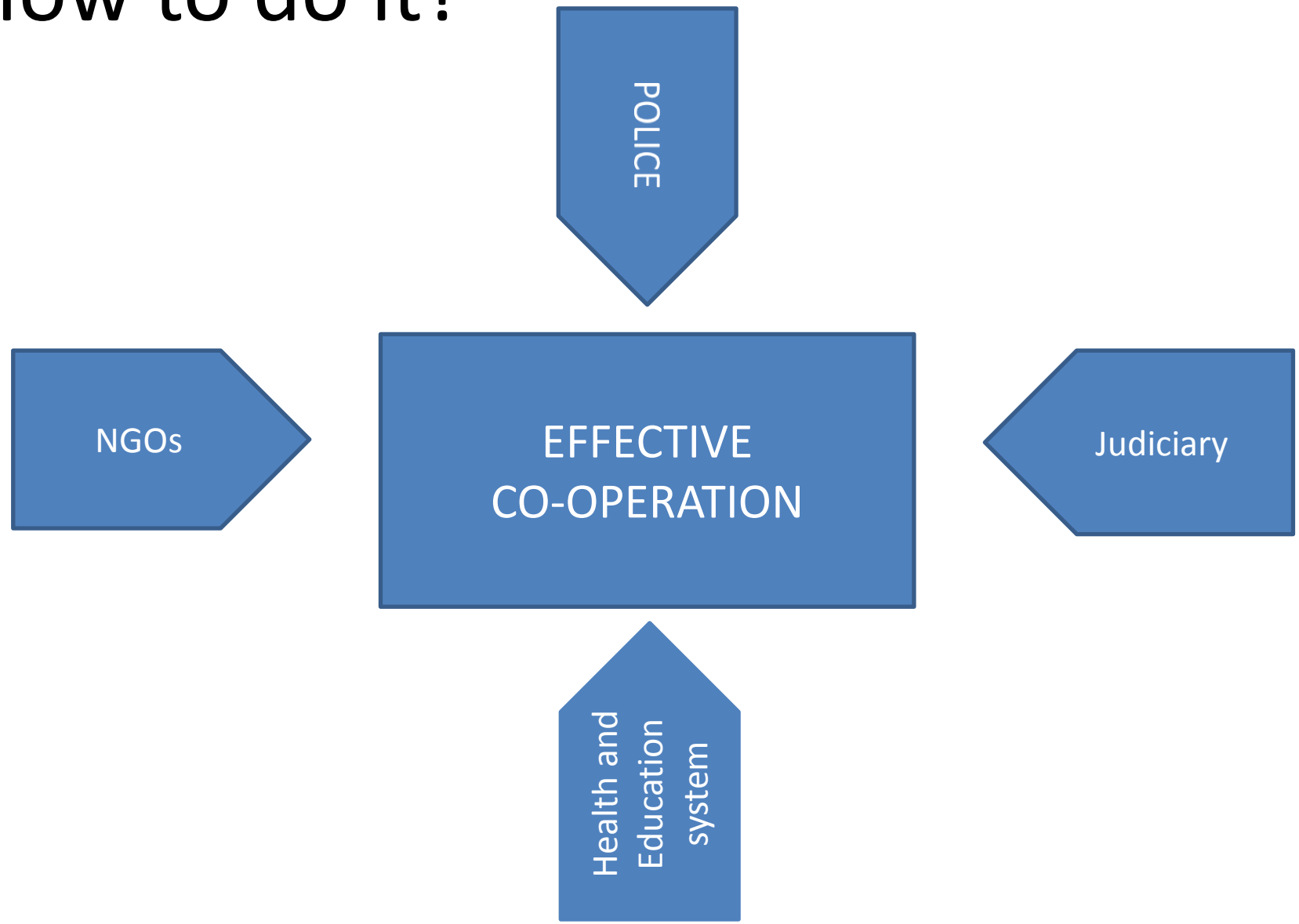
... Set up or designate national co-ordinating bodies

... Ensure effective co-operation between all relevant actors
(Government, prosecution services and courts, NGOs, etc.)

... Collect disaggregated data and conduct population-based surveys

... Draw up integrated action plans

How to do it?


POLICE
NGOs
EFFECTIVE
CO-OPERATION
Judiciary
Health and
Education
system

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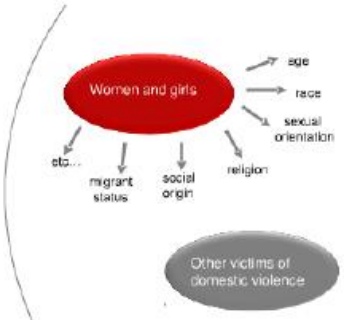

The Istanbul Convention

is based on

4P's

1 Prevention

2 Protection
and support services

3 Prosecution

4 Policies
Integrated

SAFE FROM FEAR

SAFE FROM VIOLENCE

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To conclude...

The Istanbul Convention

is the **first legally binding**

treaty in Europe ....

... to offer a

comprehensive framework

to end violence against women and domestic violence ...

... and is the

most far-reaching

international treaty

on the matter.

3

Who joined so far?

The Convention entered into force on 1 August, 2014 …

And already 39 countries have signed or ratified

✓<u>20 signatures:</u>

Belgium, Croatia, Estonia, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Lithuania, Luxembourg, Netherlands, Norway, Romania, San Marino, Slovak Republic, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine and UK

✓ <u>19 ratifications</u>: Albania, Andorra, Austria, Bosnia and Herzegovina, Denmark, France, Finland, Italy, Malta, Monaco, Montenegro, Netherlands, Poland, Portugal, Serbia, Spain, Sweden, Slovenia and Turkey

4

How will the Istanbul Convention be monitored?

A TWO-PILLAR MONITORING SYSTEM

- A monitoring group of 10 to 15 independent experts: GREVIO
- A political follow-up body representing the States Parties: the Committee of the Parties

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TWO DIFFERENT MONITORING PROCEDURES

- **Evaluation procedure**
  - *country-by-country*
  - *divided into rounds*
  - *possible visits*

- **Special inquiry procedure**
  - *serious, massive or persistent pattern of violence*
  - *possible visit with the consent of the State Party*

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Q&A

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Violence against Women Division

www.coe.int/conventionviolence

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