

The Istanbul Convention: A tool to tackle violence against women and girls

A powerful international tool, the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) entered into force in August 2014, having been opened for signature in May 2011. It is the first instrument in Europe to set legally binding standards specifically to prevent gender-based violence, protect victims of violence and punish perpetrators.

Council of Europe initiative

Violence – including crimes that disproportionately impact on women, such as rape, stalking, and domestic violence – is a clear violation of human rights, and damages human dignity, gender equality and self-respect. Such gender-based violence has been a focus of international attention for several decades, and progress has been achieved. However, although countries in Europe had enacted legislation on violence against women, prior to 2014, there was no comprehensive European framework setting out standards on prevention, protection, prosecution and adequate provision of services to respond to the needs of victims and those at risk.

The Council of Europe, one of the world's leading human rights organisations, had already adopted the influential [Recommendation 2002\(5\)](#), which established a monitoring process on violence against women and girls across its member states, looking at prevalence and at existing legislation and approaches. The findings from these reports identified gaps and best practices and fed into the drafting of the Council of Europe Convention on preventing and combating violence against women and domestic violence ([Istanbul Convention](#)), which was opened for signature in May 2011 and came into force in August 2014. The Convention can be ratified by members and non-member states of the Council of Europe.

[One in three women](#) (33%) in the EU has experienced physical and/or sexual violence since the age of 15; 75% of women in a professional job or in top management have experienced sexual harassment; one in ten women has experienced sexual harassment or stalking through new technologies.

What makes the Istanbul Convention an effective tool for fighting gender-based violence?

The Istanbul Convention covers a broad range of measures, including obligations ranging from [awareness raising](#) and [data collection](#) to legal measures on [criminalising different forms of violence](#). Unlike other international treaties for tackling gender-based violence, such as the Convention on the Elimination of All Forms of Discrimination against Women ([CEDAW](#)) (1979) and the [UN General Assembly Declaration on the Elimination of Violence against women](#) (1993), the Istanbul Convention provides for the implementation of [comprehensive and coordinated policies](#) between national and governmental bodies involved in [prevention](#), prosecution, or protection activities.

The Convention:

- **defines and criminalises** [various forms of violence](#) against women, including *physical, sexual, and psychological violence, stalking, sexual harassment, female genital mutilation, forced marriage, forced abortion and forced sterilisation*;
- **prevents** violence by obliging parties to invest in [awareness-raising](#) campaigns and education, training for experts in close contact with victims, and treatment programmes for perpetrators, and to address the [role of the media](#) in eradicating gender stereotypes;



- **protects** victims by obliging states to establish appropriate [support services](#) such as a free national telephone hotline; shelters; medical, psychological and legal counselling; and help with housing and financial issues;
- **sets an obligation** for parties to [collect data](#) on gender-related crimes;
- **addresses asylum and migration**, as it requires gender-based violence to be recognised as a form of persecution when establishing refugee status;
- **takes a cross-border approach**, as some forms of violence, such as forced marriages, entail action in different states. The Convention makes it obligatory for the states to extend their jurisdiction to cover crimes committed abroad by their nationals;
- **introduces** a different definition of ‘gender’, as ‘the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men’ as opposed to the usual definition based on the sex of the person;
- **covers** boys and men as well as girls and women as possible victims, in particular of domestic violence and forced marriage.

Implementation mechanism

To ensure effective implementation of the Convention, [a two-pillar monitoring mechanism](#) has been established, consisting of an independent expert body, [GREVIO](#) (which draws up reports on the themes of the Convention) and a [Committee of the Parties](#) (which follows up on GREVIO reports and makes recommendations to the parties concerned). Two types of monitoring procedures have been provided. Firstly, there is *a country-by-country evaluation procedure*, beginning with a baseline report and finishing with final reports and conclusions adopted by GREVIO. Secondly, a *special urgent inquiry procedure* may be initiated by GREVIO, when there is reliable information indicating that action is required to prevent a serious, massive or persistent pattern of any of the acts of violence covered by the Convention.

The EU and the Istanbul Convention

As of July 2016, all EU Member States have signed the Convention, and 14 (AT, BE, DK, FI, FR, IT, MT, NL, PL, PT, RO, SI, ES, SE) have thus far ratified it. The Convention also provides for the signing and ratification of the Convention by the European Union, allowing the EU Member States and the EU itself to become parties jointly.

In October 2015, the Commission issued a [roadmap](#) for possible EU accession to the Convention, followed in March 2016 by two [proposals](#) for Council decisions, first to [sign](#) and second to [conclude](#) (ratify) the Convention on behalf of the EU. EU accession to the Convention would require the consent of the European Parliament, which is currently [considering](#) the matter, in advance of formally being requested to consent to the EU’s conclusion of the Convention (once it has been signed on behalf of the EU).

The European Parliament has consistently taken a strong stance on the issue of violence against women, and has repeatedly called for EU accession to the Istanbul Convention and for its ratification by individual Member States – See the [Resolution of 25 February 2014](#) on Combating Violence against Women), and the [Resolution of 9 June 2015](#) on an EU strategy for equality between women and men post 2015. In 2015, the Committee on Women’s Rights and Gender Equality launched a [working group \(WG\)](#) on ‘Violence against Women’ to offer a forum for a regular exchange of views and the formulation of a general strategy in the area.

EU Member States – ratification status

