



NEWSLETTER #4

September 9th 2021

Ten Years from the Istanbul Convention

2021 marks the 10th anniversary of the Council of Europe's Convention on Preventing and Combating Violence against Women and Domestic Violence. The Convention has been then known as the Istanbul Convention named after the city in which it was opened for signature on May 11th 2011 with a participation of 47 countries. On August 1st 2014, it entered into force following its 10th ratification. Since then the Convention has been signed by 12 countries along with the European Union while ratified by 34 countries. All governments that have ratified this treaty are bound by its obligations. States - members of the Council of Europe are directed toward its ratification while non member states of the Council of Europe within the broader European territory are interested in joining the Convention. Marked with disappointment, earlier this year, came Turkey's decision to withdraw from the Convention effective on July 2021.

The Convention constitutes the most important international document on obligations for the prevention and combat violence against violence against women and girls as well as domestic violence.

Acting as a basis for the advancement of national legislative frameworks on violence against women in both European member countries, and third countries, the Istanbul Convention acknowledges violence against women as a violation of human rights and a form of discrimination against women. A human rights treaty and a legal instrument, the Convention targets gender equality and it contributes with tools and tangible initiatives toward the protection and empowerment of women and girls.



According to the Treaty, various practices constitute forms of violence against women to be criminalized; in relation to that, culture, custom, religion, tradition, or so-called “honour” cannot be regarded as a justification for any of the above practices of violence:

- psychological violence
- stalking
- physical violence
- sexual violence (including rape)
- forced marriage
- female genital mutilation
- forced abortion
- forced sterilization
- sexual harassment

Along with the aforementioned practices of violence, the Istanbul Convention also faces domestic violence, including all practices of physical, sexual, psychological, economic etc violence occurring within the family or domestic environment or partners regardless of whether the perpetrator shares the same home with the victim or not. The Convention promotes safety of victims of domestic violence perpetrated by family members regardless the legal definition of family, that is regardless the marital or non-marital status of the perpetrator and the victim.

A European achievement, the Convention recognizes various forms of gender-based violence against women, either because of their sex or because of their unequal status both within the private or the public space. Due to different aspects of inequality be it physical, social, economic etc, violence against them has been perceived as natural and acceptable, underpinned by different conceptions and stereotypes.

In summary the Convention aims at preventing, protecting, prosecuting and implementing coordinated policies against violence against women and girls.

Preventing includes a series of measures for countries who have ratified the Convention, such as training of professionals, involvement of the private sector and engagement of media, awareness raising, gender equality education, combatting gender stereotypes, working with perpetrators and promoting women’s empowerment.

With regard to protection the Convention promotes rights and needs of child witnesses, safeguarding children’s rights, information, support services, helplines, complaint mechanisms, hostels and shelters, crisis centers, sensitizing authorities against violence, restraining orders.



Following the Convention's ratification, a state is obliged to adapt its legislation and its enforcement as well as its judicial proceedings as to ensure victims' rights.

Within the framework of coordinated policies countries will have to undertake research and data collection, inter-agency cooperation, networking of civil society organizations, all public and private stakeholders cooperation, legislation and human rights approach and funding services.

The Istanbul Convention in CQ4DVCI's four partner countries

In the UK

The UK's Women Sector believe that the Istanbul Convention (IC) is the strongest and most comprehensive legal framework that exists to tackle violence against women and girls. The UK Government signed the Istanbul Convention on 8 June 2012 but it has not yet been ratified.

The Government say that the delay has been caused by the fact that some of the UK laws still aren't in line with the Istanbul Convention, and they want to change this before they finally ratify. In particular, they want to ensure *extra-territorial jurisdiction* provisions are in place, and that the devolved governments in Scotland, Wales and Northern Ireland also have the right laws in place.

33 organisations in the Women's Sector and beyond, are calling on the Government to ratify the Istanbul Convention by 8 June 2022, that date marking a decade since the UK signed the Convention.

The group IC Change - Istanbul Convention is campaigning to ensure this happens.

<https://icchange.co.uk>

In LATVIA

On Friday, 4 June 2021, the Latvian Constitutional Court adopted a judgement finding that the provisions of the Istanbul Convention comply with the Latvian constitution.

The Istanbul Convention was signed by Latvia in 2016 but has yet to be ratified by the Parliament. Twenty-one members of the parliament used the possibility, as



provided for by the law, to turn to the Constitutional Court with a request to assess the compliance of the Istanbul Convention with the Constitution of the Republic of Latvia.

<https://www.satv.tiesa.gov.lv/en/press-release/information-regarding-the-judgment-of-the-constitutional-court-of-the-republic-of-latvia-in-case-no-2020-39-02-on-the-compliance-of-the-istanbul-convention-with-the-constitution-of-latvia/>

<https://www.coe.int/en/web/istanbul-convention/-/the-latvian-constitutional-court-finds-that-the-provisions-of-the-istanbul-convention-comply-with-the-latvian-constitution>

In ROMANIA

Romania ratified the Istanbul Convention by Law 30/2016 and continued the process to improve the national legislation to create a more efficient framework for prevention and combating domestic violence. Through the Law 174/2018, which modifies and complements the Law 217/2003 for preventing and combating domestic violence, a new victim-centric approach was implemented, which prioritizes the prevention measures and urgent intervention measures for high risk situations. Additional details on Romanian legal framework domestic violence are available at

<https://anes.gov.ro/legislatie-nationala-violenta-domestica/>

In GREECE

The Greek Parliament ratified the Istanbul Convention through law 4531 in 2018. This ratification resulted to the amendment of law 3500 of 2006 on domestic violence as well as to Penal Code and other related provisions. Foremost, the enhancement and broadening of penal legislation as regards the type of crimes incorporating new kinds of crimes against women, the facilitation of access to compensation for victims, the protection of refugee/migrants victims of gender-based violence from forced returns are few of the improved and encouraging provisions of the new legislative framework.

In Greece, the first Annual Report on the Violence Against Women was published in late 2020, being a product of cooperation between the General Secretariat of Family Policy and Gender Equality and UNICEF. The Report offers a thorough overview on the



situation of gender-based violence in Greece with an emphasis on the increased violence against women during the COVID-19 lockdown period.

According to the Report, between November 2019 and November 2020 approximately 4.900 women reached the General Secretariat's services for support, 38.5% of which coming from Attiki, the capital's wider Region area. During the first lockdown 3/20-9/20 the national helpline received 230% more calls than the usual average from women asking for help.

In Greece during the last decade (2010-2020) allegations for domestic violence quadrupled. More explicitly, in 2010 the yearly number of allegations, regardless the sex of victims or perpetrators, the kind of their relationship and the type of violence was estimated at 1.303 while in 2019 skyrocketed at 5.220.

<https://www.isotita.gr>

Co-funded by the
Erasmus+ Programme
of the European Union



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