

*VIOLENCE AGAINST WOMEN  
AND DOMESTIC VIOLENCE:  
WHAT THE ISTANBUL  
CONVENTION REQUIRES*

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## Figures

- According to the WHO, 35% of women worldwide have experienced either intimate partner violence or non-partner sexual violence in their lifetime.
- Globally, 38% of murders of women are committed by an intimate partner.
- A recent EU wide survey shows that 33% of EU women have experienced physical or sexual violence at least once since the age of 15.
- Some 12% of EU women (21 million) indicate that they have experienced some form of sexual abuse or incident before the age of 15.
- One in 20 women (5%) has been raped since the age of 15.

# Convention on preventing and combating violence against women and domestic violence

- First legally-binding instrument in Europe.
- The most far reaching international treaty.

## Purposes

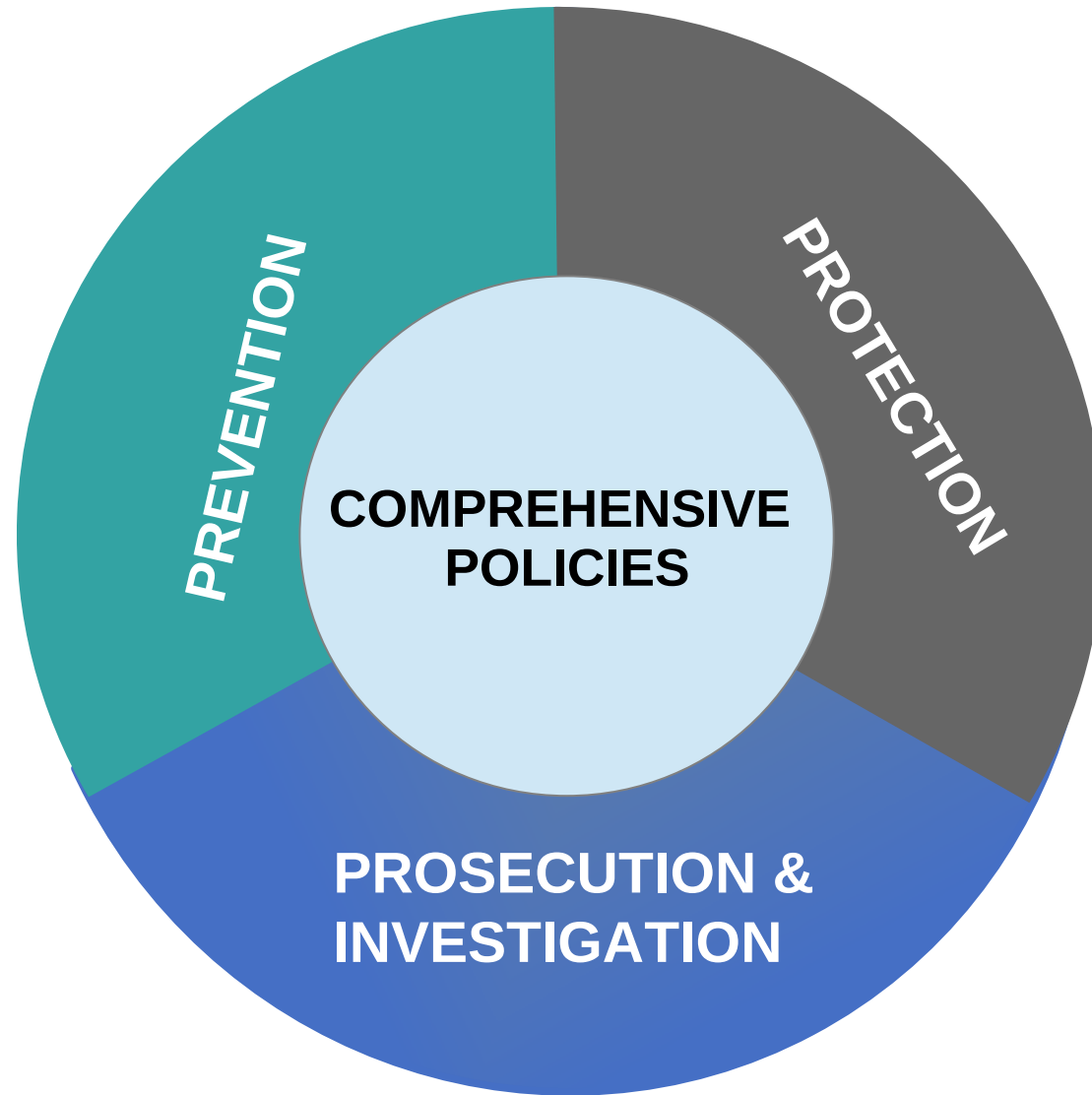
- Protect women, prevent and prosecute VAW and DV
- Eliminate discrimination and promote equality between women and men.



# ADDED VALUE OF THE ISTANBUL CONVENTION

- Violence against women as a form of discrimination and a violation of human rights.
- Definitions of domestic violence, of gender, etc.
- Definition of specific criminal offences.
- Link between equality and ending of VAW.
- Gender-specific: directed at combating violence against women.
- The “due diligence” standard applied to VAW.
- No cultural, traditional or religious justification for acts of VAW.
- Importance of national NGOs.





**STRUCTURE OF THE ISTANBUL CONVENTION**

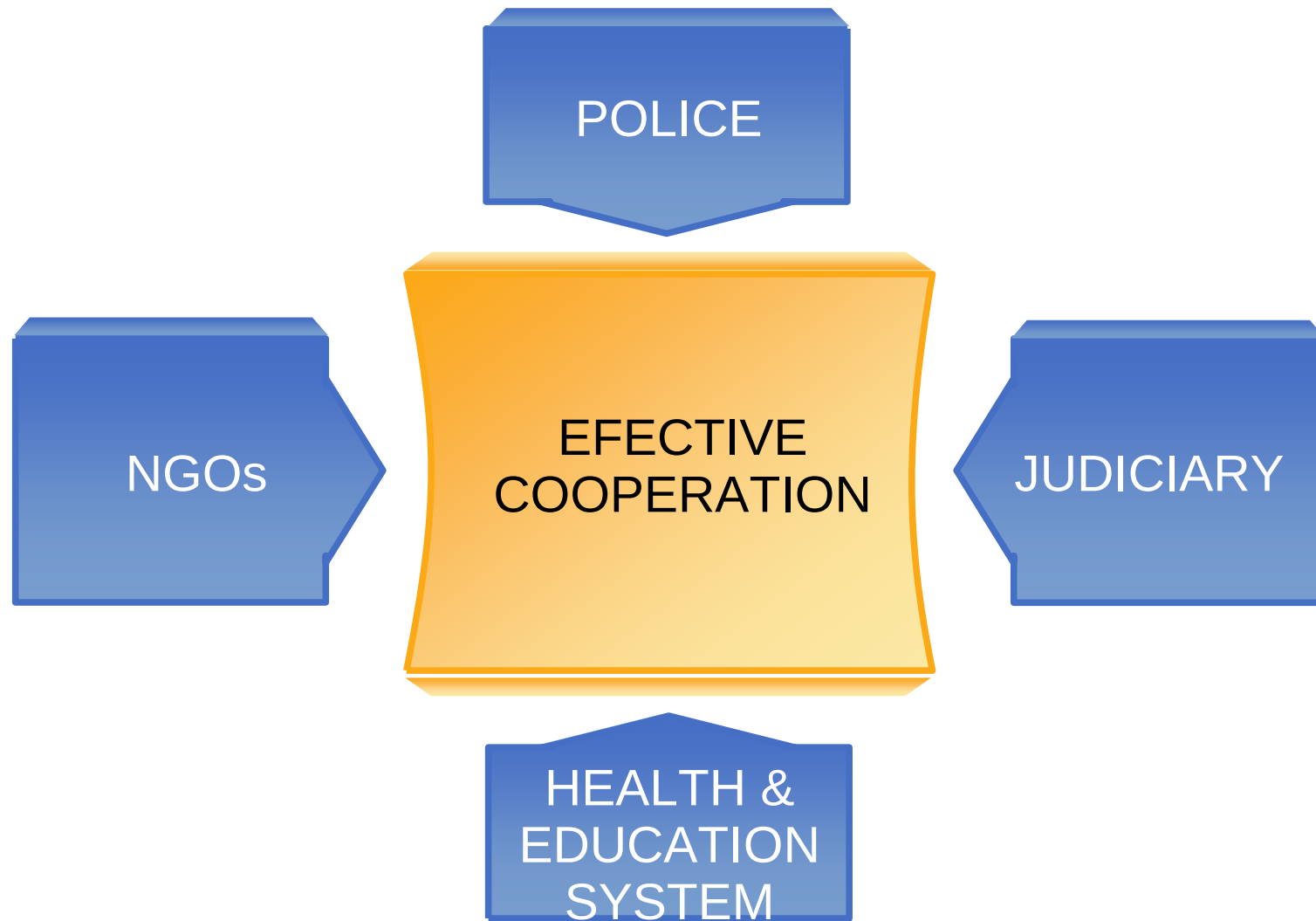
**COMPREHENSIVE  
POLICIES**

Comprehensive  
and  
coordinated  
policies

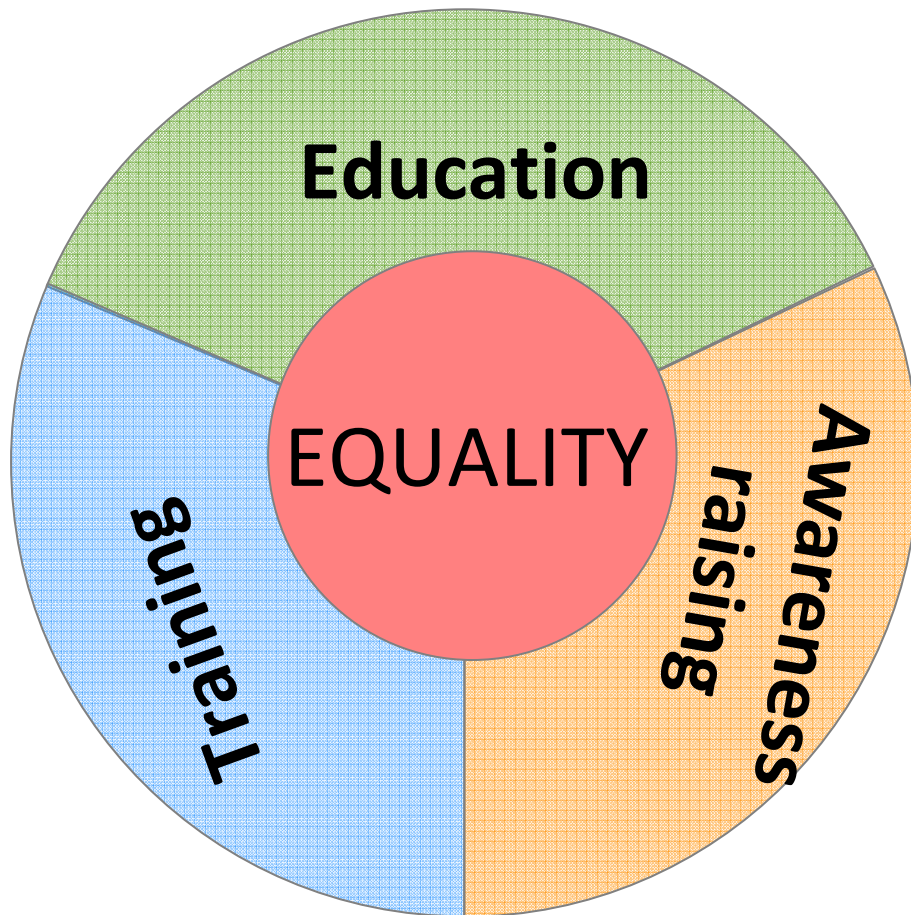
Co-ordinating  
bodies

Financial  
resources

Data collection and research



# WHAT THE CONVENTION REQUIRES

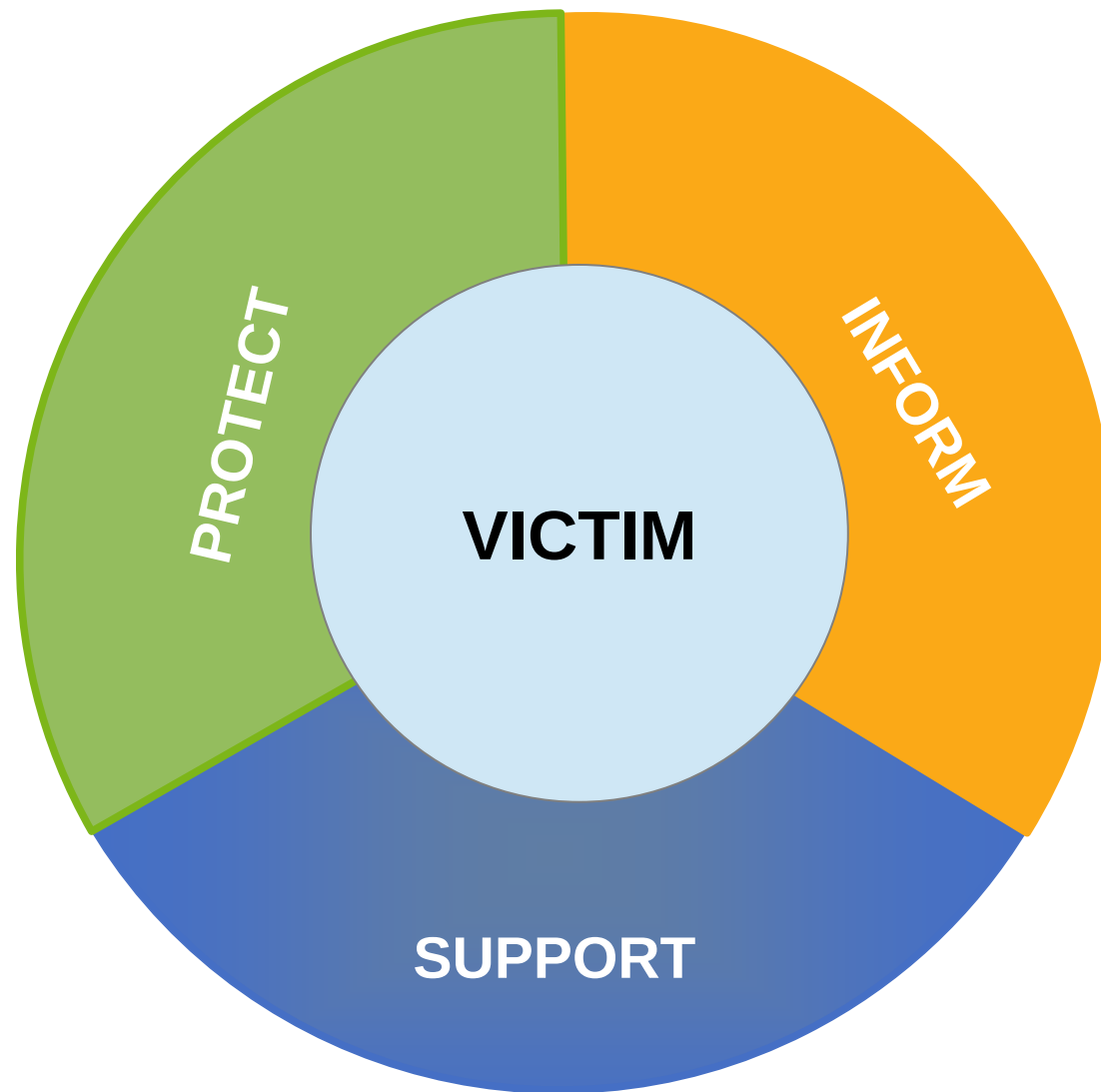


## Specific measures

- Training of professionals
- Awareness raising campaigns
- Teaching materials promoting equality
- Treatment programmes for perpetrators

PROTECTION

## WHAT THE CONVENTION REQUIRES



## GENDER UNDERSTANDING AND HUMAN RIGHTS FRAMEWORK

- General principles of the Istanbul Convention.
- Protect human rights and take gender dynamics into account.

## INTEGRATED APPROACH

- Take the context into account.
- Address specific needs of vulnerable persons.

## VICTIMS AT THE CENTRE

- Prevent secondary victimization.
- Concentrate services.
- Trained professionals.

## AUTONOMY FROM PROSECUTION

- No need to press charges or testify to benefit from services.

## TELEPHONE HELPLINE

- Free
- Anonymous
- Trained counselors
- 24/7

## REPORTING

- Encourage reporting by relatives, witnesses, general public
- Possibility to report by professionals subjected to confidentiality rules

## GENERAL SERVICES

- Accessible, long-term support directed to victim's recovery.
- Legal and psychological counseling, financial assistance, housing, education, etc.
- Health and social care: detection role..
- Trained professionals.

## SUPPORT OF CHILD WITNESSES

- Sensitive response to children in all services.
- Due regard to the best interests of the child.
- Age-appropriate psychosocial counseling.

## SHELTERS

- A safe place directed to empowering victims.
- Not only housing but also general support.
- Security standards.
- Specialized.
- Sufficient number: 1 family place/10.000 inhab.

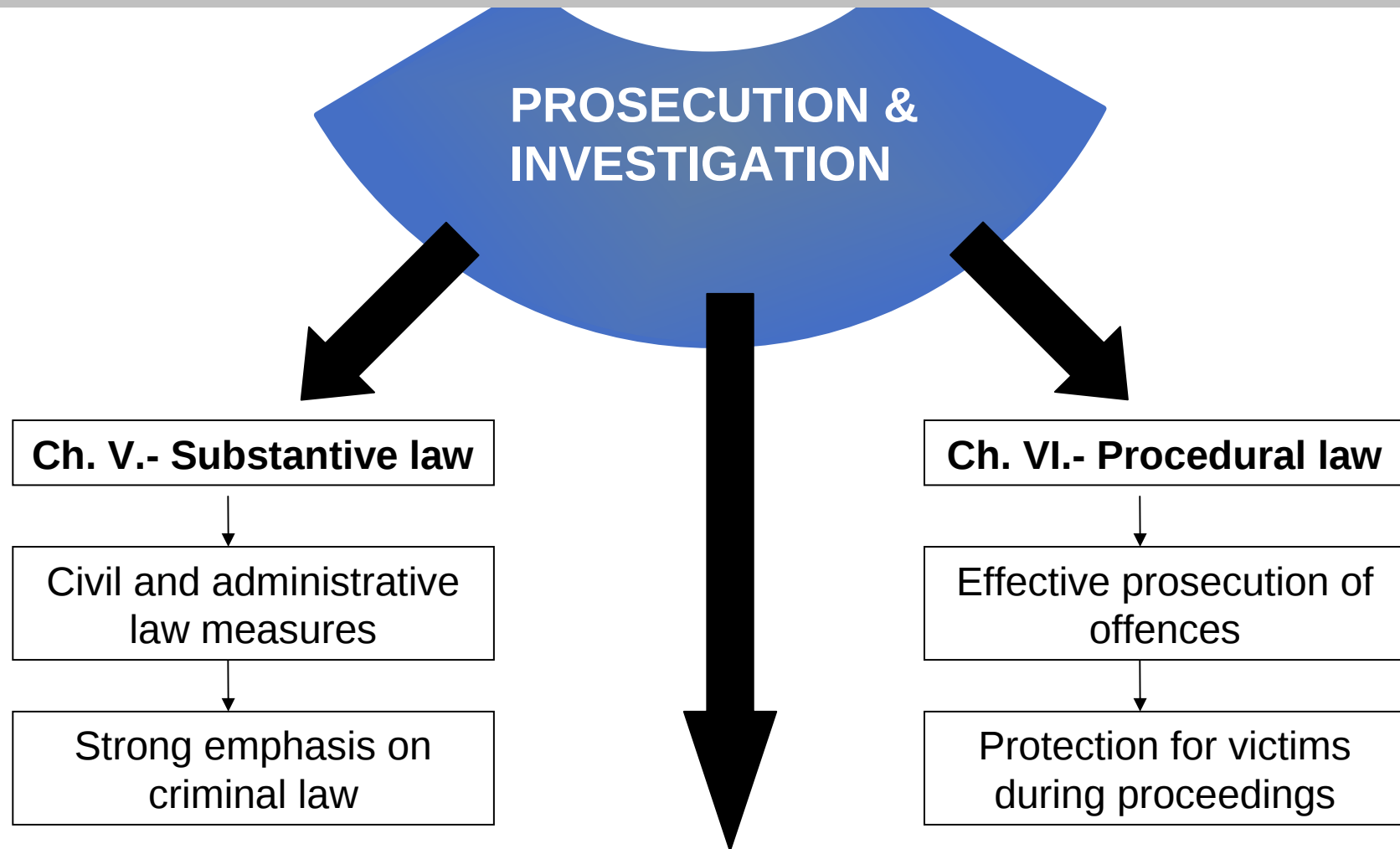
## SUPPORT OF VICTIMS OF SEXUAL VIOLENCE

- Immediate medical care and trauma support.
- Rape crisis or sexual violence referral centres.
- Sensitive response by trained professionals.
- Forensic evidence collection, even without police report.
- Sufficient number: 1 centre/200.000 Hab.

## ASSISTANCE IN INDIVIDUAL OR COLLECTIVE COMPLAINTS

- Ensure information and access to applicable regional and international mechanisms.
- i.e.: ECHR, CEDAW, European Social Charter.

# WHAT THE CONVENTION REQUIRES



## PSYCHOLOGICAL VIOLENCE (ARTICLE 33)

- Seriously impairing a person's psychological integrity,

## STALKING (ARTICLE 34):

- Repeatedly engaging in threatening conduct with result of fear.

## PHYSICAL VIOLENCE (ARTICLE 35)

- "Physical violence" against another person, whatever the consequences

## SEXUAL VIOLENCE (ARTICLE 36)

- All forms of sexual acts which are performed on another person without her or his freely given consent

## FORCED MARRIAGE (ARTICLE 37):

- “Forcing” a person to enter into marriage
- “Luring” a person to a foreign country with a view to forcing her or him to enter into a marriage

## FEMALE GENITAL MUTILATION (ARTICLE 38)

- Cutting away certain parts of the female genitalia
- “Coercing” a woman or girl or “inciting” a girl to undergo this practice.

## FORCED ABORTION AND STERILISATION (ARTICLE 39)

- Terminating the pregnancy of a woman without her prior and informed consent
- Forced sterilization of a woman

## SEXUAL HARASSMENT (ARTICLE 40):

- Unwanted verbal, non-verbal or physical conduct of a sexual nature with the purpose or effect of violating the dignity of a person

## AGGRAVATING CIRCUMSTANCES

- Multiple perpetrators, use of a weapon, presence of child.
- Vulnerable victims, relationship with the victim.

## JURISDICTION

- Traditional criteria for jurisdiction: territory or nationality.

## UNACCEPTABLE JUSTIFICATIONS

- Culture, custom, religion, tradition or so-called “honour”

## DUE DILIGENCE

- Ensure that investigations and judicial proceedings are carried out without undue delay.
- Ensure that offences are effectively investigated into and prosecuted (Arts. 49-50).

## *EX OFFICIO* PROSECUTION

- Allow prosecutions of the more severe forms of violence to go ahead without the victim's report or complaint.
- Allow proceedings to continue in the event of withdrawal of such a complaint. (Article 55)

## STATUE OF LIMITATIONS

- ✂ Statue of limitation of the more severe forms of violence shall continue after the victim has reached the age of majority for a period allowing efficient initiation of proceedings (Article 58).

## RISK ASSESSMENT AND RISK MANAGEMENT

- Obligation to assess and manage the lethality risk, the seriousness of the situation and the risk of repeated violence.
- Obligation to take into account the fact that perpetrators possess or have access to firearms.

## PROTECTION ORDERS

- Emergency barring orders.
- Restraining or protection orders.

## OTHER MEASURES OF PROTECTION

- ✂ Measures to protect victims during proceedings, to keep the victim informed and to ensure her/his privacy.

# CONCLUSION

- Comprehensive policies: integral approach that requires co-ordination among different actors.
- The Convention sets up clear standards and provides a very useful framework to address violence effectively, to end impunity and bring perpetrators to justice.
- It is a major contribution to achieving *de facto* equality between women and men: it addresses their persisting inequalities as the root cause of violence against women.

THANK YOU

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