



Solidarity with victims of gender-based violence: For the immediate ratification and implementation of the Istanbul Convention everywhere in Europe

The European Green Party demands the ratification and full implementation of the Istanbul Convention in all Member States of the Council of Europe.

Gender-based violence is a persistent issue in Europe. While every person can become victim of violence on the basis of their gender, women are the primary targets of gender-based violence, alongside other marginalized genders. Statistics reveal that:

- 1 in 3 women in the EU have been a victim of physical and/or sexual violence since the age of 15;
- 1 in 20 women have been raped;
- At least 55% of women have experienced sexual harassment;
- 1 in 3 women have experienced psychological abusive behaviour by a partner;
- 1 in 3 women have experienced physical or sexual violence by an adult during childhood;
- 75% of women in a professional job or in top management have experienced sexual harassment;
- 1 in 10 women have experienced sexual harassment or stalking via new technologies.

Additionally, on average, only around 30% of major incidents involving gender-based violence are reported by women. This is due to an unwillingness to report out of fear or shame, or because they do not believe that the police will be effective in helping them. Of the 30% of women who report these crimes, only half are said to be satisfied with the help they received.

Gender-based violence is a brutal violation of human rights. It affects women of all social and economic backgrounds across Europe. However, women of colour, women with disabilities, LGBTQAI+ women, migrant women, and those from deprived socio-economic backgrounds are most likely to be at risk and face the biggest obstacles to getting help. The violence can occur in the home or public space. Its consequences include hindering women's ability to find employment and therefore their financial independence. Gender-based violence costs the EU approximately EUR 226 billion a year – reducing this by just 10% would save EUR 7 billion. But it is not just about the money – women across Europe are being denied their fundamental rights and access to safety.

This is why the Istanbul Convention is crucial. No other Treaty has identified and expressed verbatim that violence against women is an attack on human rights. It addresses all forms of violence against women and sets out the measures needed to protect them across Europe. It differs from other international treaties, for example the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), as it implements comprehensive and coordinated policies between national and governmental bodies, taking a cross-border approach to addressing the issue of violence against women. Whilst the CEDAW tackles discrimination against women, its content does not address the issue of violence against



them. Instead, it addresses violence against women as a form of discrimination. However, the definition of violence against women is too broad to be addressed successfully in this manner, as it is applied to various articles in CEDAW, such as the general obligations states have to ensure non-discrimination, a duty to modify social and cultural patterns, marriage and family relations, and access to health care. This has resulted in a lack of clear legal obligation for states to follow, and shortcomings and failures in providing adequate protection for women. Rather, violence against women needs a clear legal definition and framework, as the Istanbul Convention provides by explicitly recognising violence against women as a human rights violation and a form of discrimination.

The Convention binds the governments to put in practice, among others, the following measures:

Protection

- Clear and concise information for victims in a language they understand;
- Accessible shelters;
- 24/7 telephone hotlines;
- Specialised help centres.

Prosecution

- Granting more power to the police to remove a perpetrator of domestic violence from their home;
- Criminalising violence against women – this includes psychological and physical violence, sexual violence and rape, stalking, female genital mutilation (FGM), forced marriage, forced abortion and forced sterilisation, and that so-called ‘honour’ is not a justification for the above-mentioned crimes;
- Ensuring effective and timely investigation of any allegation of violence against women and domestic violence and assuring immediate protection for victims;
- Protecting female migrants and asylum seekers;
- Granting migrant women their own residence permit if they fall victim to domestic violence so they are not reliant on their husbands;
- Offering protection and support to child witnesses.

Prevention

- Promoting awareness through campaigning and education at all levels so that the general public are fully informed about the various and different manifestations of gender-based violence.

As of May 2018, all EU Member States had signed the convention. Of these, 17 ratified it (Austria, Belgium, Croatia, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Italy, Malta, Netherlands, Poland, Portugal, Romania, Slovenia, Spain and Sweden). It has also been ratified by a further 12 states which are members of the Council of Europe (Albania, Andorra, Bosnia and Herzegovina, Georgia, Iceland, Monaco, Montenegro, Norway, San Marino, Serbia, Switzerland, Macedonia and Turkey).

Whilst this is progress, it is not enough to ensure the protection of women across Europe. Protests by reactionaries in Croatia, Bulgaria and Slovakia concerning the possibility of ratifying the Convention highlight a clear misunderstanding of the Convention and the misogyny which still exists and risks influencing the actions of governments. Opposition in



Croatia has argued that the Convention's definition of gender is too fluid, and despite support for combating violence against women, reactionaries still strongly oppose its ratification. The rejection of the Istanbul Convention for its inherent "gender ideology" is a symptom for the backlash taking place in Europe: populists, nationalists and neo-conservatives try to undermine fundamental rights and European values by hindering progressive developments and promoting authoritarian ideas. However, the Convention defines gender as "the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men". This is crucial when adding the definition of gender as a social construct to the definition of sex, which refers to the biological characteristics that define humans as 'female' and 'male'. Gender as a social construct reveals the outdated stereotypes that can make violence against women deemed more 'acceptable' in society.

The European Greens stand in solidarity with the women and other genders of all countries who have ratified the Convention and those who have yet to do so. In the current environment in which the #metoo movement has grown in momentum and support, it is the European Greens who can channel this momentum and create concrete action to ensure national governments ratify the Convention and that adequate measures are taken to protect all women. Combating gender based-violence must be one of the main steps taken to achieve real gender equality.

The European Greens:

1. Call upon all Member States of the Council of Europe to ratify the Istanbul Convention;
2. For those states that have ratified the Convention, we call upon them to ensure that legal, financial and promotional measures are taken to fulfil its obligations;
3. Promote understanding that gender is a socially constructed in ways which can reinforce outdated stereotypes possibly resulting in violent behaviour towards women;
4. Will campaign for the ratification of the Istanbul Convention and for raising awareness about gender-based violence and how to prevent it.

Background

<https://rm.coe.int/168046031c>

https://ec.europa.eu/info/sites/info/files/factsheet_istanbul_convention_web_en.pdf

[http://www.europarl.europa.eu/RegData/etudes/ATAG/2017/608814/EPRS_ATA\(2017\)608814_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/ATAG/2017/608814/EPRS_ATA(2017)608814_EN.pdf)

<https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210/signatures>

<http://www.bbc.com/news/world-europe-43528212>

<https://euobserver.com/opinion/141235>