



The Istanbul Convention

(CETS No.: 210)

Council of Europe Convention On Preventing and Combating Violence against Women and Domestic Violence

(Opened for signature on 11 May 2011, entered into force on 1 August 2014)



**The Istanbul Convention is a legal framework,
open to accession by any country in the world.
It is an excellent tool to end violence against women.**



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Preliminary note

This online “hand- out” about the Istanbul Convention aims to facilitate Zonta Members’ understanding of this very important treaty and its added value for Zonta Advocacy.

The text compiles all related articles from the Council of Europe’s website, as well as from different Council of Europe’s Thematic Leaflets and Information Cards presented on the same link:

<http://www.coe.int/t/dghl/standardsetting/convention-violence/>

In order to keep a clear display, there will be foot-notes only when the information is from another source or when a specific person is quoted.

Foreword

"As Zontians, and with Conviction, Commitment and Courage, we will defend and preserve the right to equality and to a life free of violence for all." (1)

Maria Jose Landeira Oestergaard Ph.D.
Zonta International President
Zonta International Foundation President

Zonta International strives to promote and protect the human rights of all women/girls and to reduce violence against women through "Zonta International Strategies to combat Violence against women" (ZISVAW):

- Supporting prevention and advocacy (locally and internationally);
- Awarding grants for projects that seek to change knowledge, attitudes and behavior contributing to gender-based violence.
- Increasing awareness and actions related to preventing violence against women by encouraging Zonta club involvement in local and national advocacy initiatives and service projects. (2)

Zonta International already has a wide campaign going on against violence, together with UN Women. This biennium, the advocacy campaign is being further developed to increase the number of advocacy actions of lasting impact. As members of the International "Council of Europe Sub- Committee", we wish to contribute to the campaign and to empower Zontians for their Advocacy projects! We believe that Zontians from all over the world, not only in Europe, should know about the Council of Europe and we wish to promote the Istanbul Convention as an essential tool for the "Zonta says no campaign"!

Anne Kraus

- (1) Zonta Says No to Violence Against Women,
<http://zontasaysno.com/campaign-supporters/> full statement
- (2) Zonta International Strategies to end violence against women programme
<http://www.zonta.org/WhatWeDo/InternationalPrograms/ZISVAWProgram.aspx>

1. Zonta International and the Council of Europe (CoE) *

The Council of Europe is NOT an institution from the European Union!

The CoE is the continent's leading human rights organisation!

The CoE stands for over 820 million citizens

The CoE stands for over 400 million women and girls!

It has 47 member states, (28 of which are members of the European Union) and it has six States with an "observer status": Canada, Holy See, Israel, Japan, Mexico and the United States.



Member States are:

Albania Andorra Armenia Austria Azerbaijan Belgium Bosnia and Herzegovina Bulgaria Croatia Cyprus Czech Republic Denmark Estonia Finland France Georgia Germany Greece Hungary Iceland Ireland Italy Latvia Liechtenstein Lithuania Luxembourg Malta Republic of Moldova Monaco Montenegro Netherlands Norway Poland Portugal Romania Russian Federation San Marino Serbia Slovak Republic Slovenia Spain Sweden Switzerland "The former Yugoslav Republic of Macedonia" Turkey Ukraine United Kingdom

* <http://www.coe.int/en/web/about-us/who-we-are>
<http://www.coe.int/en/web/about-us/do-not-get-confused>

The Council of Europe seeks to develop throughout Europe common and democratic principles based on the European Convention on Human Rights and other reference texts on the protection of individuals.

Its core values are: Human Rights, Democracy, Rule of Law

All Council of Europe member states have signed up to the European Convention on Human Rights, designed to protect human rights, democracy and the Rule of law.

The European Court of Human Rights oversees the implementation of the Convention in the member states. Individuals can bring complaints of human rights violations to the Strasbourg Court once all possibilities of appeal have been exhausted in the member state concerned.

Take time to watch the Corporate Film – “Inside the Council of Europe”!

<http://www.coe.int/en/web/about-us/who-we-are>

- **Participatory Status and INGO Conference**

The Council of Europe has the desire to listen to the Voice of Civil Society

As International Non-governmental Organizations (INGOs) represent Civil Society, the CoE has introduced a unique way to associate Non-governmental Organizations (NGOs) to its activities. Already in 1954, International NGOs were given a *consultative* status, allowing them to participate actively in the drafting process of the Council of Europe's legal instruments. Then, more than 10 years ago, the CoE invented a new status, a “participatory status” for NGOs! (3)

Through this worldwide unique invention, member states have created a model on cooperating with Civil Society to advance Democracy and Human Rights on the European continent and worldwide.

Within the structures of the Council of Europe there are several bodies. The INGO Conference is one of the 4 pillars of the so called “quadrilogue”:

- Committee of Ministers,
- Parliamentary Assembly (PACE)
- Congress of Local and Regional Authorities
- Conference of INGOs (International Non-Governmental Organisations)

The role and means of participation for NGOs have thus been increased. The Conference is recognized as a full organ of the Council of Europe. INGO's have a seat in many of the decisional bodies of the CoE at the same level as the governmental representatives from the Member States. When indicated, INGO's can assist in related meetings of most of the Council's statutory institutions. The Council of Europe encourages dialogue of members of Parliament with associations on challenges facing society.

With almost 400 INGOs, the INGO Conference is the civil society pillar in the Council of Europe. Remember: The Council of Europe is the continent's leading human rights organisation!



(3) NB: On our official Zonta sites (International, Districts, Areas and Clubs) and most Zontian's business cards it still says Zonta International has a "Consultative Status" within the Conference of INGOs. However to be correct, it should write: "ZI has a participatory status with the Council of Europe"

- **Benefits of this Affiliation for Zonta International:**
 - As an INGO with participatory status at the CoE, Zonta International gains visibility and trust, "credibility at first sight";
 - Zonta can be proud to have representatives who work in the continent's leading human rights organisation! (over 820 million citizens = over 400 million women and girls!)
 - Zonta is able to contribute to discussions as well as resolutions or recommendations, and is part of the consultation process;
 - Zonta votes and influences decisions taken by the Conference of INGOs.
 - Zonta is invited to participate in seminars and projects relating to our objectives;
 - Zonta can establish contacts with like-minded organizations and learn from them
 - Appropriate Zonta activities and projects may be eligible for financial and technical support.
 - Zonta can propose Advocacy contents to be raised/ discussed by the INGO Conference.
 - Zonta can participate at the World Forum of Democracy

Zonta's Voice is Heard!

Through their active participation to the sessions, ZI's Representative to the INGO Conference and the other members of the International Zonta Council of Europe Committee raise Zonta's visibility and contribute to our Advocacy. The Committee members can introduce Zonta Advocacy in the CoE debates! They actively support issues connected to the Status of Women amongst the most important representatives of Europe's civil society.



For the last years, Zonta's visibility at the Council of Europe was highly raised through **Karin Nordmeyer** (PID and Zonta International's representative to the Council of Europe).

Her expertise and commitment allowed her election in several Conference boards as a "Gender Expert". For example she was actively involved in the "Forum for the Future" Warsaw 2005 and Sigtuna 2007, and the "World Forum for Democracy" 2012. She addressed the Conference of Ministers of Justice in Tromsø 2009 and the Conference of Ministers responsible for Equality between Women and Men in Baku 2010.

She was invited by the Directorate General of Political Affairs of the Council of Europe to negotiate a Concept of co-operation between the Parliament of the Republic of Moldova and Civil Society, which was adopted in December 2005. Several times she took part as lecturer in Council of Europe Schools of Political Studies.

A very special mandate was to speak out on behalf of the Conference of INGOs in the drafting process of the Council of Europe Anti-trafficking Convention (2004-2005), and since 2009 she follows the monitoring process GRETA, and again to speak out on behalf of the Conference of INGOs in the drafting process of the Istanbul Convention (2009-2011).

This specific inside knowledge especially on the Istanbul Convention enables us, the CoE Committee, to be partner to Zonta Club advocacy projects, dealing with Istanbul Convention.

Thanks to the participatory status Zonta International enjoys with the Council of Europe, the CoE Committee Members can contribute actively to important issues which are under discussion in the Parliamentary Assembly and their committees, or even get to talk directly to Ministers.

- **CoE and Gender**

You will find very interesting info about the Council of Europe Gender Equality Strategy 2014-2017 here:

<http://www.coe.int/t/DGHL/STANDARDSETTING/EQUALITY/>

On this page, everything is of great value for Zonta Advocacy purposes, whether you live in Europe or not!

- Compilations of good practices, handbooks on the implementation of Council of Europe gender equality standards;
- The Recommendation CM/Rec (2007)13 of the Committee of Ministers to member States on gender mainstreaming in education;
- The Recommendation CM/Rec(2015)2 of the Committee of Ministers to member States on gender mainstreaming in sport and
- The Recommendation CM/Rec(2015)3 on the access of young people from disadvantaged neighbourhoods to social rights mentioning the need for member States to develop gender-sensitive approaches in the elaboration of youth policies and to provide support for the capacity building and equal participation of young women and young men.

Additionally to this work of the Committee of Ministers to member States, **the INGO Conference** (who directly reflects and promotes the interests of civil society) established a few working groups on gender issues. The INGO Conference is convinced that equality between women and men is a key element to make a difference in the lives of 820 million Europeans.

The INGO Conference has a Gender Equality Expert (elected, three year mandate) who is member of the Standing Committee.

The INGO Conference has created a Working Group on Preventing and combating violence against women, domestic violence and trafficking in human beings, within the Human Rights Committee of the INGO Conference , the “Working group PCVW”. **Zontians are members of this group.**

2. Zonta International and the “Istanbul Convention”

- **Combating Violence against Women and Domestic Violence - Facts and Necessity of the Istanbul Convention**

Every day, women are stalked, harassed, raped, mutilated, forced by their family to enter into a marriage, sterilised against their will or psychologically and physically abused in the “safety” of their own homes.

Too often women live with fear and feel unsafe whether they are inside the walls of their home, in the workplace, at school, in a war zone or just walking in the street. The examples of violence against women are endless, its victims countless.

While most victims will be left with physical and psychological scars haunting them for the rest of their lives, others will in addition continue to live a life of fear and persecution. Many women are too afraid or ashamed to seek help, often paying for their silence with their lives. Those that do speak out are not always heard. Domestic violence is another form of violence that is far too common and that affects not only women, but also men, children and the elderly.

On top of this, such violence has severe financial costs for national economies, by draining the resources from social services and the justice system. To give an

example, violence against women costs the Danish society about 70 million euros per year, while the United Kingdom reports a loss of more than £37bn.

Protecting women and combating this problem not only saves lives, but also comes at a lesser financial cost to our societies.

Putting an end to this violence must be an important policy concern for any government that is committed to ensuring the human rights of all. Over the past 20-30 years, many important steps have been taken in a number of Council of Europe member States, but existing legislation is often insufficiently enforced, services for victims remain scarce or inadequately funded and sexist attitudes prevail. Moreover, the legislation and support that are available vary greatly from one country to the next, creating huge disparities in protection.

Developing a convention that contains a set of legally binding standards to raise standards of protection and support is an important step towards a comprehensive and harmonised response to violence against women and domestic violence across Europe (...and the whole world!).

Facts and figures:

- Worldwide, intimate partner violence is the most common type of violence against women, affecting 30% of women.
- Approximately 100 to 140 million girls and women in the world have experienced female genital mutilation.
- Across member states of the Council of Europe, 20%–25% of all women have experienced physical violence at least once during their adult lives and more than 10% have suffered sexual violence involving the use of force.
- 12%–15% of European women over 16 suffer domestic abuse in a relationship.
- Between 40% and 50% of women in European Union countries experience unwanted sexual advances, physical contact or other forms of sexual harassment in their workplace.

The cost of violence:

The measures proposed by the Council of Europe Convention to prevent violence, protect victims and prosecute perpetrators are not too expensive!!!!

Have a look at what violence against women may cost:

Council of Europe: estimated total annual cost of violence against women in the member states could be as high as €34 billion per country

EU: Domestic violence costs in the 25 countries of the European Union (EU) (now 28!) totalled €16 billion for 2006 or €33 per capita and €1 million every half hour

Switzerland: the cost of domestic violence totalled €260 million in 1999

Netherlands: domestic violence against women by a partner estimated at €151 million in 1997

France: The total cost of intimate partner violence in France estimated at €2.5 billion per year in 2009

Finland: the cost of violence against women with focus on partner violence estimated at €101 million for 1998

Andalucía (Spain): Domestic violence against women by partners or ex-partners has an annual cost of €2.356, 8 million.

Sweden: Violence against women was estimated at between €302 million and €370 million a year for 2004.

United States: The costs of intimate partner rape, physical assault, and stalking exceed \$5.8 billion each year, nearly \$4.1 billion of which is for direct medical and mental health care services

Australia: AUS\$13.6 billion in 2009 for violence against women and their children.

Canada: Total annual estimated costs of selected public- and private-sector expenditures attributable to violence were \$13,162.39 per woman; this

translates to a national annual cost of \$6.9 billion for women aged 19–65 who have left abusive partners; \$3.1 billion for those experiencing violence within the past three years.

- **The Istanbul Convention - A tool for Zonta's Strategies to end violence against women!**

Zonta International strives to promote and protect the human rights of all women/girls and to reduce violence against women.

Whether in Europe or anywhere else in the world, Zontians can use the Istanbul convention as a tool for advocacy! The Istanbul convention is a very clear text! Zontians and Zonta clubs willing to increase awareness and set up advocacy projects or any initiative related to preventing violence against women in local and national advocacy need to know this text!

The Istanbul convention can be used as a model all over the world!

The Istanbul convention will give more strength to the Zonta says no campaign! Zonta promotes the ratification of the CoE Istanbul Convention!



- **The Istanbul convention and Advocacy**
What Zonta members (you!) need to do!

Find out about the situation in your own country!

If your country is a Member State of the Council of Europe, when did it sign the Istanbul convention? Has it ratified it yet?

Find out which countries signed / ratified the Istanbul convention!

<http://www.conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=210&CM=&DF=&CL=ENG>

Europe

- **If your country already signed and ratified it**, then you are lucky and can be proud of your politicians! You can talk about it in your monthly meeting, raise awareness and inform your fellow Zontians about the Council of Europe and show them the CoE Film
<http://www.coe.int/en/web/about-us/who-we-are>

You could also do the “Istanbul convention quiz”

http://www.coe.int/t/dghl/standardsetting/convention-violence/quiz/default_en.asp

Talk with other Zontians from your Area/District and help them raise awareness for the Convention!

- If your country didn't sign it or didn't ratify it yet, please talk about it within your club or/ and other Zonta clubs from your country!
Get informed about possible reasons why this hasn't been done and find out what action you could take!
Read info about the added value of the convention, raise awareness amongst Zontians and get the conviction about the importance to support the Istanbul convention! Decide what type of Advocacy Project you could set up. Conference? Round Table? Write a letter to politicians following the sample, and ask for a meeting with some Parliamentarians of your Country? Send a good article to important newspapers? You could talk with like- minded organizations and decide to do a joint action? Watch the CoE Film
<http://www.coe.int/en/web/about-us/who-we-are>
and do the “Istanbul convention quiz”
http://www.coe.int/t/dghl/standardsetting/convention-violence/quiz/default_en.asp
Talk with other Zontians from your Area/District to raise awareness for the Convention!

Non- European Countries

Please talk about the Istanbul convention within your club or/and other Zonta clubs from your country! Get informed about the laws against violence and find out what type of action you could set up!

Read info about the added value of the convention, raise awareness amongst Zontians and get the conviction about the importance of the text and the legal power of the Istanbul convention!

Decide what type of Advocacy Project you could set up. Conference? Round Table? Write a letter to politicians following the sample, and ask for a meeting with some Parliamentarians in your Country? Send a good article to important newspapers? You could talk with like- minded organizations and decide to do a joint action? Watch the CoE Film

<http://www.coe.int/en/web/about-us/who-we-are>

and do the “Istanbul convention quiz”

http://www.coe.int/t/dghl/standardsetting/convention-violence/quiz/default_en.asp

Talk with other Zontians from your Area/District to raise awareness for the Convention!

3. The Council of Europe Istanbul Convention

<http://www.coe.int/conventionviolence>.

IT STARTS WITH SCREAMS AND MUST NEVER END IN SILENCE...

STAND UP AND SPEAK OUT!

STOP VIOLENCE AGAINST WOMEN!

- **Necessity and importance of the Istanbul Convention**

Developing a convention that contains a set of legally binding rules to raise standards of protection and support is an important step towards a comprehensive and harmonised response to violence against women and domestic violence across Europe.

The Istanbul convention is a prime example of a comprehensive legal framework. The convention is the most far-reaching international treaty to tackle violence against women and domestic violence.

Legally binding, the Istanbul Convention has been hailed as **the most visionary treaty** to tackle this serious violation of human rights.

To the women that suffer violence it gives hope. To all of us it gives the vision and the tools to deal with this scourge.

The convention creates a number of criminal offences, for example stalking, sexual harassment and psychological violence. This means that you no longer have to endure this type of behaviour at home or at work or need to feel ashamed about it. Instead, you can go to the police and report this as a crime. Putting a name to it and knowing it is a crime in your country will help you to have it stopped. Every single measure that the convention contains is meant to help victims or to prevent violence in the first place.

The Council of Europe is committed to ensuring that this Convention is fully implemented. It includes a monitoring mechanism that will hold all those accountable who have a role to play in combating violence against women.

Its entry into force marks a defining moment to make sure women live a life safe from fear and safe from violence.

Full text of the convention: <http://www.conventions.coe.int/Treaty/EN/Treaties/Html/210.htm>

Opening for signature:

Place: Istanbul Date: 11/5/2011

Entry into force:

After 10 ratifications including 8 CoE Member States Date: 1/8/2014

Find out which countries signed / ratified the Istanbul convention!

<http://www.conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=210&CM=&DF=&CL=ENG>

The convention is open for signature by the Council of Europe member States, the non-member States which have participated in its elaboration and by the European Union. It is open for accession by other non-member States.

Assuming its leading role in human rights protection, the Council of Europe Committee of Ministers adopted on 7 April 2011 the Convention on preventing and combating violence against women and domestic violence.

It opened for signature on 11 May 2011 on the occasion of the 121st Session of the Committee of Ministers in Istanbul.

Its entry into force marks a defining moment to make sure women live a life safe from fear and safe from violence.

What change will the Convention bring to women's lives?

When ratifying the Convention, states have an obligation to change their laws, introduce practical measures and allocate resources to create a zero tolerance zone for violence against women and domestic violence. The Convention asks the states to:

- Provide safety and support for victims to rebuild their lives:
 - free national telephone helpline

- shelters in sufficient numbers
- medical, psychological and legal counselling
- help with housing and financial issues
- support in finding employment

■ Protect victims at risk by introducing:

- emergency barring orders
- restraining and protection orders
- risk assessment and risk management

■ Invest in preventive measures to:

- tackle the root problem of violence against women inequality and discrimination
- change attitudes, gender roles and stereotypes including through and in partnerships with the media and the private sector
- empower women
- involve men and boys
- support NGOs and their work at the service of victims of violence

The Istanbul Convention (CETS No.: 210) calls on States Parties to encourage all members of society, to contribute actively to preventing all forms of violence against women and domestic violence... especially men and boys.

■ Men and boys can contribute in important ways to ending violence against women. First and foremost by being role models, engaging other men, friends and communities to promote and advocate equal rights between women and men, to change behaviours and attitudes to promote relationships based on mutual respect and not based on power.

■ The vast majority of men do not abuse women. This doesn't mean they shouldn't do anything about it.

■ Men can:

- Speak up and challenge all forms of violence against women
- Tackle the attitudes and assumptions, prejudices and stereotypes that support gender based violence
- Obtain and provide the political, financial and moral support necessary to prevent gender-based violence
- Partner with women to share decision-making, power, as well as caring roles and family responsibilities

- Invite other men to take measures to stop violence against women
- Teach children through example: become a role model!

The Council of Europe Istanbul Convention is the first treaty to recognise that female genital mutilation (FGM) exists in Europe and that it needs to be systematically addressed. It requires states parties to initiate or increase preventive measures by addressing affected communities as well as the general public and relevant professionals. It entails obligations to offer protection and support when women and girls at risk need it most – and makes sure that their needs and their safety always come first.

Link to the guide

“The Istanbul Convention: a tool to end female genital mutilation”
www.coe.int/t/.../IstanbulConventionFGM%20Guide%20EN.

Istanbul convention – Frequently asked questions*

* http://www.coe.int/t/dghl/standardsetting/convention-violence/faq_en.asp

DOES THIS CONVENTION JUST APPLY TO WOMEN?

No. The convention applies to women more than it applies to men because it covers forms of violence that only women experience (forced abortion, female genital mutilation) or that women experience much more often than men (sexual violence and rape, stalking, sexual harassment, domestic violence, forced marriage, forced sterilization).

These forms of violence are a result of unequal power relations between men and women. They are a consequence of discrimination against women and are therefore important to tackle in order to achieve real gender equality.

Some forms of violence covered by the convention such as forced marriage and domestic violence are also experienced by men, although less often in numbers and often in less severe forms.

The convention recognizes this and encourages parties to the convention to apply its provisions to all victims of domestic violence, including men, children and the elderly.

DOES THE CONVENTION PROTECT CHILDREN?

Exposure to physical, sexual or psychological violence and abuse has a severe impact on children. It breeds fear, causes trauma and adversely affects their development.

Violence against women and domestic violence in its direct or indirect form can have harmful consequences for their health and lives. In the case of domestic violence it is acknowledged that children do not need to be directly affected by the violence to be considered victims as witnessing domestic violence is just as traumatizing.

The convention covers various forms of violence against women and domestic violence. Victims of such violence are typically girls and women of all ages. Boys and men, however, may also fall victim of certain types of violence that fall within the scope of the convention, in particular domestic violence and forced marriage. For this reason, states are encouraged to extend the application of the measures set out in the convention to boys and men.

Furthermore, there are several provisions that deal explicitly with children. They require states to do the following:

In the area of prevention:

- conduct or promote awareness-raising campaigns on the different manifestations of violence against women and domestic violence and their consequences on children.
- develop and promote, in co-operation with the private sector, skills among children, parents and educators concerning how to deal with violent and harmful content in the communications environment.
- ensure that preventive measures address the specific needs of child victims.

In the area of protection and support:

- provide specialist support services to women victims of gender based violence and their children.

- set up shelters that provide safe accommodation for women and their children.
- ensure that the rights and needs of child witnesses are taken into account when providing protection and support services to victims.
- ensure that significant incidents of violence against women and domestic violence are taken into account when determining custody and visitation rights

In the area of prosecution:

- criminalise the act of intentionally forcing a child to enter into a marriage, or that of luring the child to another country in order to force her or him to enter into a marriage.
- ensure that criminal legislation covers the incitement of a child to commit crimes in the name of “honour”.
- ensure that child victims and child witnesses are afforded special protection measures at all stages of investigations and judicial proceedings.

<http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

DOES DOMESTIC VIOLENCE JUST MEAN VIOLENCE WHICH TAKES PLACE WITHIN THE WALLS OF THE HOME – behind closed doors?

No. Domestic violence means physical, sexual, psychological or economic violence that takes place within the family, within the domestic unit, or between former or current spouses or partners. The perpetrator does not have to live or have lived with the victim to make it domestic violence. This is important because it means that the protection offered by the convention extends to a victim who has separated from a violent partner and lives in his or her own place but who is still under threat from the partner. It also includes violence that occurs between boyfriend and girlfriend.

DOES THE CONVENTION PROTECT MIGRANT WOMEN, WOMEN ASYLUM SEEKERS AND WOMEN REFUGEES?

Migrant women, with or without documents, and women asylum-seekers are particularly vulnerable to gender-based violence. Although their reasons for leaving their country vary, as does their legal status, both groups are at increased risk of violence and face similar difficulties in overcoming it. For this reason, the convention prohibits discrimination on the grounds of migrant or

refugee status when it comes to implementing its provisions. It also requires that measures be taken to prevent such violence and support victims while taking into account the needs of vulnerable persons.

Moreover, the convention devotes an entire chapter to women migrants and asylum-seekers facing gender-based violence. It contains a number of obligations that aim at generating a gender-sensitive understanding of violence against migrant women and women asylum-seekers. For example, it introduces the possibility of granting migrant women, who are victims of domestic violence and whose residence status depends on that of their spouse or partner, with their own residence permit when the relationship ends. This allows a victim of domestic violence to leave the relationship without losing her residence status. It also creates, for instance, the obligation to allow migrant victims who left and then did not return to the country they migrated to because they were forced into marriage in another country to regain their residence status. Furthermore, the chapter includes provisions establishing the obligation to recognize gender-based violence against women as a form of persecution within the meaning of the 1951 Refugee Convention and contains the obligation to ensure that a gender-sensitive interpretation be given when establishing refugee status.

It is important to note that women seeking asylum have specific protection concerns and worries that are different to those of men. In particular, women may be fleeing gender-based violence but may be unable or unwilling to disclose relevant information during a refugee determination process that does not respect cultural sensitivities. Furthermore, unaccompanied women are often exposed to sexual harassment and sexual exploitation and are unable to protect themselves. In order to address the particular issues linked to women asylum-seekers, the convention establishes the obligation to introduce gender-sensitive procedures, guidelines and support services in the asylum process. Introducing a gender perspective into procedures allows for differences between women and men to be taken into account.

Another provision that is included in the convention reiterates the obligation to respect a well-established principle of asylum and of international refugee protection, which is the “principle of non-refoulement”. The convention establishes the obligation to ensure that victims of violence against women, who are in need of protection, regardless of their status or residence, are not returned to any country where their life would be at risk or where they may be subjected to torture or inhuman or degrading treatment or punishment.

* forbids the expulsion of persons with recognized refugee status to their country of origin or to any country in which they might be subject to persecution

WHAT IS THE ADDED VALUE OF THE CONVENTION?

By accepting the convention, governments are obliged to change their laws, introduce practical measures and allocate resources to create a zero tolerance zone for violence against women and domestic violence. Preventing and combating such violence is no longer a matter of goodwill but a legally binding obligation. For the first time in history, the convention makes it clear that violence against women and domestic violence can no longer be considered as a private matter but that states have an obligation to prevent violence, protect victims and punish the perpetrators. This will help victims all over Europe.

DOES THE CONVENTION RECOGNISE THE GENDERED NATURE OF VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE?

Violence against women and domestic violence cannot be addressed without looking at gender equality issues. Women may be subjected to violence because of their gender. Certain types of violence, in particular domestic violence, affect women disproportionately.

Consequently, the convention frames the eradication of violence against women and domestic violence in a context of achieving *de jure* and *de facto* equality (*by law* and *in reality*). Its Preamble recognises the structural nature of such violence, which is both a cause and a consequence of unequal power relations between women and men and which limits the full advancement of women. To overcome inequality, the convention requires states to implement gender equality policies and to empower women. It is not about treating women as helpless victims but about making sure they can rebuild their lives.

While the focus of the convention is on all forms of violence against women, which includes domestic violence committed against women, the convention also recognises that there are other victims of domestic violence, such as boys, transgender persons and men. This may include gay men or men that do not conform to what society considers to constitute appropriate behaviour. States can choose whether or not to apply the convention to these victims of domestic violence. Applying a gender perspective to these groups of victims is equally important.

Many forms of discrimination, harmful practices and gender stereotypes are the starting point for violent behaviour. For this reason, the convention specifically tackles gender stereotypes in the areas of awareness-raising, education, the media and the training of professionals. It also creates the obligation to ensure that both protective and support measures as well as investigations and judicial proceedings be based on a gendered understanding of violence. The concept of gender is thus firmly embedded in the convention.

WILL ENSURING MORE RIGHTS FOR WOMEN REPRESENT A THREAT TO TRADITIONAL FAMILY STRUCTURES?

The objective of the convention is not to regulate in any way family life and/or family structures. The convention requires governments to ensure the safety of victims who find themselves in dangerous situations at home or are threatened by family members or partners. Neither does it contain a definition of “family”, nor does it promote a particular type of family setting. Because its aim is to address violence against women and domestic violence wherever it occurs, it does not limit its application to legally married partners but extends it to all partners, married or not, whether these are of the same or the opposite sex. The aim is to avoid excluding certain groups of victims on the basis of their marital status or sexual orientation.

The convention does however seek to change mentalities to move away from gender stereotypes and sexist attitudes. Governments will need to tackle social and cultural patterns of behaviour that perpetuate and reinforce violence against women. They will need to do this by promoting a lifestyle of non-violent behaviour, respect for equality between women and men and awareness of harmful gender stereotype and traditional practices. It is only by making people understand how their everyday behaviour factors in violence against women that change can happen.

WHAT DO GOVERNMENTS HAVE TO DO ONCE THEY RATIFY THE CONVENTION?

Once a country ratifies the convention, it becomes a party to the convention (or state party).

This means that the state commits itself to ensure that all measures contained in the convention are duly implemented.

To give concrete examples, a party to the convention will have to take the following measures:

Prevention

- put in place policies that are necessary to change attitudes, gender roles and stereotypes that make violence against women acceptable;
- train professionals working with victims;
- raise awareness of the different forms of violence and their traumatising nature;
- co-operate with NGOs, the media and the private sector to reach out to the public.

Protection

- ensure that the needs and safety of victims are placed at the heart of all measures;
- set up specialised support services that provide medical assistance as well as psychological and legal counselling to victims and their children;
- set-up shelters in sufficient numbers and introduce free of charge round-the-clock telephone helplines.

Prosecution

- ensure that all forms of violence against women and domestic violence are criminalised and appropriately punished;
- ensure that excuses on the grounds of culture, custom, religion or so-called “honour” are unacceptable for any act of violence;
- 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

Integrated policies

- adopt comprehensive and co-ordinated policies that place the rights of victims at the centre of all measures;
- involve all relevant actors (government agencies, national, regional and local authorities, civil society organisations and many more) because there is not a

single agency that can take on violence against women and domestic violence on its own.

Monitoring

report to the body responsible for monitoring the convention on the measures taken to implement the convention.

DOES THE CONVENTION RECOGNISE THE IMPORTANT ROLE OF NGOS AND CIVIL SOCIETY IN SUPPORTING VICTIMS?

In many member states, the overwhelming majority of services for victims of domestic violence, but also services for victims of sexual violence, stalking, forced marriage and others, are run by non-governmental or civil society organisations.

These organisations have a long-standing tradition of providing shelter, legal advice, medical and psychological counselling. They also run hotlines and other essential services. However, many such services experience funding insecurity and operate in small geographic areas only. In most countries, the overall number of available services does not match the demand of victims. Often, this is because the provision of services is not considered a necessity, but a voluntary activity of NGOs.

For this reason, the convention recognises the work of NGOs and seeks to ensure greater political and financial support for their work. It includes provisions that oblige parties to encourage and support their work by tapping into their expertise, involving them as partners in multi-agency co-operation and supporting their awareness-raising efforts.

This can help to enhance results of measures taken to prevent and combat violence against women and domestic violence. Supporting NGOs and civil society organisations means enabling them to carry out their work in the best possible way, for example by setting up co-operative structures between law enforcement agencies and shelters, advertising NGO hotlines and services in government information material but also ensuring relevant public and political support.

The convention also includes the obligation for parties to allocate appropriate financial and human resources for activities carried out by non-governmental organisations and civil society.

Finally, NGOs will also play a role in the monitoring of the implementation of the convention. The group of experts in charge of the monitoring process may receive information from NGOs on a party's implementation of the convention which would complement the information provided by the party itself.

WHO WILL MAKE SURE THAT GOVERNMENTS ARE LIVING UP TO THEIR OBLIGATIONS?

This task will be carried out by a group of independent experts (GREVIO) and the Committee of the Parties representing the governments that have become party to the convention. On the basis of reports and country visits, the experts will monitor compliance with the convention and, where necessary, help governments to improve its implementation in a constructive way. The Committee of the Parties can issue recommendations to the parties under review. If need be, it can also set a date by which the party in question will have to provide information on the action it has taken to comply with the recommendation.

The European Court of Human Rights will be the ultimate guardian of the implementation of the Istanbul Convention in the member states. Individuals can bring complaints of human rights violations to the Strasbourg Court once all possibilities of appeal have been exhausted in the member state concerned.

4. Conclusions

Learning more about the CoE can help Zontians while preparing their Zonta Advocacy projects.

With this "Istanbul Convention File", we hope to sensitize Zontians to the importance of the work done by the Council of Europe.

We also wish to show the "added value" to ZI of the CoE, a regional intergovernmental organisation, composed from 47 member states plus 5 observer states, totalling 820 Million people, constantly working for more than 70 years on human rights, democracy and the rule of law.

In general, the Council of Europe provides a comprehensive set of information, working tools and many kinds of resources relevant to Zontians and Zonta Clubs around the world advocating for the advancement of women!

Where to find us if you need guidance and support.

Council of Europe Committee



- Karin Nordmeyer, Chairman, D 30
Zonta Club of Freiburg-Schauinsland, Germany
knordmeyer@gmx.de
- Irma Ertman, Vice-Chairman, D 20
Zonta Club of Helsinki II, Finland
irma.ertman@formin.fi
- Frieda Demey, Member, D 27
Zonta Club of Brussel Zavel, Belgium
Frie.demey@skynet.be
- Anne Kraus, Member, D 27
Zonta Club of Luxembourg- Multiculturel, Luxembourg
krausanne@hotmail.com
- Anita Schnetzer-Spranger, D 28
Zonta Club of Mainz
schnetzer-spranger@gmx.de



Appendix I

EUROPE sample (add your Zonta logo!)

1) To: Head of Government or Minister of Justice OR/AND

2) To: Parliamentarians of your country

Subject: Ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence, also known as the Istanbul Convention

Location & Date, (...)

Letter 1) Excellency *OR* Letter 2) Dear Mr, Ms, Mrs

In 2011 the Convention on preventing and combating violence against women and domestic violence (CAHVIO) was adopted by the Committee of Ministers of the Council of Europe.

Your Government has signed, but not yet ratified this Convention *OR* Your Government has not yet signed or ratified this Convention.

This Convention provides a comprehensive framework to prevent violence against women, to prosecute the perpetrators and to set up a wide range of measures to assist the victims and to address those unacceptable practices. A monitoring mechanism is included.

As it has been ratified by more than 10 states it has already entered into force.
Already (...) states have ratified.

(www.coe.int for the update, ...have ratified)

On behalf of (Zonta Club/Area/District) I am asking you

Letter 1) to ratify or Letter 2) to promote the Council of Europe Convention on preventing and combating violence against women and domestic violence as soon as possible and without reservations and also to adapt your national legislation as necessary.

Yours sincerely
(...)



APPENDIX II **OTHER COUNTRIES sample** (add your Zonta logo!)

1) To: Head of Government or Minister of Justice OR/AND

2) To: Parliamentarians of your country

Subject: Convention on preventing and combating violence against women and domestic violence, following the Council of Europe Model (“Istanbul Convention”)

Location & Date, (...)

Excellency *OR* Dear Mr, Ms, Mrs

In 2011 the Convention on preventing and combating violence against women and domestic violence (CAHVIO) was adopted by the Committee of Ministers of the Council of Europe.

This Convention provides a comprehensive framework to prevent violence against women, to prosecute the perpetrators and to set up a wide range of measures to assist the victims and to address those unacceptable practices. A monitoring mechanism is included.

<http://www.coe.int/conventionviolence>

conventionviolence@coe.int

We believe that this convention is a good model and that our country could make a decisive step towards preventing and combating violence against women and domestic violence by following the “Istanbul Convention”

On behalf of (Zonta Club/Area/District) I am asking the Government to study and adopt the text of the Istanbul Convention on preventing and combating violence against women and domestic violence as soon as possible and without reservations and to adapt our national legislation. **You can add anything you feel important and a contact address**

Yours sincerely,
(...)

Appendix III

Important web links to the CoE Website texts by keywords:

Convention in brief

http://www.coe.int/t/dghl/standardsetting/convention-violence/brief_en.asp

About Monitoring

http://www.coe.int/t/dghl/standardsetting/convention-violence/AboutMonitoring_en.asp

Thematic Factsheets

http://www.coe.int/t/dghl/standardsetting/conventionviolence/thematic_factsheets/factsheets_en.asp

Gender Perspective

http://www.coe.int/t/dghl/standardsetting/conventionviolence/themes_additional_en.asp#Gender_Perspective

Migrant women, women asylum-seekers and women refugees

http://www.coe.int/t/dghl/standardsetting/conventionviolence/themes_additional_en.asp#Migrant_women

Non- Governmental Organisations

http://www.coe.int/t/dghl/standardsetting/conventionviolence/themes_additional_en.asp#Non-governmental_organisations_%28NGOs%29

Children

http://www.coe.int/t/dghl/standardsetting/conventionviolence/themes_additional_en.asp#Children