

# Istanbul Convention: possibilities for action for Equalities Bodies

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# A major concern: Article 2 scope

- 1 This Convention shall apply to all forms of violence against women, including domestic violence, which affects women disproportionately.
- 2 Parties are encouraged to apply this Convention to **all victims of domestic violence**. Parties shall pay particular attention to women victims of gender-based violence in implementing the provisions of this Convention.

# Mandating a framework of equality

## Preambular paragraphs 9, 10 & 11

Recognising that the realisation of *de jure* and *de facto* equality between women and men is a key element in the prevention of violence against women;

Recognising that violence against women is a manifestation of historically unequal power relations between women and men, which have led to domination over, and discrimination against, women by men and to the prevention of the full advancement of women;

Recognising the structural nature of violence against women as gender-based violence, and that violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men;

# Purposes of the Istanbul Convention – Article 1

- b) contribute to the elimination of all forms of discrimination against women and promote substantive equality between women and men, including by empowering women;
- c) design a comprehensive framework, policies and measures for the protection of and assistance to all victims of violence against women and domestic violence;

# Article 4 Fundamental rights, equality and non-discrimination

1 Parties shall take the necessary legislative and other measures to promote and protect the right for everyone, **particularly women**, to live free from violence in both **the public and the private sphere**.

2 Parties condemn all forms of discrimination against women and take, without delay, the necessary legislative and other measures to prevent it, in particular by:

- embodying in their national constitutions or other appropriate legislation the principle of equality between women and men and ensuring the practical realisation of this principle;
- prohibiting discrimination against women, including through the use of sanctions, where appropriate;
- abolishing laws and practices which discriminate against women.

# Comprehensive list of grounds for discrimination- Article 4(3)

The implementation of the provisions of this Convention by the Parties, in particular measures to protect the rights of victims, shall be secured without discrimination on any ground such as sex, gender, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, **sexual orientation, gender identity**, age, state of health, disability, marital status, **migrant or refugee status**, or other status.

# Article 7 Comprehensive and coordinated policies

1 Parties shall take the necessary legislative and other measures to adopt and implement State-wide effective, **comprehensive and co-ordinated policies** encompassing all relevant measures to prevent and combat all forms of violence covered by the scope of this Convention and offer a holistic response to violence against women.

2 Parties shall ensure that policies referred to in paragraph 1 place the rights **of the victim at the centre of all measures** and are implemented by way of **effective co-operation among all relevant agencies, institutions and organisations.**

3 Measures taken pursuant to this article shall involve, where appropriate, **all relevant actors**, such as government agencies, the national, regional and local parliaments and authorities, national human rights institutions and civil society organisations.

# Article 8 Financial resources

Parties shall allocate **appropriate financial and human resources** for the **adequate implementation of integrated policies, measures and programmes** to prevent and combat all forms of violence covered by the scope of this Convention, including those carried out by **non-governmental organisations and civil society.**



# Article 9 NGOs and civil society

Parties shall **recognise, encourage and support, at all levels,** the work of relevant non-governmental organisations and of civil society active in combating violence against women and **establish effective co-operation with these organisations.**

# Article 10 coordinating body

Parties shall **designate or establish** one or more official bodies responsible for the co-ordination, implementation, monitoring and evaluation of policies and measures to prevent and combat all forms of violence covered by this Convention. These bodies shall **co-ordinate the collection of data as referred to in Article 11, analyse and disseminate its results.**

# Article 11 Data collection and research

1 For the purpose of the implementation of this Convention, Parties shall undertake to:

- a) collect disaggregated relevant statistical data at regular intervals on cases of all forms of violence covered by the scope of this Convention;
- b) support research in the field of all forms of violence covered by the scope of this Convention in order to study its root causes and effects, incidences and conviction rates, as well as the efficacy of measures taken to implement this Convention.

2 Parties shall endeavour to conduct population-based surveys at regular intervals to assess the prevalence of and trends in all forms of violence covered by the scope of this Convention.

# Article 13 awareness-raising

1) Parties shall promote or conduct, on a regular basis and at all levels, awareness-raising campaigns or programmes, including in co-operation with national human rights institutions and equality bodies, civil society and non-governmental organisations especially women's organisations, where appropriate, to increase awareness and understanding among the general public of the different manifestations of all forms of violence covered by the scope of this Convention, their consequences on children and the need to prevent such violence.

2) Parties shall ensure the wide dissemination among the general public of information on measures available to prevent acts of violence covered by the scope of this Convention.

# Article 14 Education

Parties shall take, where appropriate, the necessary steps to include teaching material on issues such as **equality between women and men, non-stereotyped gender roles, mutual respect, non-violent conflict resolution in interpersonal relationships, gender-based violence against women and the right to personal integrity**, adapted to the evolving capacity of learners, in formal curricula and at **all levels of education**.

# Article 15 Training of professionals

1) Parties shall provide or strengthen appropriate training for the relevant professionals dealing with victims or perpetrators of all acts of violence covered by the scope of this Convention, on the prevention and detection of such violence, equality between women and men, the needs and rights of victims, as well as on how to prevent secondary victimisation.

2) Parties shall encourage that the training referred to in paragraph 1 includes training on co-ordinated multi-agency co-operation to allow for a comprehensive and appropriate handling of referrals in cases of violence covered by the scope of this Convention.

# Article 17 Participation of the private sector and the media

1 Parties shall encourage the private sector, the information and communication technology sector and the media, with due respect for freedom of expression and their independence, to participate in the elaboration and implementation of policies and to set guidelines and self-regulatory standards to prevent violence against women and to enhance respect for their dignity.

2 Parties shall develop and promote, in co-operation with private sector actors, skills among children, parents and educators on how to deal with the information and communications environment that provides access to degrading content of a sexual or violent nature which might be harmful.

# Article 21 – Assistance in individual/collective complaints

Parties shall ensure that victims have information on and access to applicable regional and international individual/collective complaints mechanisms. Parties shall promote the provision of sensitive and knowledgeable assistance to victims in presenting any such complaints.



# Advisory role

Article 29 – civil lawsuits and remedies

Article 42 – unacceptable justifications for crimes, including crimes committed in the name of so-called “honour”

Article 51 – risk assessment and management

Article 56- measures of protection for victims and witnesses

Article 60 – gender based asylum claims

# GREVIO – treaty monitoring body

Article 66 (1) Equalities experts should become members of the GREVIO

Article 68(5) “GREVIO may receive information on the implementation of the Convention from non-governmental organisations and civil society, as well as from national institutions for the protection of human rights.”