



WOMEN AGAINST VIOLENCE EUROPE

WAVE Network and European Info Centre against Violence

Bacherplatz 10 / 6 | 1050 Vienna, Austria

Phone: +43 (0)1 548 2720 | Fax: +43 (0)1 548 2720 27

E-mail: office@wave-network.org | www.wave-network.org

ZVR: 601608559

WAVE Statement on the occasion of the 10th Anniversary of the Istanbul Convention¹, 11th May 2021

The Istanbul Convention (IC) is and remains the **first legally binding and to date most comprehensive legal framework to combat violence against women and domestic violence**, by focussing on preventing violence, protecting victims, prosecuting the accused offenders and promoting integrated coordinated policies.

On the 10th anniversary of the Istanbul Convention **WAVE**, together with its **160 members in 46 European countries**, celebrates this **major women's human rights treaty**, which ensures women's right to live free from violence, like no other legal framework currently in existence. WAVE members are primarily women's specialist support services, such as women's shelters, telephone-helplines and centres that provide various forms of support such as legal, psychological, practical, housing, financial, medical, specialist support for children etc. The **Istanbul Convention** is an important instrument to defend women's human rights, which **sets gold standards in preventing and combating violence against women and domestic violence**.

The **convention has received strong support from a number of European countries**. Notably, Ireland ratified the convention on International Women's Day in 2019 with overwhelming support from the Government and the Minister for Justice and Equality. Some **countries that ratified the convention have made substantive improvements to their policies and legislation related to combating violence against women and girls, and domestic violence**. This includes adopting laws criminalizing different forms of violence, such as Denmark, amending the criminal legislation on the definition of sexual violence and rape to better align with the scope of the convention. Slovenia is for example is on the verge of changing its rape legislation by the end of May 2021; the proposed legislation is to put the emphasis on the consent of the victim and not on the use of force. New legislation on protection and emergency orders is also increasingly introduced. For example, in Romania new legislation on domestic violence, which entered into force in January 2019, introduced the possibility of issuing emergency protection orders for women victims of violence in immediate danger. In countries such as Belgium and Spain the implementation of the Istanbul Convention has been included as a key priority in the governments' plan for the upcoming years. The National Assembly in Kosovo adopted a direct amendment to the Constitution that gives direct effect to the Istanbul Convention.

Unfortunately, we also have to face the fact that there are **several shortcomings in implementing the Istanbul Convention**. And even **more alarming, we have witnessed a growing backlash against women's rights and gender equality**. Some organized networks have campaigned in particular against women's sexual and reproductive rights, while also promoting discrimination and violence against LGBTI people with practical consequences in some Member States. **Preventing and combating violence against women remains a burning issue. The ratification and implementation of the Istanbul Convention remains incomplete or at risk of backsliding**. The nature, intensity and effects

¹ The Council of Europe Convention on preventing and combating violence against women and domestic violence

of the backlash against women's rights have varied among countries and regions, in some cases remaining at the level of rhetoric that appropriates the language of human rights, while in others it has been concretised into measures and initiatives. **Stopping the backlash needs strong political will and united action from the civil society, states and the EU. The best way to celebrate the 10th anniversary of the IC is to stand up together and decisively make IC a binding, living instrument that affects the lives of all women in Europe.**

To effectively prevent and tackle male violence against women it is **vital that both policies and legislation clearly acknowledge that violence against women is a violation of human rights and a form of discrimination against women.**

WAVE echoes the significant concerns raised by the current GREVIO Horizontal Review on the Istanbul convention (issued on 10th May 2021) **about the gender-neutral approach of legal provisions and/or policy documents that address domestic violence in a number of countries.** Our experience shows that **"neutralising" Istanbul Convention definitions by not mentioning women as the main victims of domestic violence,** or not emphasising the need of a gender-sensitive approach in service provision and all other measures to tackle domestic violence, **completely disregard the human-rights based and gendered approach of the Istanbul Convention** and ignore the fact that the vast majority of people experiencing domestic violence are women. **WAVE is alarmed by this tendency which risks to indirectly promote those voices which are attacking the IC,** trying to introduce a patriarchal vision of the so-called "traditional" family, that throws back women's rights and international efforts to prevent and tackle violence against women and domestic violence for decades.

WAVE agrees with the clear statement in the GREVIO baseline evaluation report that, while the willingness of the authorities to pursue a policy to combat gender-based violence taking into account all victims without discrimination is to be appreciated, **policies and measures need to separately target gender-based violence against women. Male violence against women otherwise risks to become invisible and inadequately addressed,** as such an approach **fails to address the specific experiences of women, hindering their effective protection.**

WAVE emphasises that **women's specialist support services have been playing a pivotal part in ensuring the prevention and effective addressing of male violence against women for decades.** The crucial role of specialist support services is covered in Article 22 of the IC, which recognises that *"the aim of specialised support is to ensure the complex task of empowering victims through optimal support and assistance catered to their specific needs"*. The IC also requires *"parties to the Convention to set up or arrange for a well-resourced specialist sector"*.

WAVE's 26 years of experience with women's specialist services, has clearly demonstrated that the **overwhelming majority of women who experience(d) male violence do not feel safe to approach general support services, or state agencies such as the police or social services.** But they do feel safe to access and engage with women's specialist support services who can accompany them with competence and empathy on every single step of their difficult journey of escaping and recovering from male violence. **Specialist support services, can support women in accessing statutory and judicial services,** creating not only **safe reporting pathways,** but also **facilitating access to justice.** Women's specialist support services provide a multitude of services, which are provided on a confidential and free of charge basis in one location, including but not limited to: safe accommodation, legal advice, practical advice, advocacy when engaging with law enforcement, the judiciary and other statutory services, short and long-term psychological counselling, medical support and forensic evidence collection, outreach services, telephone helplines, specialist support for children as

witnesses or victims of domestic violence and other forms of violence against women. All these **standards, which women's support services already implement and advocate for, are also included in the Istanbul Convention, Articles 18, 19, 21, 22, 23, 24, 25, 26.**

This service provision ensures that women and their children, experiencing male violence do not need multiple repeat interventions, when they are trying, and failing to get adequate support from multiple general support services. **Crucially women's specialist support services, ensure effective support of all women, including those from minoritised groups** such as undocumented women, women from ethnic minority groups, LBT women, disabled women, who are **often excluded or insufficiently served by general support services.** The experience of male violence by women belonging to one or several of these population groups, requires specific expertise, competence and understanding which comes from a lived-experience perspective, which general support services usually cannot provide. **The sustainable funding of women's specialist services is key in implementing Istanbul Convention standards in practise and for the effective provision of support to women experiencing violence against women and domestic violence.**

Even before the COVID-19 pandemic, specialist support services for women experiencing male violence such as shelters within Europe had already fallen short of Istanbul Convention standards in the majority of European countries: as demonstrated by the WAVE Country Report 2019, out of 46 European countries, only five meet the minimum standards of the Istanbul Convention for bed spaces for shelter provision. 25 out of 28 EU Member states (89%) and 16 out of 18 countries outside of the EU (89%) failed to meet IC standards on minimum required bed spaces in shelters accessible to women survivors of violence against women and domestic violence. According to numerous WAVE member reports, **this situation has deteriorated significantly because of the ongoing COVID-19 pandemic, with severe physical and psychological, as well as unfortunately increasingly fatal consequences to women's and children's lives.**

WAVE will be releasing its next Country Report on the status of women's specialist services throughout its 46 European member countries at the end of 2021, taking the impact of the COVID-19 pandemic into account. The financial burden to public finances during and in the aftermath of the pandemic is also likely to threaten the already reduced economic support to women's specialist services. The likelihood of austerity measures will also have a disproportionate impact on women and women's specialist services, as witnessed since the 2008 financial crisis. **It is crucial that all European states as well as institutions step up to ensure a comprehensive response to the impact of COVID-19 on women. The effective implementation of all the Istanbul Convention standards is crucial in ensuring that women and girls are able to live a life free from male violence.**