Parliamentary Assembly
Assemblée parlementaire
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

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Final version

Stalking

Parliamentary Assembly

1. Stalking is the repetition of acts intruding into a person's life which increase in intensity over time. There are many ways in which such an intrusion can take place. One of them, called "cyberstalking", is persistent and threatening intrusion online. Stalking causes distress, anxiety or fear. It is a form of violence in itself but can lead to other forms of violence, including murder.

2. About 10% of the population in Europe has been, or will be, affected by stalking. The great majority of the victims are women. Often they fail to recognise the early signs of this form of violence. Often they do not report it, because they do not consider each act in itself as a threat. When reporting it, they do not always find a meaningful response, because the authorities fail to see that the intrusions amount to a pattern or because there is no notion of stalking in national law.

3. In this regard, the Parliamentary Assembly considers the adoption of legislation on stalking by Austria, Belgium, Denmark, Germany, Ireland, Italy, Luxembourg, Malta, the Netherlands, Poland and the United Kingdom an important step forward. Despite this positive development, most Council of Europe member States do not consider stalking as a criminal offence.

4. The Assembly believes that the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210, "Istanbul Convention") can be instrumental in strengthening the legal framework against stalking, as Article 34 requires States parties to treat stalking as a specific criminal offence.

5. In order to tackle stalking effectively, it is also necessary to demystify some misconceptions through awareness-raising campaigns and prevention activities aimed at the public as well as specific groups: stalking does not only happen to public figures. This phenomenon always leads to further violence and its dangers should not be minimised.

6. In the light of these considerations, the Assembly calls on Council of Europe member States:

6.1. with regard to combating stalking, to:

6.1.1. introduce the notion of stalking into their criminal law, as a specific offence, and ensure that the law is implemented. The definition of stalking should be in line with the Istanbul Convention and include a non-exhaustive list of behaviours, such as repeatedly following another person, engaging in unwanted communication with another person or letting another person know that he or she is being observed;

6.1.2. organise training for law-enforcement officials on how to identify and respond to stalking cases;

6.1.3. instruct the police to investigate and keep a record of cases of stalking;

6.1.4. ensure the implementation of restraining orders also in cases of stalking;

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1. *Text adopted by the Standing Committee*, acting on behalf of the Assembly, on 22 November 2013 (see Doc. 13336, report of the Committee on Equality and Non-Discrimination, rapporteur: Ms Wurm).

6.2. with regard to assisting victims of stalking, to:

6.2.1. allocate sufficient funding for the creation and functioning of support services for stalking victims, such as helplines, shelters and counselling;

6.2.2. provide targeted support to minors who are victims of stalking, including cyberstalking;

6.2.3. provide specific training on stalking, including cyberstalking, to staff working in these support services;

6.3. with regard to preventing stalking, to:

6.3.1. organise awareness-raising campaigns on combating violence, which could include a specific part on stalking and cyberstalking;

6.3.2. develop guidelines for the media on how to deal with violence against women, including stalking, in order to ensure protection of the victims;

6.3.3. develop and implement rehabilitation programmes for stalkers, with a view to preventing reoffending;

6.4. to conduct research on the prevalence of violence against women, including stalking, in member States;

6.5. to identify and share best practices in preventing and combating stalking.

7. The Assembly is convinced that parliamentarians have a decisive role to play in raising awareness on stalking and ensuring that relevant legislation is adopted and implemented. The Assembly therefore calls on the parliaments of member States to:

7.1. urge their governments to sign, ratify and implement the Istanbul Convention and refrain from making reservations;

7.2. organise parliamentary debates and hearings on stalking.

8. Furthermore, the Assembly calls on non-governmental organisations to:

8.1. contribute to raising awareness on stalking among the general public and to include the topic of stalking in general campaigns on combating violence against women and domestic violence;

8.2. actively promote the ratification and implementation of the Istanbul Convention.