Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Resolution 2479 (2023)[1]

The Istanbul Convention: progress and challenges

Parliamentary Assembly

1. Gender-based violence, an extreme form of violation of human rights, is present in all member States of the Council of Europe. It is a consequence of persistent inequalities between individuals and groups at all levels, whether social, economic or legal. Although men and boys are also victims, women and girls are disproportionately affected by gender-based violence. The risk of violence is multiplied by social and intersectional factors such as disability, ethnic origin and sexual orientation.

2. According to United Nations estimates, 736 million women in the world have suffered physical and/or sexual intimate partner violence, non-partner sexual violence or both (not including sexual harassment), at least once in their life, which represents 30% of women aged 15 and above. According to initial findings, gender-based violence increased during the Covid-19 pandemic due to successive lockdowns which trapped victims in closed spaces with their aggressors, and which, at the same time, complicated women's and girls' access to protection and assistance, in what has been termed a "shadow pandemic".

3. Recognising the need for comprehensive systems for the prevention of and protection against gender-based violence and for policies to eliminate violence, in particular against women and girls, the Council of Europe adopted its Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210, "Istanbul Convention"), which was opened for signature on 11 May 2011 and which entered into force on 1 August 2014. The convention now counts 37 ratifications and 8 signatures not yet followed by ratification.

4. The Parliamentary Assembly welcomes the high number of ratifications of the Istanbul Convention to date, which gives some optimism for future progress in eliminating gender-based violence. It is impressed by the influence the convention has had on national legislation to fight gender-based violence, which has been adapted to ensure conformity with the convention, and by the changes it has inspired in policies and awareness-raising work. The Assembly congratulates the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) and the Committee of the Parties for their work so far in the far-reaching 2016-2023 baseline evaluation cycle, and GREVIO's first third-party intervention before the European Court of Human Rights and General Recommendation No. 1 on the Digital Dimension of Violence against Women.

5. Despite these achievements, alarmingly high levels of violence and tragic femicides persist, harming and killing women and girls in all their diversity and from all walks of life, especially in the context of intimate partner violence. Backlashes against women's rights and backsliding in this area are commonplace and often originate in political discourse aimed at maintaining inequalities and imposing ever tighter restrictions on democracy and human rights.

6. The Assembly points out that gender-based violence comes at a cost, which the European Institute for Gender Equality estimated in 2021 to amount to €366 billion a year, of which 79% is linked to violence against women. Physical and emotional impacts make up 56% of this cost, criminal justice services 21% and lost

1. *Assembly debate* on 25 January 2023 (6th sitting) (see Doc. 15673, report of the Committee on Equality and Non-Discrimination, rapporteur: Ms Zita Gurmai). *Text adopted by the Assembly* on 25 January 2023 (6th sitting).
See also Recommendation 2247 (2023).

economic output 14%. In the interests of society as a whole, action must therefore be stepped up to end the inequalities which lead to violence and to empower people in situations of vulnerability by giving them full access to their rights.

7. Referring to its previous Resolution 2289 (2019) "The Istanbul Convention on violence against women: achievements and challenges", the Assembly reiterates the recommendations set out in that text. In addition, with regard to promoting ratification of the Istanbul Convention, the Assembly:

7.1. urges Azerbaijan to sign and ratify it without further delay;

7.2. urges the parliaments of Armenia, Bulgaria, the Czech Republic, Hungary, Latvia, Lithuania and the Slovak Republic to increase their efforts to promote and engage in procedures for ratification to follow up on their signature;

7.3. urges Türkiye, the country that gave the name of one of its cities to the convention and which was among the first to ratify it, to reconsider its withdrawal and return to the convention;

7.4. encourages the European Union to overcome the legal obstacles to ratification as a means of ensuring the implementation of its provisions in all European Union member States and of promoting it in others;

7.5. encourages Israel, Kazakhstan and Tunisia to follow up on the invitation of the Committee of Ministers of the Council of Europe to accede to the convention and encourages other non-member States, observers and partners for democracy to do so as soon as possible.

8. With respect to the prevention of violence against women and girls and domestic violence, the Assembly calls on all States Parties to the Istanbul Convention to fully implement its provisions in order to ensure that solid, protective laws and policies relating to prevention, protection and prosecution are embedded in a set of integrated policies. To this end, it calls on the parliaments of States Parties to the Istanbul Convention to:

8.1. carry out regular assessments of national legislation and propose revisions of laws where they are not in conformity with the provisions of the convention;

8.2. make sure that legislation is efficient in ensuring protection against violence against women and girls, including domestic violence, and prosecution of perpetrators of violence;

8.3. ensure regular monitoring of implementation in accordance with Article 70 of the convention and give adequate visibility to the baseline reports of GREVIO and the recommendations of the Committee of the Parties in parliamentary debates and hearings;

8.4. organise awareness-raising campaigns both in their parliaments and in their constituencies, and to report back to the Assembly annually in order to document these good practices;

8.5. bearing in mind the requirement under the convention for policies to place the rights of the victim at the centre of all measures, ensure co-operation between all relevant stakeholders in the design and implementation of policies and programmes, including women's civil society organisations and diverse communities;

8.6. include a gender perspective in the implementation and evaluation of the impact of the convention as set out in its Article 6.

9. With respect to dispelling deliberate misrepresentations as to the ultimate objectives of the Istanbul Convention, the Assembly underlines that these are part of broader negative tendencies in today's societies driven by anti-rights movements and aiming to curb the enjoyment of human rights by persons belonging to certain groups. It asks all parliaments of Council of Europe member and observer States as well as parliaments which enjoy the status of observer or partner for democracy with the Assembly to:

9.1. firmly assert that the convention focuses on women and girls in all their diversity as people who are disproportionately affected by gender-based violence;

9.2. acknowledge that the convention does not threaten the nuclear family or family values, nor does it impose certain lifestyles;

9.3. further take into account that the convention does not encourage irregular or illegal migration when endeavouring to ensure that women victims of intimate partner violence are not dependent on the residency status of their aggressors;

9.4. recognise that national legislation may be effective but that the convention provides a blueprint for national legislation and an efficient system of evaluation and assistance in implementation, and that sharing of best practices and transborder and international co-operation are important in combating violence against women and domestic violence.

10. The Assembly welcomes the priority given to preventing and combating violence against women and domestic violence in the report, published in October 2022, of the High-level Reflection Group of the Council of Europe on the Organisation's role in responding to new realities and challenges facing Europe and the world, which will contribute to the themes taken up by the 4th Summit of Heads of State and Government of the Council of Europe announced by the Committee of Ministers for 16 and 17 May 2023.

11. Recalling that it has constantly called for the organisation of a new summit since 2017, the Assembly requests that the recommendations in the report be followed up by the Committee of Ministers and that the priority given by the High-Level Reflection Group be adequately reflected in the action plan of the 4th Summit.

12. Finally, the Assembly decides to hold an annual exchange of views to take stock of progress on ratification and implementation of the Istanbul Convention, as part of its monitoring responsibilities under the convention.