

SAFE FROM FEAR

SAFE FROM VIOLENCE

Council of Europe Convention
on preventing and combating
violence against women
and domestic violence CETS No. 210

About the Council of Europe

The Council of Europe has 47 member states, covering virtually the entire continent of Europe. It seeks to develop common democratic and legal principles based on the European Convention on Human Rights and other reference texts on the protection of individuals, including women and girls. Since the 1990s, the Council of Europe has actively promoted the protection of women and girls from gender-based violence, namely by adopting Recommendation (2002)5 on the protection of women against violence and by running a Europe-wide campaign on violence against women, including domestic violence in 2006-2008.

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What is the purpose of the convention?

- The new Council of Europe Convention on preventing and combating violence against women and domestic violence is the most far-reaching international treaty to tackle this serious violation of human rights. It aims at zero tolerance for such violence and is a major step forward in making Europe and beyond a safer place.
- Preventing violence, protecting its victims and prosecuting the perpetrators are the cornerstones of the convention. It also seeks to change the hearts and minds of individuals by calling on all members of society, in particular men and boys, to change attitudes. In essence, it is a renewed call for greater equality between women and men, because violence against women is deeply rooted in the inequality between women and men in society and is perpetuated by a culture of tolerance and denial.

Groundbreaking features of the convention

- It recognises violence against women as a violation of human rights and a form of discrimination. This means that states are held responsible if they do not respond adequately to such violence.



It is the first international treaty to contain a definition of gender. This means that it is now recognised that women and men are not only biologically female or male, but that there is also a socially constructed category of gender that assigns women and men their particular roles and behaviours. Research has shown that certain roles and behaviours can contribute to make violence against women acceptable.

It introduces a set of groundbreaking criminal offences such as female genital mutilation, forced marriage, stalking, forced abortion and forced sterilisation. This means that states will have to introduce important offences which did not before exist in their legal systems.

It calls for the involvement of all relevant state agencies and services so that violence against women and domestic violence are tackled in a co-ordinated way. This means that agencies and NGOs should not act alone but work out protocols for co-operation.

What does the convention require states to do?

Prevention

- 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;
- include teaching material on equality issues in the curricula at all levels of education;
- 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 violence against women is 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.

Monitoring

- set up a specific monitoring mechanism to ensure the implementation of the convention. A group of experts will ensure states’ compliance with the convention to guarantee its long-term effectiveness.

Who is covered by the convention?

The convention covers women and girls, from any background, regardless of their age, race, religion, social origin, migrant status or sexual orientation, to name but a few. The convention recognises that there are groups of women and girls that are often at greater risk of experiencing violence, and states need to ensure that their specific needs are taken into account. States are also encouraged to apply the convention to other victims of domestic violence such as men, children and the elderly.

Which offences are covered?

The convention establishes a number of important criminal offences. It ensures that the following behaviours are subject to criminal or other legal sanction:

- physical violence;
- psychological violence;
- stalking;
- sexual violence, including rape;
- sexual harassment;
- forced marriage;
- female genital mutilation;
- forced abortion and forced sterilisation.

This sends a clear message that violence against women and domestic violence are not private matters. On the contrary: to emphasise the particularly traumatising effect of crimes within the family, a heavier sentence can be imposed on the perpetrator when the victim is a spouse, partner or a member of the family.