

# Implementing Article 10 of the Council of Europe Convention on preventing and combating violence against women and domestic violence – establishing national co-ordinating bodies



**Analytical report of common  
challenges and lessons learned from  
bodies set up under different  
international human rights treaties**



**IMPLEMENTING ARTICLE 10  
OF THE COUNCIL OF  
EUROPE CONVENTION ON  
PREVENTING AND  
COMBATING VIOLENCE  
AGAINST WOMEN AND  
DOMESTIC VIOLENCE –  
ESTABLISHING NATIONAL  
CO-ORDINATING BODIES –**

Analytical report of common  
challenges and lessons learned from  
bodies set up under different  
international human rights treaties

Heike Rabe, Nadiye Ünsal  
German Institute for Human Rights

7 November 2016

The opinions expressed in this work are the responsibility of the authors and do not  
necessarily reflect the official policy of the Council of Europe



## Acknowledgments

---

This analytical report was developed within the framework of the project “Coordinating methodical Centre for prevention and elimination of violence against women and domestic violence”, implemented by the Ministry of Labour, Social Affairs and Family of the Slovak Republic together with the Council of Europe, as part of programme “SK09 – Domestic and Gender-based Violence” within the Norway Grants Financial Mechanism 2009-2014.

The Council of Europe would like to thank Ms Heike Rabe and Ms Nadiye Ünsal from the German Institute for Human Rights, Council of Europe consultant in the project, for drafting this report.



# TABLE OF CONTENTS

|   |           |
|---|-----------|
| <b>1. Introduction</b>  | <b>1</b>  |
| 1.1. Starting point   | 1         |
| 1.2. Assignment and methodology   | 2         |
| <b>2. Scope of states' obligations under article 10 of the Istanbul Convention</b>  | <b>5</b>  |
| <b>3. Selected national co-ordinating bodies established under different human rights treaties: experiences gained</b>  | <b>9</b>  |
| 3.1. Sweden: Implementation of the co-ordinating mechanism under Article 10 of the Istanbul Convention  | 10        |
| 3.2. Spain: Implementation of the co-ordinating mechanism under Article 10 of the Istanbul Convention   | 13        |
| 3.3. Finland: Implementation of the co-ordinating body under Article 29 (2) of the Council of Europe Convention on Action against Trafficking in Human Beings | 16        |
| 3.4. Germany: Implementation of the national co-ordinating mechanism under Article 33 of the UN Convention on the Rights of Persons with Disabilities         | 20        |
| <b>4. Common challenges and lessons learned</b>   | <b>22</b> |
| 4.1 Co-ordination and implementation  | 22        |
| 4.2 Monitoring and Evaluation   | 27        |
| 4.3. Inclusion of civil society   | 31        |
| 4.3.1 Different types of and structures for participation   | 31        |
| 4.3.2 Different perspectives and expectations of state and non-state bodies   | 32        |
| 4.3.3 Challenges  | 33        |
| <b>5. Conclusions</b>   | <b>36</b> |
| <b>Appendices</b>   | <b>39</b> |
| 1.1 Respondents to questionnaire from national co-ordinating mechanisms under Article 10 of the Istanbul Convention of the Council of Europe member states    | 39        |
| 1.2 Interview partners from national co-ordinating mechanisms under Article 10 and other human rights treaties  | 40        |
| Table 1: Designated bodies in the national-co-ordinating mechanisms under Article 10 of the Istanbul Convention (answers to the questionnaire)                | 41        |
| Table 2: Staff and budget for co-ordinating mechanisms (answers to questionnaire)   | 45        |
| <b>Bibliography</b>   | <b>48</b> |





# 1. Introduction

---

## 1.1. Starting point

Most human rights treaties, especially those drafted in recent years require their signatories to set up co-ordinating and monitoring mechanisms to ensure that rights enshrined in the treaties can be fully and effectively exercised.

The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, known as the Istanbul Convention,<sup>1</sup> presents a quite complex challenge in this respect. Article 10 of the Istanbul Convention requires Parties to designate or establish one or more official bodies to be responsible for a wide range of functions: “the co-ordination, implementation, monitoring and evaluation of policies and measures to prevent and combat all forms of violence covered by this Convention”. Adhering to the principle of subsidiarity, the Istanbul Convention does not tell States how they should do this: the Parties are left to determine for themselves how they will implement this provision.

Before the Istanbul Convention, the Council of Europe influential Recommendation (2002)5 of the Committee of Ministers to member States on the protection of women against violence<sup>2</sup> established a monitoring process on violence against women and girls across its member states. In 2014 the fourth report on its implementation noted that measurable progress had been made over the years toward the establishment of governmental bodies to co-ordinate the implementation of protection measures. In 2013, in total 39 member States had established a body charged with co-ordinating the implementation of protection measures; 30 ensured that monitoring and evaluation took place.<sup>3</sup> However, since the report in question was addressing implementation of Recommendation (2002)5 specifically, and not that of Article 10 of the Istanbul Convention, it does not provide a basis for conclusions about how well this monitoring reflected the detailed requirements under Article 10 of the Istanbul Convention.

To date, only some member States of the Council of Europe have established new structures or designated already existing structures or mechanisms that fulfil all of the elements entailed by the Istanbul Convention’s requirement to co-ordinate, implement, monitor and evaluate policies and measures combating violence against women. Many countries are in the process of developing such mechanisms or are setting up structures, one at a time, to address the various functions.

This report is intended to reflect practical experiences gained during the design, development and implementation of co-ordinating bodies of this kind under either the

---

<sup>1</sup> <http://www.coe.int/de/web/conventions/full-list/-/conventions/rms/090000168008482e>.

<sup>2</sup> [http://www.coe.int/t/dghl/standardsetting/victims/rec\\_2002\\_5E.pdf](http://www.coe.int/t/dghl/standardsetting/victims/rec_2002_5E.pdf).

<sup>3</sup> Council of Europe (2014): *Analytical study of the results of the Fourth Round of Monitoring the Implementation of Recommendation Rec (2002)5 on the Protection of Women against Violence in Council of Europe member states*, page 11.

Istanbul Convention or other international instruments. The report also attempts to identify key elements that should be considered by State parties to the Istanbul Convention that are currently establishing the institutional structures to coordinate measures addressing violence against women. The points made in this report can also inform the debates within civil society.

We would like to express our warm thanks to all those representatives of state bodies and NGOs who competently and patiently answered our many questions about the composition of their national structures, which can sometimes be difficult to fully grasp from the outside. The answers to our survey have truly been useful for drafting this report.

## **1.2. Assignment and methodology**

### ***Assignment***

The German Institute for Human Rights was commissioned by the Violence against Women Division of the Council of Europe to draft an “analytical report on common challenges and lessons learned from national co-ordinating bodies set-up under different international human rights instruments” with a view to supporting implementation of Article 10 of the Istanbul Convention in 2016. In order to fulfil that assignment, this report attempts to do the following:

- ✓ discuss the scope of obligations contained in Article 10 of the Istanbul Convention relating to the establishment and operation of bodies responsible for co-ordinating, implementing, monitoring and evaluating policies and measures combating violence against women;
- ✓ provide perspectives on key legal, structural and practical points that States should consider when setting-up a co-ordinating body to implement Article 10 of the Istanbul Convention, or formulating the mandate to an existing body to do so;
- ✓ present a selection of international or European bodies set up under the Convention and under other international instruments that can offer insights into factors limiting the effectiveness of such bodies;
- ✓ present relevant discussions associated with requirements arising from other international instruments to establish co-ordinating bodies of this kind, to the extent that information is available.

## ***Methodology***

Of the 22 States<sup>4</sup> that have ratified the Istanbul Convention so far, 15<sup>5</sup> have reported to GREVIO<sup>6</sup> that they have set up an official co-ordinating body under Article 10 of the Convention.

We sent out a short questionnaire to these 15 States for the purposes of obtaining a first impression of how Council of Europe member States have implemented Article 10. A total of 8 countries responded to the questionnaire (Andorra, Austria, Belgium, Denmark, Italy, Portugal, Serbia, and Sweden). The questions themselves relate primarily to the composition and function of the co-ordinating mechanism and experiences associated with its establishment.

“Co-ordinating mechanism” was used as a general term for any and all bodies responsible for co-ordinating, implementing, monitoring and evaluating measures and policies targeting forms of violence against women covered by the Istanbul Convention.

Based on the information from responses to the questionnaire and from desk research, we selected Spain and Sweden to present in Section 3 as countries which have experience with setting up co-ordinating mechanisms under Article 10 of the Istanbul Convention.

To broaden the knowledge base, the study also examined structures set up under two other human rights treaties that perform at least one or two of the four tasks encompassed in Article 10.

One of these was the co-ordinating body established by Finland in 2009 in accordance with Article 29 (2) of the Council of Europe Convention on Action against Trafficking in Human Beings.<sup>7</sup> This body fulfils the tasks of coordination and, to some extent, implementation. Finland was chosen because the Finnish State used the opportunity to learn from other countries’ experiences with setting up co-ordinating bodies before it set up its own. There were several States with state structures similar to Finland’s which already had experience with co-ordinating structures stretching back over several years. Finland’s National Rapporteur on Trafficking in Human Beings and its Ministry of the Interior designed a structure that took into account one of the key findings arrived at over the course of several visits to other countries: many co-ordinating bodies have no real powers delegated to them and are therefore not very effective. An examination of the Finnish model offered the opportunity to collect information about a co-ordinating structure involving high-ranking officials. Its selection was based solely on this aspect; there are other aspects of the Finnish concept, such as the scanty financial provisions of the mechanism, which could not be taken as a positive example.

---

<sup>4</sup> <http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210/signatures>.

<sup>5</sup> <http://www.coe.int/en/web/istanbul-convention/list-of-official-co-ordinating-bodies>.

<sup>6</sup> GREVIO, the Group of Experts on Action against Violence against Women and Domestic Violence is the independent group of experts tasked with monitoring the implementation of the Istanbul Convention.

<sup>7</sup> <http://www.coe.int/en/web/conventions/full-list/-/conventions/rms/090000168008371d>.

Another example comes from Germany. Germany has not yet ratified the Istanbul Convention, but it has set up a comprehensive mechanism to ensure that rights enshrined in the United Nations Convention on the Rights of Persons with Disabilities (UN CRPD) can be fully exercised. The German example is interesting on two counts: for its mechanism, both state and non-state bodies were tasked with different functions, and it involves extensive participation of civil society. Having ratified the UN CRPD in 2009,<sup>8</sup> Germany was committed to implementing Article 33(1) and (2) of that Convention. The State created three bodies for that purpose. Collectively, they were intended to fulfil the requirements of those provisions. Taken together, the responsibilities of these three bodies encompass co-ordinating, implementing and monitoring. In functional terms, therefore - though of course not with respect to their subject matter - these three bodies come close to fulfilling the requirements of Article 10 of the Istanbul Convention.

The responses to the questionnaire sent to the 15 State parties to the Istanbul Convention that reported to GREVIO<sup>9</sup> that they had set up an official co-ordinating body under Article 10 of the Convention were evaluated, and additional desk research on analogous bodies under other treaties was performed. To build on those results, a total of 11 qualitative telephone interviews were conducted. The group of interviewees represented co-ordinating bodies set up under different treaties of five States. To supplement the information obtained in this manner, we then solicited the perspectives of mainly non-state actors who are part of the coordinating mechanisms in question and were in a position to offer insights into their work, structures and the process of implementing the mechanisms.<sup>10</sup>

The interviews were partially transcribed and analysed. The results have been summarized for this report and are presented in the third and fourth sections herein. They provide the basis for the description of experiences with selected bodies under different human rights treaties contained in this report and reflect the challenges and lessons learned from them.

---

<sup>8</sup> <http://www.un.org/disabilities/convention/conventionfull.shtml>.

<sup>9</sup> GREVIO, the Group of Experts on Action against Violence against Women and Domestic Violence is the independent group of experts tasked with monitoring the implementation of the Istanbul Convention.

<sup>10</sup> See for the full list of interviewees in the Annex.

## 2. Scope of States' obligations under Article 10 of the Istanbul Convention

---

Article 10 of the Istanbul Convention obliges States to establish one or more government structures to carry out specific functions to ensure comprehensive and effective efforts to combat violence against women. The requirements set out in Article 10 are quite far-reaching compared to analogous requirements laid down in other human rights treaties. Furthermore, the full content and scope of the obligation of Article 10 can be drawn from Articles 9–11 of the Convention. The requirements relating to the participation of civil society and to data collection and research set out in Articles 9 and 11, respectively, are relevant for the functions specified in Article 10, so one needs to read those articles as well in order to understand the full content and scope of the obligations Article 10 sets out.

### **Article 9 - Non-governmental organisations 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 - Co-ordinating body**

(1) 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.

(2) Parties shall ensure that the bodies designated or established pursuant to this article receive information of a general nature on measures taken pursuant to Chapter VIII.

### **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 the Convention.

(3) (..)

(4) Parties shall ensure that the information collected pursuant to this article is available to the public.

### ***Scope of the Istanbul Convention***

Article 1(1) specifically states that the purpose of the Istanbul Convention is to protect, prevent, prosecute and eliminate all forms of violence against women (the term “women” is defined in Article 3(f) as including girls under the age of 18). The convention explicitly recognises violence against women as constituting both a violation of human rights and a form of discrimination (Art. 2(1)), and defines it as including “all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts” (Art. 3(a)). The Convention does not define the term “gender” in biological terms but instead as “socially constructed roles, behaviours ... and attributes” (Art. 3(c)). Thus the Council of Europe’s Istanbul Convention is the first binding instrument of international law to contain a definition of ‘gender’. The convention also goes beyond any previous human rights document in its inclusion of economic harm or suffering among the results of acts of violence in its definition of violence against women.

The Istanbul Convention addresses violence against women in both the public and the private sphere; domestic violence is explicitly identified as a form of violence against women (Art. 2(1)). Article 2(2) “encourages” States to apply the Convention to domestic violence against men and boys as well, although it leaves this aspect to the States’ discretion.

Thus Articles 1 and 2 of the Convention create a framework intended to be fleshed out through measures to be taken by its Parties covering prevention, protection, prosecution and integrated policies. It therefore defines the subject matter of the activities of the coordinating body or bodies required under Article 10. Indirectly, Article 1 also relates to the collection of data and to the integration of state and civil society actors into the coordinating mechanism.

***Four functions to be carried out in relation to policies and measures to prevent and combat all forms of violence against women***

Article 10(1) of the Istanbul Convention sets down four functions which the States must carry out. These are the (i) co-ordination, (ii) implementation, (iii) monitoring and (iv) evaluation of state measures taken to combat violence within the meaning of the Istanbul Convention. Article 10 provides for these functions to be performed by a single government body or by multiple government bodies. As international monitoring of the implementation of the Istanbul Convention has only just begun, the only more specific characterization of this obligation available to date is that contained in the explanatory report to the Convention (discussed below). GREVIO, the independent expert body responsible for monitoring the Convention at the international level, published in March 2016 a questionnaire intended to serve as the basis for State Party reports on Convention implementation. This questionnaire contains detailed questions about the mandate, structure and role of Article 10 bodies, which suggests that the evaluation reports GREVIO drafts upon completion of its evaluation of implementation in Austria and Monaco (the first countries subject to evaluation) will provide some guidance as to how GREVIO interprets the obligation.

The section dealing with Article 10 in the explanatory report to the Istanbul Convention<sup>11</sup> does not formulate any more detailed criteria for the **co-ordination and implementation** of protection measures, but merely underlines the aim of ensuring the effectiveness of measures to combat gender-based violence. Some criteria for an effective co-ordination of implementation of state measures can be gleaned, however, from the country reports drafted by the Committee for Monitoring the Council of Europe Convention against Trafficking in Human Beings (GRETA).<sup>12</sup> The following are among the criteria for various areas which the committee has emphasized in one or more of its reports:

- ✓ involvement of the highest levels of government in the mechanism;
- ✓ involvement of all ministries dealing with the subject matter;
- ✓ inclusion of NGOs;
- ✓ an appropriate degree of authority;
- ✓ a corresponding mandate and resources on a scale appropriate to allow the co-ordination of government actions;
- ✓ co-ordination both on the horizontal level and among the various state levels to ensure action with full and coherent coverage.

According to the explanatory report to the Istanbul Convention, the **monitoring function** of the bodies requires the monitoring how and how effectively policies and measures are implemented at national, regional and local level.

---

<sup>11</sup> <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016800d383a>.

<sup>12</sup> <http://www.coe.int/en/web/anti-human-trafficking/country-monitoring-work>.

The **evaluation** of policies and measures requires that they be subjected to scientific assessment to determine whether they appropriately address the needs of victims and whether they achieve their aim, as well as to expose any unintended effects. Evaluations of this nature require the collection of large amounts of data, which the Parties to the Istanbul Convention are required to perform under Article 11. This provision requires the Parties to collect “disaggregated relevant statistical data at regular intervals on cases of all forms of violence covered by the scope of this Convention”. States are also required to support research into all forms of gender-based violence and violence against women and girls. This research should address the “root causes and effects of gender-based violence, incidences and conviction rates as well as the efficacy of measures taken to implement” the Convention. Article 11 also requires States “to conduct population-based surveys at regular intervals to assess the prevalence of and trends” in all forms of gender-based violence.<sup>13</sup>

### ***Integration of regional and local levels***

With regard to the implementation, monitoring and evaluation functions, the explanatory report to the Istanbul Convention states that a structure must be established or be effective at those levels responsible for the implementation of the measures. In other words, countries with a federal system of government may find it necessary to set up multiple bodies.

### ***Integration of civil society***

Article 9 of the Istanbul Convention requires the establishment of effective co-operation with relevant non-governmental organisations. The explanatory report to the Convention proposes various methods to structure such cooperation, such as the involving NGOs within inter-agency co-operation or in the implementation of comprehensive government policies.<sup>14</sup> While Article 2, which sets out the general scope of the convention, explicitly encourages Parties to apply the Convention to all victims of domestic violence, Article 9, when it addresses cooperation with NGOs and civil society, refers only to those active in combating violence against women. The explanatory report to the Convention points out that this is not intended however to deter States from going further and addressing the work that is carried out by NGOs active in the area of domestic violence more generally.

---

<sup>13</sup> Explanatory report to the Istanbul-Convention, paras 74-79.

<sup>14</sup> Explanatory report to the Istanbul Convention, para 69.



### 3. Selected national co-ordinating bodies established under different human rights treaties: Experiences gained

---

Each of the structures of the four co-ordinating mechanisms<sup>15</sup> presented in this section exhibits characteristics which are worth considering by States that are looking at ways to implement the requirements set out in Article 10 of the Istanbul Convention in a way that is human rights conform and thus effective. The first two mechanisms discussed, in Sweden and Spain respectively, both function as co-ordinating mechanisms under Article 10 of the Istanbul Convention. The last two mechanisms discussed, in Finland and Germany, were set up to fulfil co-ordination requirements of other human rights treaties.

Sweden and Spain have indicated to GREVIO<sup>16</sup> that they have implemented Article 10. Both countries set up their structures independently, before the Istanbul Convention entered into force. The two countries take different approaches to the performance of the individual functions. In Sweden, the co-ordinating function is performed primarily by the Division for Gender Equality, within the Ministry of Health and Social Affairs, while Spain has established a dedicated co-ordinating body within its Ministry for Health, Social Affairs and Gender Equality. In Spain, monitoring and evaluation are also carried out by state bodies, while Sweden outsources these functions to some extent to independent academic institutions.

The significance of a co-ordinating function is discussed in greater depth in the context of the example from Finland. The ministry that took the lead in setting up the Finnish body to co-ordinate measures against trafficking in human beings<sup>17</sup> decided that creating strong ties with the top political and administrative levels would be a way to guarantee the effectiveness of the mechanism.

Albeit the obligation to integrate civil society in the co-ordinating body in the Istanbul Convention is only implicit, the UN Convention of the Rights of Persons with Disabilities (UN CRPD) does lay down a strong obligation to integrate civil society within the state structures responsible for implementation and monitoring. To meet this obligation, Germany set up a structure pursuant to Article 33 of the UN CRPD that provides for the integration of the civil society within all bodies, including both of the state co-ordinating and implementation bodies and the independent, non-state monitoring body.

---

<sup>15</sup> Mechanisms under Article 10 of the Istanbul Convention in Sweden and Spain; mechanism under Article 33 of the UN Disability Rights Convention in Germany and mechanism under Article 29 (2) of the CoE Convention on Action against Trafficking in Human Beings.

<sup>16</sup> See footnote 6.

<sup>17</sup> Obligation under Article 29 of the Council of Europe Convention on Action against Trafficking in Human Beings.

### 3.1. Sweden: Implementation of the co-ordinating mechanism under Article 10 of the Istanbul Convention

The national co-ordinating mechanism in Sweden was established before the Istanbul Convention entered into force. Before Sweden ratified the Istanbul Convention, the Government of the Kingdom of Sweden came to the conclusion that Swedish legislation on gender-based violence (GBV) was already in line with Istanbul Convention requirements and that the infrastructure in place for co-ordinating and implementing relevant measures was also in line with the Convention. For this reason, it made no legislative or structural changes immediately after ratifying the Convention. This assessment has since changed, however, and the Government has announced the intention to undertake structural reforms, which will include the establishment of a co-ordinating body.

Gender equality policies in Sweden address GBV as well as violence against women and girls (VAWG), and they are executed at the national level under the aegis of the Ministry of Health and Social Affairs, the Ministry of Education and the Ministry of Justice. The Division for Gender Equality in the Ministry of Health and Social Affairs is the principal unit involved in this though. This division supports all of the ministries in their execution of duties relating to GBV and VAWG. Ministerial proposals for relevant policies and measures require approval from this division. It is also responsible for the drafting and co-ordination of national action plans (NAP) on gender equality. Co-ordination at the national level takes place primarily through inter-ministerial collaboration among experts and desk officers across the Government Offices, which form a single, integrated public authority in Sweden comprising the Prime Minister's Office, the government ministries and the Office for Administrative Affairs.<sup>18</sup>

The co-ordinating function at the regional level is assigned to regional administrative bodies that act in line with federal policy. Sweden is divided into 21 counties. Political tasks at this level are undertaken by the County Councils, whose decision-makers are directly elected by the people of the county and also by the County Administrative Boards, which are bodies of the national government in the counties. The main responsibility of the latter is to co-ordinate policies and measures in the county in line with objectives set by the Swedish Government, including the aim of ensuring gender equality. In 2007 the Government launched the "Action plan for combating men's violence against women, violence and oppression in the name of honour and violence in same-sex relationships"<sup>19</sup> in which the boards were assigned the task of initiating and supporting the regional co-ordination of the work of local and regional agencies to combat GBV, VAWG. Their budget and mandate for this task was not specified. The county boards meet four times a year with representatives of the Ministry of Health and Social Affairs to update the Ministry and one another on developments and exchange information. So far, the County Administrative Boards have not been issued a permanent or even long-term mandate to serve as co-ordinators of the tasks

<sup>18</sup> <http://www.government.se/the-government-offices/>

<sup>19</sup> <http://www.regeringen.se/contentassets/07ef84b6218046d4aedcb4080e830ccf/action-plan-for-combating-mens-violence-against-women-violence-and-oppression-in-the-name-of-honour-and-violence-in-same-sex-relationships>

allotted to them by the Government, and it was reported that this had made it difficult for them to plan ahead and work effectively.

The evaluation and monitoring functions under Article 10 of the Istanbul Convention are implemented by various state and non-state actors on the State's behalf: Sweden has two national agencies that are chiefly responsible for the collection of data: the Swedish Council on Crime Prevention, which is attached to Ministry of Justice, and the National Board on Health and Welfare, which is attached to the Ministry of Health and Social Affairs. Both agencies report annually to their respective ministries. The County Administrative Boards report on the status of work in the area of GBV and VAWG to the Ministry of Health and Social Affairs on an annual basis. In addition, universities are being commissioned to conduct research on the extent and consequences of violence against women and to evaluate the effectiveness of state measures, such as the National Centre for Knowledge on Men's Violence against Women (NCK) of Uppsala University. Both the NCK and the Östergötland County Administrative Board co-ordinate the network of relevant national authorities in the field.<sup>20</sup>

In 2015, the Swedish Government published a report on "Policy objectives and a new government agency – effective governance of Swedish gender equality policy".<sup>21</sup> Echoing a conclusion drawn earlier by the National Coordinator for Domestic Violence (2012-2014),<sup>22</sup> the Government's report determined that co-ordination between national and local authorities need to be improved by setting up a new agency which would analyse societal trends in the realm of gender equality, GBV and VAWG and co-ordinate policies and measures in this field. The agency envisaged would take over the task of co-ordinating the expert network of all relevant national agencies, which has been co-ordinated by the Östergötland County Administrative Board and the NCK up to now. In addition, the County Administrative Boards would be asked to provide the new agency with data and consult about further requirements to implement political measures at the regional level. The subject will be discussed in Parliament in the autumn of 2016, which may lead to changes in the way the various bodies involved in the current national co-ordinating mechanism interact.

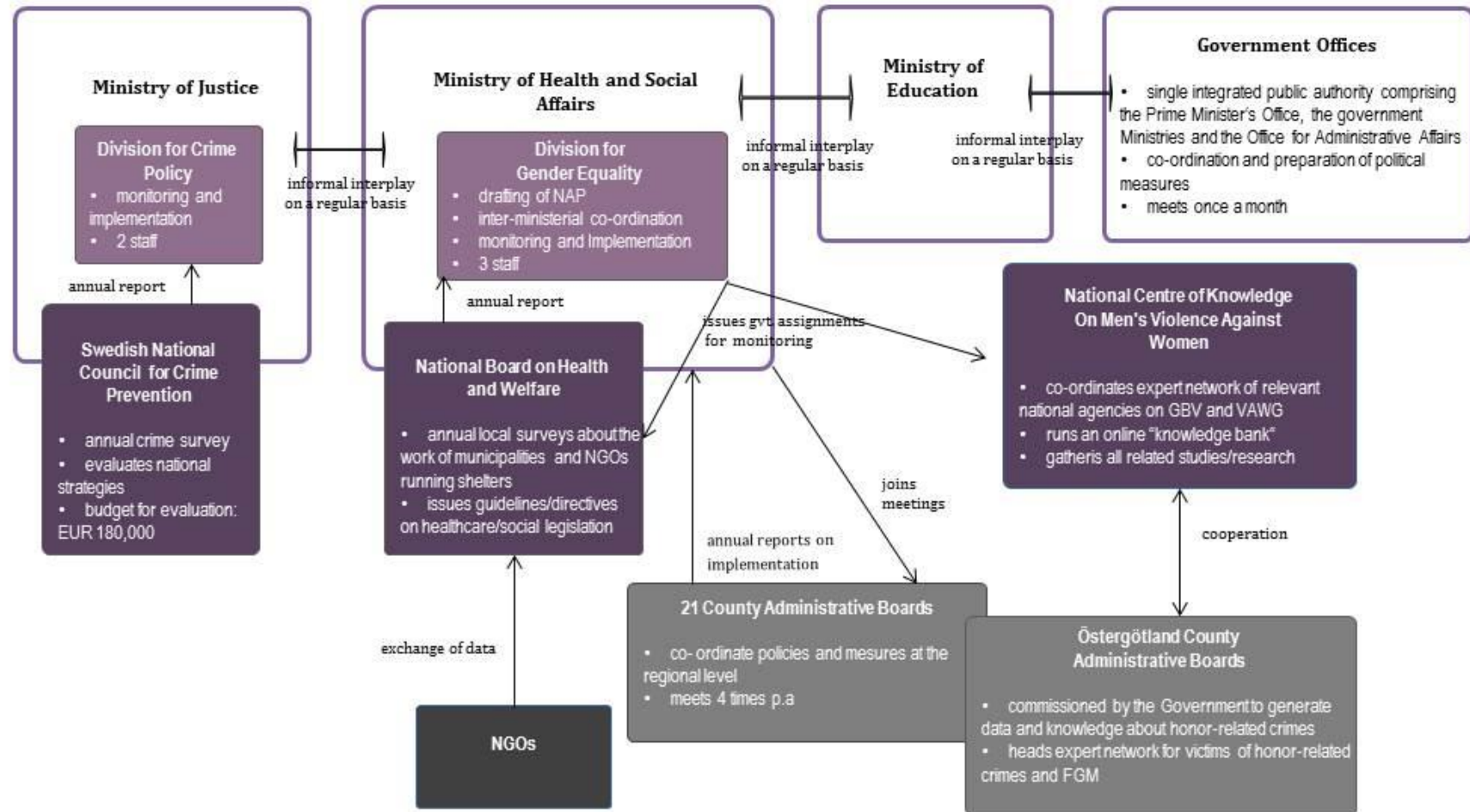
---

<sup>20</sup> According to our interviewee in the Division for Gender Equality these are: National Board of Health and Welfare, Health and Social Care Inspectorate, Public Health Agency of Sweden, Swedish Research Council for Health, Working Life and Welfare, National Council for Crime Prevention, National Police Board, Swedish Crime Victim Compensation and Support Authority, Swedish Prosecution Authority, Swedish National Courts Administration, Swedish Tax Agency, Swedish Agency for Youth and Civil Society, National Agency for Education, Swedish Media Council, Ombudsman for children in Sweden, Prison and Probation Service, Swedish Association of Local Authorities and Regions, Equality Ombudsman, Swedish Secretariat for Gender Research, Karolinska University Hospital, Migration Agency, Swedish Social Insurance Agency, National Board of Institutional Care, National Board of Forensic Medicine, Commission for Government Support for Faith Communities, County Administrative Boards, National Centre for Knowledge on Men's Violence Against Women.

<sup>21</sup> <http://www.government.se/contentassets/8f596b339f08403ba040ed097cdc2be4/summary-of-the-report-policy-objectives-and-a-new-government-agency.pdf>.

<sup>22</sup> <http://www.regeringen.se/contentassets/9d9b0adf4a844a77836ffa9ca6b466df/summary-in-english-of-sou-201449-domestic-violence---a-public-health-issue>.

### Bodies involved in the national co-ordinating mechanism in Sweden under Article 10 of the Istanbul Convention



### 3.2. Spain: Implementation of the co-ordinating mechanism under Article 10 of the Istanbul Convention

Spain is one example of a country that has developed a comprehensive conceptual framework for establishing state structures to combat violence against women; this conceptual framework is associated with a high degree of regulation, through laws, decrees and procedural rules, particularly with respect to co-ordinating structures and tasks.

In December 2004, the Spanish government adopted the Organic Act 1/2004 on Integrated Protection Measures against Gender-based Violence. Among other things, that legislation implements measures and policies in all relevant areas such as education, social services, health care, judiciary and victim support.<sup>23</sup> The act has been further specified by several royal decrees. Unlike the approach taken in other countries, this legislation sets down provisions governing a co-ordinating mechanism, as well as its basic functions and tasks: Articles 29 and 30 of the act provide for the establishment of two bodies at the national level: the Government Delegation on Violence against Women (shortened to Government Delegation below) and the State Observatory on Violence against Women. These bodies are reportedly charged with performing all of the functions arising from Article 10 of the Istanbul Convention. This means that it is largely state actors who run the mechanism.

Both of the bodies established under the legislation named above operate on a high administrative level, under the aegis of the State Secretary for Social Services and Equality in the Ministry of Health, Social Services and Equality.

The Government Delegation, which is based within the ministry, is charged with drafting proposals and measures for government action to combat GBV and VAWG, and also with co-ordinating all actions taken in this area. It is made up of the Government Delegate, who operates as the national co-ordinator for gender-based violence and is directly nominated by the Spanish Council of Ministers through a royal decree, and two directorates: the Deputy Directorate for Sensitization, Prevention and Knowledge about Gender-based Violence, which is in charge of compiling statistics and conducting research, and the Deputy Directorate for Inter-institutional Co-Ordination, tasked with streamlining all legislative and political initiatives relating to GBV and VAWG taken by any ministry.

The Government Delegation, including its Deputy Directorates, is – as an administrative body – responsible for the drafting of government policies on violence against women, and co-ordinating and promoting all actions taken in this area. According to our interview partner from the Government Delegation, it is equipped with approximately 30 staff members and an annual budget of EUR 26 million.

---

<sup>23</sup>[http://www.isotita.gr/var/uploads/NOMOTHESIA/VIOLENCE/SPANISH%20LAW%20Organic%20Act%201\\_28-12-04%20on%20Violence.pdf](http://www.isotita.gr/var/uploads/NOMOTHESIA/VIOLENCE/SPANISH%20LAW%20Organic%20Act%201_28-12-04%20on%20Violence.pdf).

The decision determining the specific structure of the Government Delegation was taken in early 2005 by the Government itself, by means of Royal Decree 237/2005.<sup>24</sup> The structure has kept its current form since the original royal decree was passed.

The State Observatory on Violence against Women (shortened to State Observatory below), whose functions and role within the co-ordinating mechanism were further elaborated in the royal decree (253/2006) is a collegial body attached to the Ministry of Health, Social Services and Equality. The chair is held by the State Secretary for Social Services and Equality. The chair is assisted by two vice chairs, both of whose positions are rotated, one among representatives of the 17 governments of the autonomous communities of Spain and the other among representatives of NGOs. The purpose of this rotation is to achieve direct representation of the regional level as well as the NGO perspective. All the ministries come together in the State Observatory once or twice a year to meet with regional governments, scientific experts and representatives of civil society organisations. It exchanges information and provides expert advice to the Government Delegation with regard to drafting measures. Members of the State Observatory collaborate in working groups related to various aspects of violence against women and produce reports about developments in the area and evaluate the effectiveness of the measures and policies in the field. The State Observatory has adopted an annual report each year since 2007.

The Observatory on Domestic and Gender based Violence is a further body of the national co-ordinating mechanism. This second observatory was established back in 2002 and is attached to the General Council of the Judiciary in the Ministry of Justice. It includes the Ministry of Justice, the Ministry of Interior, the Ministry of Health, Social Services and Equality, the Office of the State Public Prosecutor, the autonomous regional governments with competence in justice affairs and the General Council of Spanish Lawyers. Its main tasks are to compile and analyse data from judicial statistics (e.g. number of reported cases, judgements etc.) and to improve co-ordination among those institutions. It can submit proposals to the Government for the implementation of measures in the justice field. The General Council of the Judiciary's observatory takes part in the meetings of the State Observatory on Violence against Women.

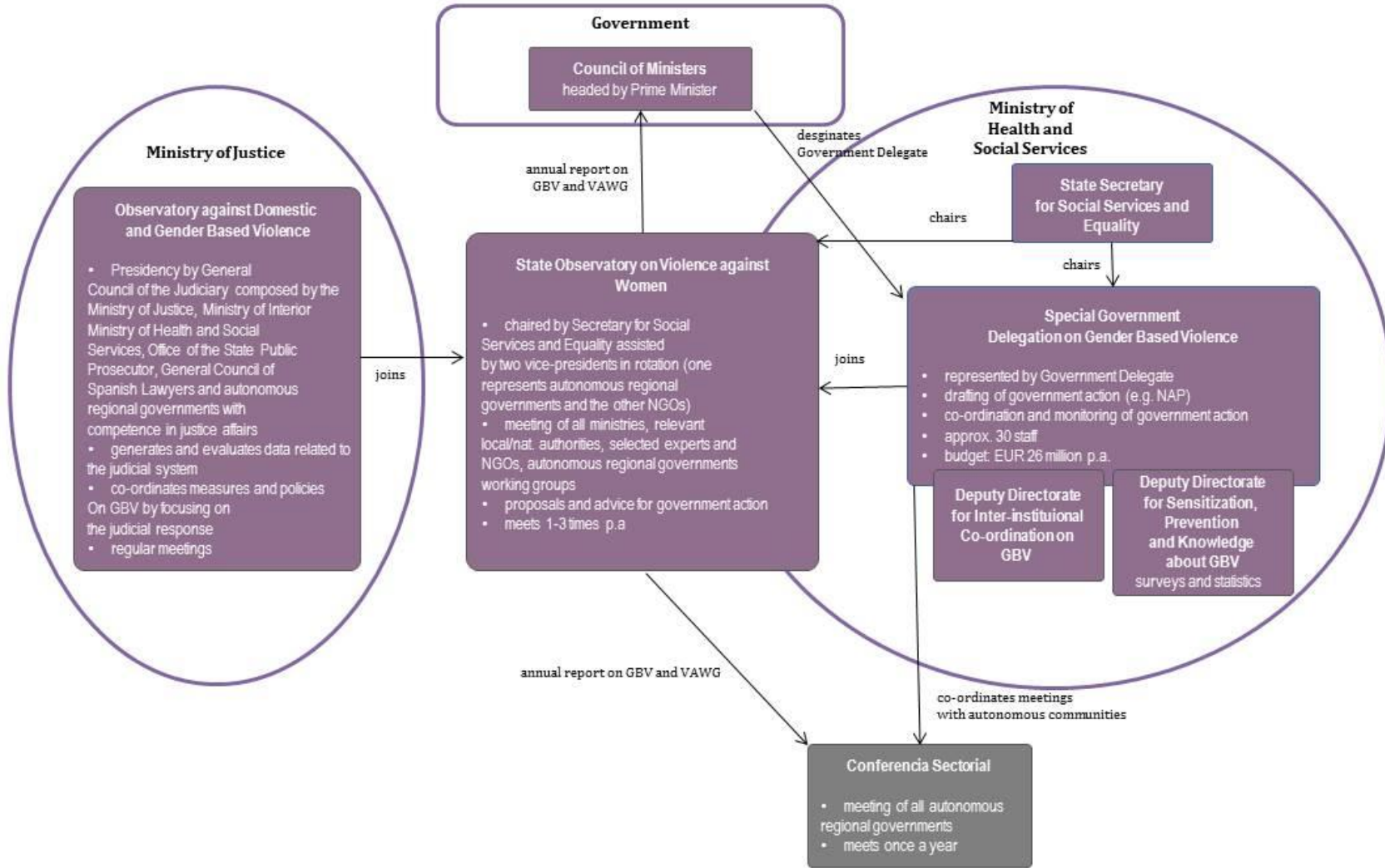
The national and regional (autonomous community) levels are linked together in several ways. The rotation of the office of the vice president of the State Observatory on Violence against Women among the regions, mentioned above, provides one such link. Another such link is the Deputy Directorate for Inter-institutional Co-ordination, which also supervises the regional implementation of policies to combat GBV and VAWG. This Deputy Directorate meets once a year with representatives of the autonomous communities in the *Conferencia Sectorial*. The Conferencia Sectorial also receives the annual report of the State Observatory on Violence against Women.

---

<sup>24</sup><http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d/PPRiCAqhKb7yhssmw5jHDQuNBd+TWAIG8TIFv+GXW/SrrVuM1x0Z4bfe0ApKy1hXDEN2Y3z1x4xRICRdFI2rI2ruu+JLLfSeq68mC8DfoNT21gHWo/4uljJHE>.



**Bodies involved in the national Co-ordinating Mechanism under Article 10 of the Istanbul Convention in Spain**



### 3.3. Finland: Implementation of the co-ordinating body under Article 29 (2) of the Council of Europe Convention on Action against Trafficking in Human Beings

The wording and aims of Article 29 (specialised authorities and co-ordinating bodies) of the Council of Europe Convention on Action against Trafficking in Human Beings<sup>25</sup> (Human Trafficking Convention) are similar to that in Article 10 of the Istanbul Convention. However, the obligations laid down in those two articles differ considerably in terms of the function(s) they entail. The obligation under Article 29 of the Human Trafficking Convention is limited to a pure co-ordinating function: Parties subject to the Convention are required to co-ordinate state strategies, actions and measures for combating trafficking in human beings and to establish one or more co-ordinating bodies for this purpose.

On the basis of a political decision Finland developed and implemented a concept for fulfilling its obligation under Article 29 of the Human Trafficking Convention over a period of multiple years. This project was led by the Finnish Ministry of the Interior, at the state-secretary level. It included a national working group consisting of representatives of the Ministry of the Interior, the Ministry of Justice, the Ministry of Social Affairs and Health and of the office of the National Rapporteur. The project also entailed the exchange of ideas and information with other countries that already had corresponding mechanisms in place and are similar to Finland in terms of their national governmental and political structures.

On the basis of the interviews we conducted for this report, we were able to identify four main aims associated with the design for the mechanism:

- ✓ achieving a high degree of effectiveness by linking the mechanism with decision-making bodies on the state secretary level;
- ✓ ensuring a high degree of appropriateness and relevance of state measures developed by linking the work of the mechanism to the perspective and needs of victims of trafficking through the involvement of support organisations;
- ✓ ensuring that measures taken have widespread impact by involving the regional (*maakunnat/ landskapet*) level;
- ✓ institutionally separating the co-ordination from the monitoring body.

In order to implement these aims, an overall structure was set up to perform the co-ordination function. The structure is made up of multiple bodies, including bodies newly created for the purpose and already existing bodies: an anti-trafficking coordinator, a “Coordination Secretariat”, a ministerial working group on internal security (part of pre-existing government structure), a Meeting of Permanent Secretaries (also part of pre-existing government structure) and two anti-trafficking networks.

In particular, the aim to ensure a high-degree of effectiveness through high level political linking was the result of insight gained from the experiences of other countries whose co-ordinating mechanisms provide important impulses (generated by networking and the

---

<sup>25</sup> <http://www.coe.int/en/web/conventions/full-list/-/conventions/rms/090000168008371d>.



exchange of ideas and information) for the work of combating human trafficking, but whose members have no powers to decide on measures.

To avoid this weakness identified in the implementation in other countries, in Finland the issue of human trafficking was integrated into the subject matter of already existing bodies responsible for decision-making and harmonisation of government policies. These include a regularly convened meeting of permanent state secretaries of all ministries and a ministerial working group made up of officials at the minister level. The original plan was to convene regular meetings of state secretaries at which they would work exclusively on the topic of human trafficking, but this proved infeasible due to time and resource constraints. Instead, the state-secretary level takes over a steering function for the anti-trafficking co-ordination structure in connection with cross-sectorial questions of importance. This includes measures whose implementation is the responsibility of upper administrative and political levels.

The ministerial working group (above the state-secretarial level) comes into play when participation at the minister level is important, for instance in decision-making related to a national action plan to combat human trafficking. This working group also provides policy guidance to the structure when necessary.

At the recommendation of the national working group mentioned above, a “Co-ordination Secretariat” was set up in a central position within the mechanism in Finland. Established at the administrative level in the Police Department of the Ministry of the Interior, this body is intended to act as an engine for implementation and bears partial responsibility for measures to combat human trafficking. At its head is a full-time national coordinator, who is responsible only for issues related to human trafficking and has an annual budget of EUR 60 000. There is no administrative sub-structure to the Co-ordination Secretariat. It receives further – unquantified – support from a two person staff from the Migration Department of the Ministry of the Interior, which is also responsible for other topics.

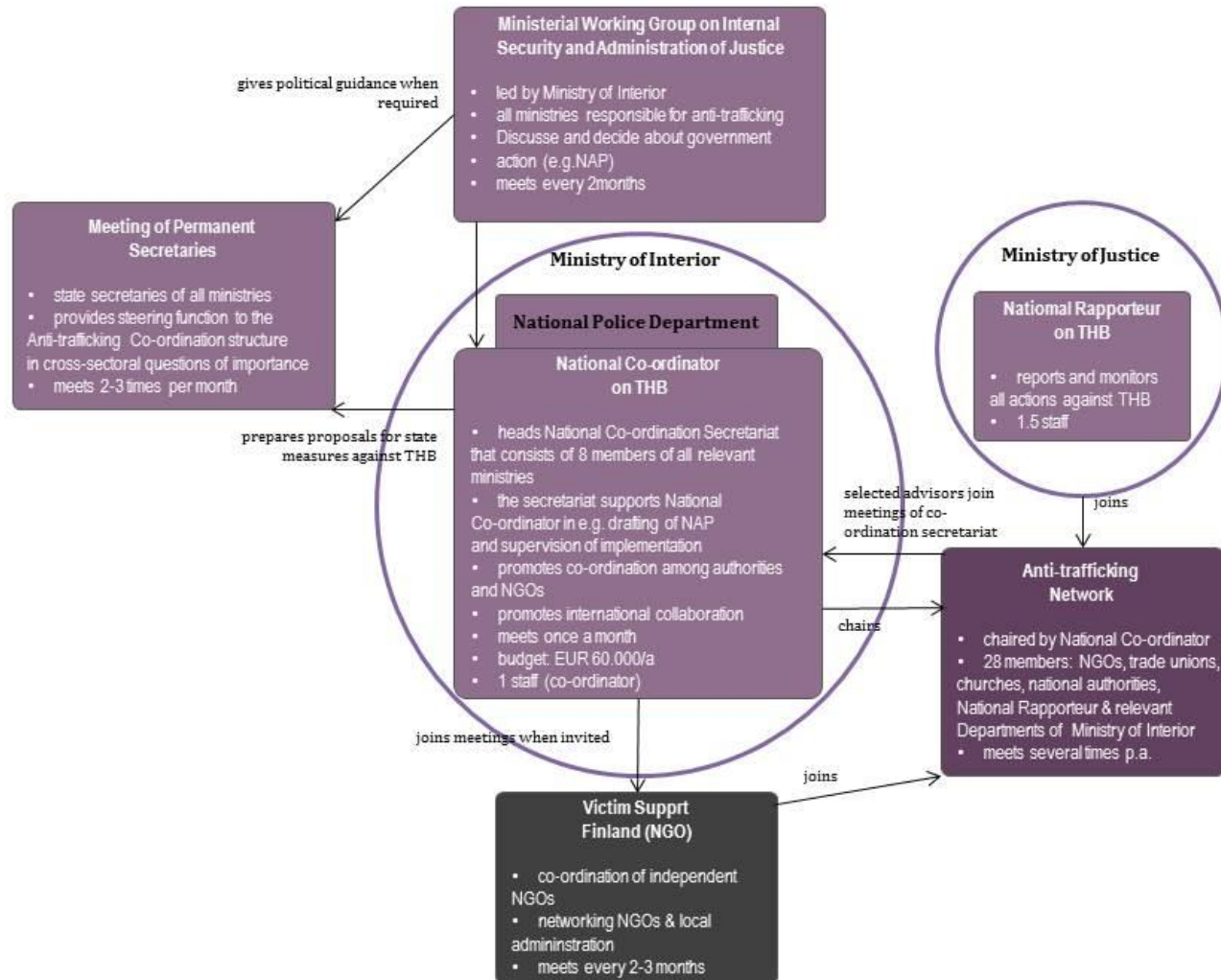
The following ministries are represented in the Co-ordination Secretariat: Ministry of the Interior (by multiple departments), Ministry of Justice, Ministry of Social Affairs and Health, Ministry of Economic Affairs and Employment, Ministry for Foreign Affairs. Representatives are nominated to the Co-ordination Secretariat by their ministries – or, in the case of representatives of the departments within the Ministry of the Interior, by their departments. Their participation involves taking part in its meetings and co-ordinating with their own ministry, or department, concerning the cross-sectorial issues that are processed via the Co-ordination Secretariat.

The Co-ordination Secretariat meets on a monthly basis. It focuses on developing proposals for state measures, e.g. in the form of the national action plan, evaluating their implementation and creating networks interconnecting state bodies and NGOs and inter-departmental contacts. The Secretariat comprises representatives of all departments involved in human trafficking issues and meets monthly. All of its members are senior advisors in their ministries.

The Co-ordination Secretariat obtains advice on human trafficking issues from an anti-trafficking network of experts made up of 27 representatives of NGOs, churches, trade unions as well as public authorities, like the National Police Board, the Border Guard or the Immigration Service, and academic institutions. The national coordinator calls on this network as needed, not according to a regular schedule. There is also a parallel network made up only of NGOs; there are plans to create a state-financed body to co-ordinate this latter network.

In 2009, the post of National Rapporteur on Trafficking in Human Beings was created for the purpose of carrying out the monitoring. This position is now established inside the justice ministry, within the office of the Non-discrimination Ombudsman. The rapporteur has a seat in the expert network specialising in human trafficking and advises the Co-ordination Secretariat.

**Bodies involved in the co-ordinating mechanism in Finland under Article 29 of the Convention on Action against Trafficking of Human Beings**



### 3.4. Germany: Implementation of the national co-ordinating mechanism under Article 33 of the UN Convention on the Rights of Persons with Disabilities

Article 33 of the UN Convention on the Rights of Persons with Disabilities (UN CRPD) sets out an obligation to establish a framework to co-ordinate and monitor implementation of the Convention. The full participation of civil society is required. Germany has implemented this obligation through the establishment of multiple bodies/structures. Since Article 33(1) and 33(2) of the UN CRPD draw a distinction between the state co-ordinating mechanism “to facilitate related action” and an independent mechanism “to promote, protect and monitor implementation of the Convention”, bodies have been established both within and outside of the government. The state structure for co-ordination and implementation is a ‘focal point’ established at the lower administrative level in the Federal Ministry for Employment and Social Affairs (with 3 staff) and the Federal Government Commissioner for Matters relating to Disabled Persons), who is attached to the same department. The latter is appointed by Germany’s Federal Government (*Bundesregierung*) of the day. Her tasks and powers, as well as the obligation to provide her with adequate staff and resources to fulfil her task, are laid down in legislation.<sup>26</sup> Corresponding bodies have also been established at the level of the sixteen federal states (*Bundesländer*). These are in regular contact with their counterparts at federal level.

Separate from this, the Federal Government adopted a resolution in 2008 to commission the German Institute for Human Rights (DIMR) to perform independent monitoring of UN CRPD implementation, thus putting this task in the hands of a civil society actor (staff of five).

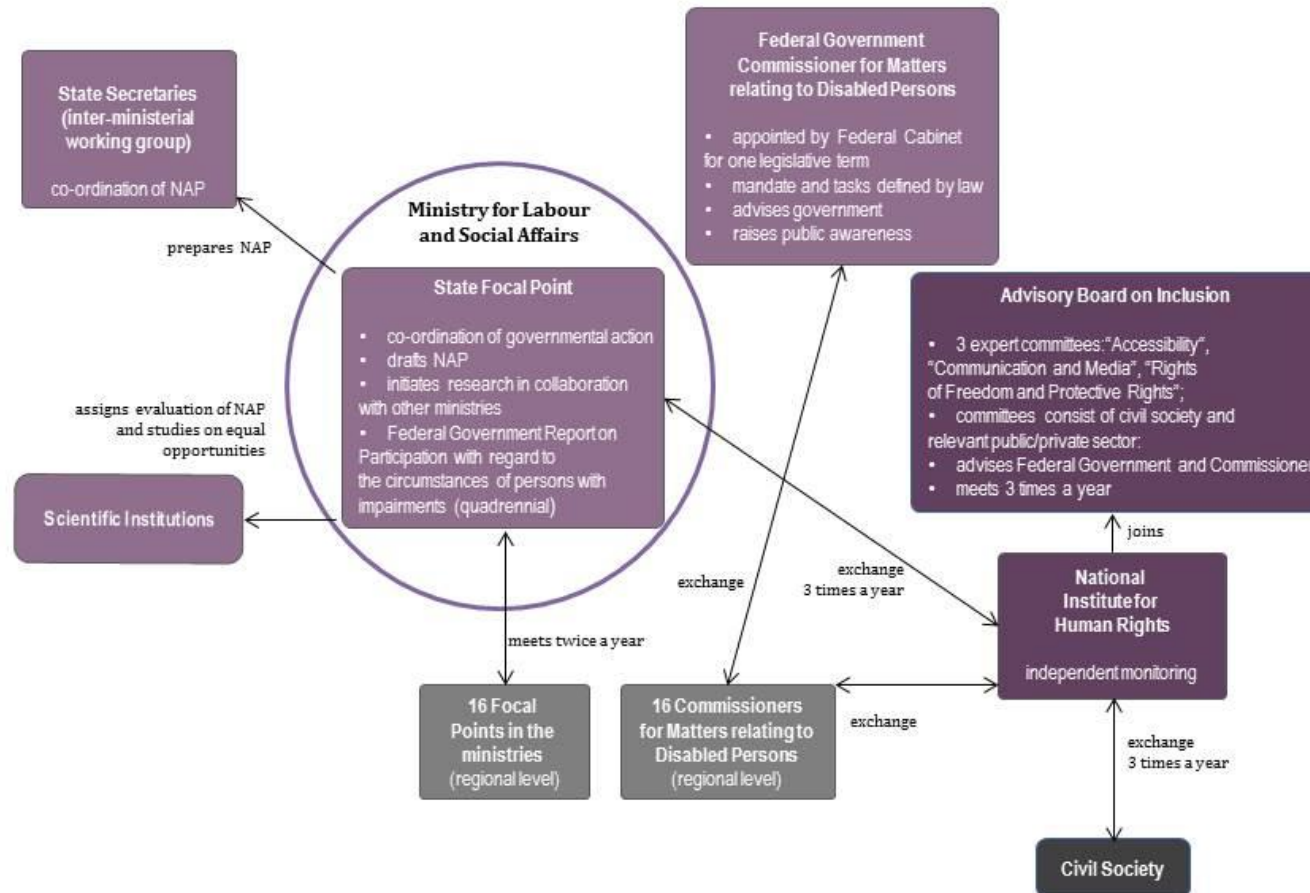
An “Advisory Council on Inclusion” was established for the purpose of organising the participation of civil society. This Council is made up of fourteen members, including a representative of the conference of the regional disability commissioners, representatives of non-governmental organisations and persons with disabilities, and representatives from the independent monitoring mechanism (see below) and the Federal Ministry for Employment and Social Affairs, the latter two both acting as observers. Three specialist committees support the Advisory Council, each comprising twenty representatives of civil society. These committees prepare position papers on UN CRPD implementation from the perspective of the work of their organisations and deliver these to the state bodies. Annual funding of EUR 30 000 is available for travel expenses, co-ordination of meetings and public relations materials. The tasks, procedures, participation rights and quoracy rules of the advisory board are set out in rules of procedure.

Regular meetings of civil society representatives with the Federal Government Commissioner for Matters relating to Disabled Persons and with the focal point are arranged in their offices. In addition, the independent monitoring body hosts “civil society consultations” at which it meets with civil society representatives three times per annum.

---

<sup>26</sup> Sections 17 and 18 of the Equal Opportunities for People with Disabilities Act (*Behindertengleichstellungsgesetz*).

**Bodies involved in the national Co-ordinating Mechanism under Article 33 (1), (2) of the UN Convention on the Rights of Persons with Disabilities in Germany**



## 4. Common challenges and lessons learned

---

The interviews and the short survey also shed light on the experiences of the individual countries with developing their co-ordinating mechanisms. In some areas, it is already possible to speak in terms of lessons learned; in others, it is still more appropriate to speak of challenges identified. This is due in part to the status of the mechanisms in question: some are still at one stage or another in their development process, while others have already been operating for some time. It also reflects differences among our interviewed partners with respect to their willingness to discuss the need for changes.

Seven of the eight States indicated that they had set up one or more official co-ordinating bodies in order to fulfil all functions under Article 10 of the Istanbul Convention.<sup>27</sup> Andorra stated that it was in the process of establishing one. More than half of the countries already had a relevant governmental body or a semi-public agency set up before the ratification of the Istanbul Convention, e.g. the Institute for Equality of Women and Men in Belgium, which was set up in 2002. Others established bodies shortly before or after ratification. For example, Andorra created a specialised co-ordinating body, the National Commission for Prevention of Domestic Violence and Gender (CONPVG) in 2015, one year after ratification.

Almost all of the States indicated that they have one or two bodies executing all four functions pursuant to Article 10 of the Istanbul Convention. As a general rule these bodies are state bodies, like ministry departments, inter-ministerial working groups, committees or commissions headed by state officials. In some countries the NGO perspective is included by inviting selected organisations to be a member of working groups or commissions (see 4.2). It is unusual to find the elements of monitoring and evaluation, which require assessment, entrusted to bodies outside the administrative authorities, such as academic institutions.

This means that, as a rule, the bodies responsible for developing and implementing measures and policies are also responsible for evaluating their efficiency.

The majority of the respondents to the survey did not provide functional breakdowns of the budgets of the mechanism in question.

### 4.1 Co-ordination and implementation

The majority of States reported that the co-ordination and implementation of state measures to combat violence against women at the national level are ensured either by a national ministry (as a rule a ministry bearing responsibility for equal opportunities, health, women or social affairs) or by structures for co-operation among the various relevant ministries (these are the inter-ministry working groups or commissions mentioned above). The specific tasks of these structures are set out in very different terms. Interview partners described their basic functions as regular exchange of information and ideas within the

---

<sup>27</sup> Austria, Belgium, Denmark, Italy, Portugal, Serbia, and Sweden.

structure, with frequencies ranging from monthly to every six months, as well as networking with other state bodies and with their European counterparts. Depending on their mandate and resources, co-ordinating bodies also draw up the programmes to combat violence against women for the governments of the day, e.g. national action plans, make specific proposals for further measures and monitor their implementation. Only five countries reported that they also have provisions in place governing co-ordination at regional and local levels. The others attributed the absence of regional co-ordination to a lack of budgetary and human resources.

Of the many issues addressed in the interviews, the following were considered by our interview partners to be central aspects of high priority. From their perspectives, these aspects play a very important role in determining the success or failure of the planning, establishment and operation of co-ordinating mechanisms.

### ***Establishment of bodies dedicated only to co-ordination at the national and regional level***

A first important criterion for effective co-ordination is the establishment of dedicated bodies to carry out the task. As a rule, these bodies are supported by staff; some also have their own budget. The Belgian body, for instance, has a two-person staff, the Danish one full-time and two part-time staff members and the Finland body has one position in addition to unquantifiable administrative support from other departments.

In those cases where an existing body (usually a ministry) has been designated responsible for the co-ordinating function, it is frequently impossible to quantify the budget associated with that function, and there is no clarification as to how many staff positions within that body can be expended on co-ordination-related activities or how many other tasks a given staff member might be responsible for at the same time. When co-ordination is relegated to being of secondary priority among several tasks that must be discharged, something to be done 'on the side', the result is a lack of regular communication and liaison with the other relevant ministries and actors within the co-ordinating mechanism, ultimately resulting in ineffectiveness; as a government ministry representative put it,

*“Some authorities get frustrated, because they see that the other authority is next door, they are doing excellent work but they don't communicate with us and we do not have time to regularly collaborate and so our work doesn't have the potential it could have”.*

Interviewees thus regarded the position of a co-ordinator at the centre of the overall mechanism as crucial for ensuring the integration of all relevant actors. This co-ordinator can see to it that all relevant bodies are kept informed, that the development of new measures is driven forward and that once measures have been decided on, they are also implemented. Accordingly, one interviewee compared the position of the co-ordinator to a central motor and steering position:

*“There must be this kind of a motor, like a project leader for setting up and exercising the national co-ordination mechanism.”*

### ***High-level connection of the co-ordination function, both administrative and political***

Multiple interview partners, like the one quoted above, understand the co-ordination function more as that of a motor driving work on the subject matter forward, rather than that of 'merely' acting as a hub for information and arranging contacts and communication. These interview partners considered it essential that the co-ordination function be tied in at a high administrative level. When the co-ordinating body is tied into a ministry at a low administrative level, it has to struggle to bring attention to the subject of gender-based violence even within its own department: the subject is just one of many competing for resources and political priority. Moreover, a high-level connection is also helpful in other respects, e.g. the long-term implementation of measures being spearheaded by other departments. Drawing on its experience as a structure at low administrative level, the focal point for UN CRPD Implementation in Germany, which is attached to the Ministry of Employment and Social Affairs, had the subject of UN CRPD implementation embedded in a regular meeting round of department heads, in order to push the issue up higher in the hierarchy. This was effective in multiple respects: For one, more departments participated in drawing up the NAP and committed themselves to implementing measures. For another, the other ministries became more aware of UN CRPD implementation.

The same is true of the composition of the inter-ministry working groups or committees: the higher the rank of the responsible officials in the other ministries, the greater is the committee or group's own power to make decisions on the measures it develops to combating violence against women.

The interviewees also stressed that it is also important to embed the topic of gender-based violence in the mandate of political decision-making structures and connect them with the coordinating mechanism. Finland and Serbia have both opted for an approach of this kind. In Finland the mechanism against human trafficking, based in the Ministry of Interior, has strong ties to the Meeting of Permanent Secretaries. The latter undertakes the steering function for the anti-trafficking co-ordination structure in the context of cross-sectorial questions of importance. In Serbia, the co-ordinating body under Article 10 of the Istanbul Convention is headed by the Vice Prime Minister. Experience has shown that it is difficult to maintain high-level political decision-making bodies, such as meetings of state secretaries or ministers, devoted exclusively to one topic over the long term; the approach of integrating the topic into existing meeting rounds appears to work better. The challenge associated with that approach lies in the competition between topics, as this quote from a ministry representative shows:

*"It's natural that the gender-based violence questions compete with other political questions. So how important will the ministers feel that these questions are?"*

In consequence, the importance of formal connection or interlinking of the political decision-making body with the co-ordinating mechanism has been emphasised.



### ***Specialist advice from NGOs***

No one disputes the need for specialist advice from NGOs on the co-ordination and ensuing implementation of measures. The more remote the body doing the co-ordinating is from the work of organisations actively combatting violence against women (e.g. when decisions are taken at a very high administrative or political level), the greater the danger that the needs of victims will not be adequately reflected in the measures developed. The NGO representative quoted below is describing an experience with a co-ordinating mechanism that – in the view of counselling professionals – is not fully aligned with the needs of the people affected. Her remark is representative of the descriptions provided by several interview partners who were not regularly integrated within co-ordinating bodies.

*“The co-ordinating mechanism is very high level and when we see that changes are needed on the client level, it’s something that is often not seen and it’s hard to address.”*

Countries take very different approaches to integrating the knowledge possessed by NGOs and the perspective of those affected into their policies and measures. In some countries, the co-ordinating body consults representatives of NGOs on an ad hoc basis. In other countries, NGOs have a fixed position within the co-ordinating mechanism, acting as members of the co-ordinating body, as a rule as fixed members of inter-ministry bodies. In some cases, a co-ordinating structure will have subordinate topic-specific working groups that prepare specific proposals to be considered at the meetings of the co-ordinating body. Interviewees, predominantly from NGOs, held the view that bodies that hold regularly scheduled meetings can do a better job of developing measures, because that allows NGOs to plan for them well in advance. From their perspective, NGOs should be permanent members of the co-ordinating bodies, which should have transparent and formalised structures. How the body arrives at the decisions or positions it takes and who has final authority for decision making must be clear to all. Transparency is also essential with respect to what administrative and political decision-makers do with the results of the co-ordinating body’s work.

Interviewees also believed co-ordinating bodies do their work better when NGOs are involved in drawing up the agenda for individual meetings and in the overall planning process, e.g. in the planning the body’s work for each upcoming year (see 4.2 below).

### ***Involvement of the regional level and co-ordination at regional level***

As was mentioned above, only five countries reported that they co-ordinate policies and measures at regional and local levels. The others attributed the lack of regional co-ordination to a lack of budgetary and human resources. Insufficient co-ordination at and with the regional level was clearly identified as an obstacle to sustainable governmental action. There is great variation in the intensity of interaction in structures linking the national and regional levels. In its weakest form, this interaction consists of the regular exchange of information and ideas. Structures such as that in Belgium go further: there, the structures at all levels of government are interlinked with one another. Each level has a

designated co-ordinator who represents that level in joint committees within interdepartmental working groups and at inter-ministerial conferences, where the main decisions related to gender-based violence are made.

The structure in Spain is set up in a comparable way, though it includes a further element of co-ordination with the regional level. The Observatory on Violence against Women is a participatory body at the federal level. The chair is held by the State Secretary for Social Services and Equality, who is assisted by two vice chairs. The positions of vice chair are rotated, one among representatives of Spain's 17 regional governments and the other among representatives of NGOs.

These examples clarify the essential elements which interviewees deemed advisable for the effective involvement of the regional structures – such as a clear mandate for co-ordination within the regions and the interlinking of federal and regional levels through joint steering committees.

### ***Great importance of resources and professionalism for the co-ordination function***

The importance of resources has already been mentioned. The need for adequate resources is obvious in relation to functions such as evaluation and monitoring, which involve the collection of empirical data and the commissioning of research, such as representative surveys. The importance of resources has been emphasised repeatedly with regard to the co-ordination function as well.<sup>28</sup> Without financial underpinning, structures, though they may appear comprehensive and multi-layered to outsiders, will be ineffective. This is evident in the following response from a ministry representative to a question about the strength of the national co-ordinating mechanism to carry through on its intentions:

*“Honestly speaking not very strong. Because it doesn't have its own budget, it doesn't have its own staff, and has to rely on financial and technical support from other members of the bodies.”*

Although this aspect is well-known, there does seem to be a tendency to underestimate the costs involved in effective co-ordination. Only a few countries earmark separate resources for co-ordination. In addition, more than half of the co-ordinating bodies have to co-ordinate with all the relevant national, regional and communal authorities (e.g. local social services, regional governments) as well as the relevant civil society actors. It is still unclear how all these co-ordinating bodies go about these tasks in countries where they have no dedicated staff or budget.

It is also important for other ministries involved to have the necessary resources and expertise available. They are part of the co-ordination process, and they have to implement measures. They, too, need a clear mandate, expertise in the subject-matter and, ideally, a

---

<sup>28</sup> See also Krizsan, Andrea; Pap, Eniko (2016): *Implementing a Comprehensive and Co-ordinated approach. An assessment of Poland's response to prevent and combat gender-based violence*, Council of Europe (editor), page 25. Available at: <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168064ecd8>.

proportionate share of resources.

### ***Planning process led by relevant actors and backed by political will***

Experiences of the interview partners showed that it takes time, good technical preparation, early involvement of the central actors and political backing to plan and set up a co-ordinating mechanism which ultimately involves all the relevant ministries and prepares the relevant departments to provide resources and develop expert skills. One co-ordinator vividly summed up the points that need to be considered when describing the process of setting up the structure:

*“It was very helpful that the structure was well planned by the respective working group led by the Permanent Secretary of the Ministry of Equality. However it was a demanding task to get all actors really involved in the co-ordinating mechanism. This was greatly helped by the commitment of other central actors such as the Ministry of Justice’s and the Ministry of Health’s central experts.”*

## **4.2 Monitoring and Evaluation**

Under the Istanbul Convention, ‘monitoring’ means observing how and how efficiently policies and measures against gender-based violence and domestic violence are implemented at national, regional and local level. Monitoring includes elements of measuring and evaluating. In particular, the Istanbul Convention understands that the evaluation of policies and measures requires scientific evaluation. Article 10 taken together with Article 11 means that the multiple responsibilities are connected to the State’s monitoring function: to collect and analyse data and to support scientific research. The interviews clearly reveal a lack of consensus among the countries as to what evaluation and monitoring actually mean, how the two functions differ and who is best suited to carry out these functions. The States included in this study can be divided into three groups:

(1) Some countries reported that state bodies carry out evaluation and monitoring as part of the ministries’ regular duties, including annual reporting and periodic reporting under CEDAW or relevant questionnaires from the UN or the Council of Europe.

(2) Some countries set up bodies that are headed by state officials within their co-ordinating mechanisms, like Spain’s State Observatory on Violence against Women. Some of these bodies collect data themselves as well as evaluate state measures and strategies. They also strive for an overall improvement of the collection and storage of data within state bodies whose work touches on violence against women. Spain’s State Observatory will serve as an example again: it has developed an extensive system of indicators with which to identify the scope and context of gender-specific violence. To guarantee differentiated and uniform collection of data, meetings and other events have been used as occasions to encourage other state bodies to adopt this system of indicators. It was pointed out in the questionnaire that plans in Italy envisage the establishment of a single national database on violence

against women, in which existing and new data coming from all public administrations involved will be collected.

(3) The third group of countries outsources parts of the tasks of monitoring and evaluation to independent bodies outside the state administration. This can take place through issuing a mandate to a specific institution or institutions to perform specific tasks, or through the commissioning of individual studies. In Sweden, for example, the National Centre for Knowledge on Men's Violence against Women (NCK), an institute of the University of Uppsala, was established as early as 1994. In Belgium, the tasks assigned to an institution independent of the government included co-ordinating a group of experts made up of civil society and scholars. This network analyses actions and gives opinions on progress toward NAP implementation. It also forms a forum for stakeholders to exchange information and best practices and to identify problems and areas for improvement. This is complemented by the evaluation of laws, NAPs or strategies by universities or independent institutions.

Looking at the approaches taken in the examples described above, we can identify a set of core elements of importance with respect to the implementation and monitoring/evaluation functions.

### ***Institutional separation of monitoring and independent evaluation***

*"Maybe it is good to also have somebody who offers a glimpse from outside",* was the conclusion drawn by one ministry representative whose department deals with the monitoring and evaluation of state measures to combat gender-based violence. She was referring to what several of our interviewees described as the necessity to have an outside perspective on the evaluation of state measures. This assessment is also in line with the human rights approach to national monitoring, which focuses on the institutional independence of the bodies tasked with it.<sup>29</sup>

When co-ordinating mechanisms take a form in which monitoring is tied to state bodies, it is easier to set up a structure to collect administrative data on incidents of violence that is differentiated with respect to gender. Appropriate data collection alone, however, is not sufficient: it is also necessary for the data to be subjected to scientific analysis to help determine whether the measures selected by the State have achieved their targets and whether and to what extent they are having the desired effect. A situation in which close institutional ties exist between those who implement measures and bear political responsibility for them on the one hand and those who are supposed to evaluate the efficacy of those measures on the other, or even one in which the two groups are identical, provides fertile ground for conflicts of interests and can weaken the analysis.

---

<sup>29</sup> See for example Article 33 (2) of the UN Convention on the Rights of Persons with Disabilities or Article 17 f of the Optional Protocol to the UN Convention against Torture (OPCAT).

***Step-by-step mainstreaming of indicators for violence against women in existing official statistics and collection of new data according to a comprehensive conceptual approach***

The data collection obligation that the Istanbul Convention imposes on the States is striking in its scope, as both the Convention text itself and the explanatory report make apparent. This obligation alone involves the following requirements:

- ✓ regular collection of data over time
- ✓ collection of data on all forms of violence covered by the Convention
- ✓ collection of other relevant data, which depending on the State, may include data collected from statistics compiled by health care services, social welfare services, law enforcement agencies, NGOs and the judiciary
- ✓ collection of data on the federal, regional and local levels
- ✓ collection of data that is disaggregated by sex, age, type of violence, relationship between victim and perpetrator, geographical location and other factors that a State deems relevant, such as disability.

The data categories mentioned in the last point above are not binding, and the list is not exhaustive. In view of developments over the past two years in particular, the categories of residence status of perpetrators and victims need to be classed as relevant, as does the data collected by immigration and asylum authorities.

In view of the sheer scope of the data collection task, it was not surprising to hear one ministry representative say: *“so there was and is still a need of improving these data”*. This remark reveals a step-by-step approach to implementation, similar to those which many States have adopted. It also reflects the experience of countries, such as Spain, which began working to improve their data collection on this subject back in 2006 and have already made considerable progress in this endeavour. Spain has established a separate body within its co-ordinating mechanism that is responsible for surveys and statistics. All ministries involved in its co-ordinating mechanism now generate specialised statistics, with the support of the National Statistics Institute. This is the result of “a long time” spent developing a conceptual framework and “lobbying” among the relevant authorities in Spain on the part of the special Government Delegation on VAW. Reportedly, indicators, such as the number of femicides nation-wide, which touch on the sphere of competence of more than one authority, are the subject of cross-agency data synchronisation.

Thus, aside from questions about the how best to evaluate the aims and impacts of state measures and policies, the countries are also in the process of improving their underlying data basis, a task of fundamental importance. Some view their next step as making basic changes to their data collection policies, such as starting to collect *“quantitative data disaggregated by age and sex”*. Others are confronting the challenge of systematically increasing the transparency of their procedures, from the reporting of offenses through to their possible prosecution, and in that context of collecting information on gender-based violence, including the ages and genders of victims and suspected perpetrators and their relationships to each other.

A study published by the Council of Europe in 2008 investigated the range of state and non-state bodies involved in data collection activities as well as the limitations of their current approaches to data protection. The study's authors formulated recommendations for establishing systems for comprehensive collection of data on gender-based violence. The study's findings, in particular those relating to countries which were at a relatively early stage in this process, stressed the importance of developing an overall strategy for collection of data. The authors recommended having state authorities work with institutions, researchers and agencies active at the grassroots level to design this strategy. The study also identified the following elements as essential for the development of a system for comprehensive data collection: a comprehensive and thorough inventory of current data collection practices, development of a uniform system of indicators, the existence of a central co-ordinating body to steer the process, the clear definition of the responsibilities at each level (operative, supervisory, etc.), and routine training for anyone involved in collecting data. Finally, the study offers a model approach to the collection of administrative data.<sup>30</sup>

### ***Including data generated by civil society organisations***

In the view of the interview partners, it is important that monitoring data incorporate data from civil society organisations. Integrating civil society in monitoring activities does not appear problematic when the issue is expert knowledge shared with a state structure via networking or consultations. Less obvious, though, is how a state structure should approach the collection of client data generated in women's shelters, advice centres, emergency hotlines and support phone lines run by NGOs. In addition to pointing out the difficulty of standardising data collection practices across a wide variety of institutions, interviewees voiced some reservations regarding the protection of clients. Some were of the opinion that it was imperative to ensure that state bodies could not gain access to client data via data collection.

### ***Creating transparency about data and introducing feedback mechanisms***

Nearly all NGO representatives emphasised that data generated by the state should somehow be made available to a broader audience. This is in line with the obligation set out in Article 10 of the Istanbul Convention and ties in with aspects of regular reporting at national level. States party to the Istanbul Convention are allowed considerable latitude when it comes to regular reporting, and this obligation has been implemented differently in the various countries, Article 11 (4). It is left to them to determine the form and means, as well as the type of information that is to be made available.

Some States have found that regularly reporting data helps keep the issue of violence against women in the public eye and provides valuable feedback to the organisations and institutions combatting gender-based violence. In Spain, for example, the Judiciary Statistics

---

<sup>30</sup> Ruuskanen, Elina; Aromaa, Kauko (2008): *Administrative data collection on domestic violence in Council of Europe Member States*, Council of Europe (Editor). Available at [http://www.coe.int/t/dg2/equality/domesticviolencecampaign/Source/EG-VAW-DC\(2008\)Study\\_en.pdf](http://www.coe.int/t/dg2/equality/domesticviolencecampaign/Source/EG-VAW-DC(2008)Study_en.pdf).

Service of the Observatory on Gender and Domestic Violence (see 3.2) sends quarterly statistical reports on violence against women to all courts in the country.

Other countries publish annual reports. In some, like Sweden, these reports are produced by individual administrative units. Sweden's 21 counties issue annual reports on local implementation of measures and policies. The desk officers in all relevant ministries also send annual reports on implementation to their respective ministers. The State Observatory on Violence against Women in Spain also delivers annual reports on gender-based violence.<sup>31</sup>

### ***Prioritising victims' perspective***

The representatives of civil society in particular urged that the perspective of victims of gender-based violence be paramount when setting priorities both for the implementation of individual measures and for activities of the co-ordinating mechanism, with its four functions. This, they reported, is not always the case, especially when on-going political processes or proposed legislation influence the work of the co-ordinating mechanism and hence its priorities.

## **4.3. Inclusion of civil society**

Civil society actors constitute an important resource, both in terms of providing support for victims and for the prevention of gender-based violence. Their familiarity with the problems and needs of victims enables them to integrate the perspectives of victims throughout the process of developing, implementing and evaluating policies and measures. They also offer a critical perspective on government actions. The involvement of civil society actors in the national co-ordinating mechanism can therefore increase and improve governmental responses to challenges associated with combating gender-based violence.

Under the terms of the Istanbul Convention there is a strong obligation for States to ensure civil society's participation in the efforts to combat violence against women. This participation should take the form of effective co-operation (Article 9). This obligation reaches further than civil society's operative role in providing protection and advice for victims, extending to participation by civil society in political processes.

### ***4.3.1 Different types of and structures for participation***

Civil society participates in some way or another in all the mechanisms that we examined. It is predominantly NGOs focussing on political activities, such as umbrella or lobbying organisations, that are represented in co-ordinating mechanisms at the national level. Their

---

<sup>31</sup> See for example the 7<sup>th</sup> annual report of the Observatory on Violence against Women 2015. Available at [http://www.violenciagenero.msssi.gob.es/violenciaEnCifras/estudios/colecciones/pdf/VII\\_Informe\\_Ejecutivo\\_Ingles1.pdf](http://www.violenciagenero.msssi.gob.es/violenciaEnCifras/estudios/colecciones/pdf/VII_Informe_Ejecutivo_Ingles1.pdf).

function there is primarily to provide professional expertise and data relating to gender-specific violence to various bodies within the co-ordinating mechanism. Their input can come in a variety of formats, and may involve the unilateral provision of information and advice, or a mutual exchange of ideas and information, or it can come in the form of data provided in the context of evaluation and research. Civil society actors are primarily involved in the development and evaluation phases of measures, which clearly means that they are not involved in decision-making on measures or policies at the administrative or political level.

In most of the countries assessed, NGOs take part as members of an inter-ministry group. In some countries, though, the State has created and to some extent funds a structure with formalised procedures for the involvement of civil society actors. In Germany, for instance, an Advisory Board on Inclusion was established for the purpose of involving NGOs in the co-ordinating mechanism under the UN Disability Rights Convention. This body brings together NGOs and disabled people's organisations (DPOs) from all relevant fields. It is charged with advising the independent Federal Commissioner for People with Disabilities and is assisted by expert committees, which work on specific aspects of the Convention and formulate proposals for governmental action to be put forth by advisory board. The board's regular meetings are arranged by the Office of the Federal Commissioner for People with Disabilities, which is attached to the Ministry of Employment and Social Affairs. Rules of procedure have been developed to govern the work of the Advisory Board on Inclusion, its procedures and quoracy. Travel expenses of those attending are covered.

In other countries, the ministry leading the co-ordinating mechanism funds a staff position to co-ordinate an NGO network and that person attends the meetings at which the NGO representatives exchange experiences and ideas. The weakest form of participation described to us was the practice of merely inviting non-governmental organisations to state bodies on an ad hoc, intermittent basis, and simply requesting them to report on their practical experiences.

#### ***4.3.2 Different perspectives and expectations of state and non-state bodies***

As one would expect, civil society and state bodies have very different perspectives on and assessments of the co-operation between civil society and state bodies. Interviewees from state bodies "*select*" NGOs, "*appoint them*" to advisory boards and ask them about their practical expert and professional work "*as required*". On the whole, they describe the civil society as an important actor whose involvement is not in question.

By contrast, civil society actors tends to be have a more critical perspective on their involvement or participation, regardless of what form it takes. They do recognise some positive aspects, such as the reinforcement of networks within civil society and the opportunity to improve professional standards. They also assess their direct and organised access to the ministries as being beneficial for their work in the mechanism. Nevertheless, interview partners from civil society also highlight the unsatisfying outcomes of their



consultations with governmental bodies: they do not know, they say, what ultimately happens to the recommendations and criticism they provide, and question whether they have any impact at all. Some bodies in the national co-ordinating mechanisms are perceived as rather lacking in transparency. Civil society actors sometimes feel that they are “*pseudo participants*” in the mechanism.

Some of the criticism is the result of overly high expectations for the co-ordinating mechanism; this is well illustrated by this quote from an NGO interviewee:

*“So if there is a problem, you bring it up to the networking and to the official channel, that of the co-ordination mechanism and then it will be solved.”*

To conclude, it is possible to identify specific challenges which necessitate a discussion to explore ways to structure effective co-operation with the civil society which take into account the power relationship between the State, as funding source, and the civil society, whose organisations are frequently in the role of recipient of grants.

### **4.3.3 Challenges**

The interviews highlighted points of criticism and the challenges associated with them. Many of these are reflected in the Council of Europe’s Code of Good Practice for Civil Participation in the Decision-Making Process.<sup>32</sup> The Code defines four principles for fostering constructive relationships between NGOs and public authorities (participation, trust, accountability and transparency and independence) as well as conditions for creating an enabling environment which have to be applied on four levels of participation: information sharing, consultation, dialogue and partnerships.

#### **Irregular consultation initiated by and as required by state bodies**

Some NGOs describe their participation as being too biased toward the needs of the state bodies. The state bodies determine how often meetings take place, and the meetings are scheduled to suit the ministries’ convenience. The NGOs are not involved in drawing up the agendas for meetings either; the ministries tailor them to reflect their current needs. From their perspective, this is understandable in view of the imperatives of political processes.

#### **NGO selection not representative of all forms of GBV or all victims of GBV**

The interviews also revealed that when civil society participation takes the form of NGO participation in committees alongside state bodies or in committees co-ordinated by state bodies, it is frequently the state bodies that select the participating NGOs. Civil society does not have the right to send delegates of their own choice. This can result in a tendency towards the selection of large and well-known NGOs for these committees, and inadequate

---

<sup>32</sup> Available at

<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016802eed5c>.

representation of the perspectives of underrepresented groups, such as migrant organisations, small NGOs or self-organisations. This, in turn, entails the risk of perpetuating a failure to take the perspectives – and thus also the needs for support – of marginalised groups affected by gender-based violence into account during the development of state measures.

### **Over-burdening NGOs by multiple requests for participation and a lack of resources**

Mechanisms that consist of multiple bodies can involve requests for participation on a scale that small NGOs with meagre resources, in particular, are not in a position to meet. The resulting participation by NGOs in multiple contexts leads to a weakening of professional quality and hence to the inefficiency of the mechanism, as the following quote demonstrates:

*“So there’s a whole range of NGOs with expert knowledge that all have the same problem, that they don’t have the necessary resources and ... sometimes they say they’re involved to death, that is, they get so many things in such numbers that they simply can’t keep up, ...”*

For this reason, our interview partners emphasized the need to bear the resources of NGOs in mind when setting up the co-ordinating mechanism. This entails the careful investigation to determine the types of bodies in which NGO participation can genuinely contribute to the development of better measures and strategies to combat gender-based violence. It also suggests that financial planning should factor in compensation for travel expenses.

### **Little power to shape policy**

One of the most frequent points of criticism raised by NGO interviewees was their lack of the power to shape policy. This was even described in terms of “pseudo participation”. Interviewees saw themselves as providers of input that had no effect. They reported that while they would be requested to comment on draft legislation or national strategies or action plans, the final selection of focus points and measures would take place elsewhere, behind closed doors, subject to purely political logic, not to the judgment of the professionals.

*“Yes, so the [civil society network] can then somehow put forward a proposal and decide something, but in the end the decision is made by who knows who and we have absolutely no influence on it. It’s more like a call for something or a resolution and it has absolutely no effect.”*

### **Lack of accountability of national co-ordinating mechanisms**

To some extent these limits to the decision-making power of NGOs within the mechanism are determined to the State's responsibilities for measures related to gender-based violence. Confronted with these limitations, NGOs are demanding at least accountability from their state partners. This, as the following quote shows, is still under discussion between state and non-state actors:

*"We have been advocating for that but they have not yet accepted that they will have to report to the civil society network on the implementation on the strategy... I mean in terms of ensuring that the government is fulfilling its duties and is participating in the government accountability towards civil society."*

## 5. Conclusions

---

Article 10 of the Istanbul Convention requires Parties to establish a comprehensive co-ordinating mechanism responsible for implementing, co-ordinating, evaluating and monitoring state measures for combating violence against women and domestic violence. The requirements are especially diverse and broad in relation to the last two of those four tasks, evaluating and monitoring. The co-ordination obligation is in line with those of other human rights Conventions, but while other treaties do include fundamental requirements for reporting or monitoring, their data collection requirements are generally neither as specific nor as far-reaching as those in Article 11 of the Istanbul Convention.

Though limited to an investigation only of certain aspects in a selection of countries due to the timeframe associated with the assignment, this study has shown that fundamentally different approaches are being taken for the implementation of Article 10 and of similar obligations under other UN or Council of Europe human rights treaties. The assessment of how far the chosen structures fully implement the requirements under Article 10 is a task of GREVIO. The examination of the examples presented here, however, make it very clear that collectively, the States parties to the Istanbul Convention have already gained a great deal of experience in developing and establishing structures; Sections 3 and 4 attempt to sum up this experience. In addition, specific proposals and support for implementing the obligations can be found in other studies published by the Council of Europe on the collection of data on gender-specific violence,<sup>33</sup> a central element of monitoring, and on human rights requirements in relation to the participation of the civil society in political processes.<sup>34</sup>

At the start of a process to implement of Article 10, it is advisable to clarify and/or implement several key aspects which determine the fundamental elements of any mechanism and can provide a framework for its detailed structure.

### **Mandate of the co-ordinating mechanism**

The Istanbul Convention clearly establishes that violence against women, including domestic violence, is to be the core subject matter of the measures taken. The extent to which other groups directly affected by domestic violence, such as boys and men, should also be included within the mandate of the mechanism is to be decided by Parties to the Convention, as the Convention only “encourages” their inclusion (see Section 2).

---

<sup>33</sup> See footnote 30.

<sup>34</sup> See footnote 32.

## Co-ordination and implementation

With respect to the co-ordination obligation, the explanatory report to the Istanbul Convention states that the purpose of the tasks performed by the co-ordinating mechanism is to ensure a “concerted effort of all agencies and all sectors of government”, “the actual implementation of any new policies” and that measures taken are “well-coordinated”.

An examination of the experiences reported with setting up the co-ordinating mechanisms in the various countries reveals certain similarities across countries. Some of these similarities suggest that in countries with a federal structure, effective co-ordination of all the relevant bodies requires the designation of co-ordinating bodies at all the various levels. There are also indications that in order for co-ordination to be effective the body that serves as the central actor must be provided with adequate funding, a high level of professionalism and (ideally) a statutory basis setting out its rights and duties, as well as its own budget.

It has also become evident that if the co-ordination function is genuinely to influence the implementation of measures, the function must be anchored at a high administrative level, and, at the same time, that the subject matter must be embedded in the mandate of political decision-making structures (see Section 4.1).

## Monitoring and evaluation

With respect to the monitoring and evaluation tasks, the following fundamental questions have far-reaching implications for the structure and funding of the mechanism (see Section 4.2).

(1) Are monitoring and evaluation to be implemented completely within the state administration or will bodies external to and independent of the executive carry out the tasks of evaluating and monitoring the effect and success of measures to combat violence against women? Under other human rights treaties, such as the UN Convention on the Rights of Persons with Disabilities or the UN Convention against Torture, there is a tendency for the monitoring of state measures to be tasked to bodies outside the administration. Some of the countries looked at in this study have taken this same approach to the relevant obligation under the Istanbul Convention.

(2) Should outside monitoring be assured by awarding contracts on a case-by-case basis or be established institutionally by assigning the tasks to entities like independent institutes, universities or independent human rights institutions? In either case, it is important to ensure that the administration issuing the mandate does not influence the selection and presentation of the findings.

(3) Otherwise, should monitoring and evaluation be steered centrally by a co-ordinating body?

(4) Should data and findings associated with combating violence against women be consolidated and published in regular reports?

(5) Is the role of civil society actors, such as specialist support services, academic experts and national human rights institutions, to be defined as ‘information suppliers’ or should they instead be involved as partners in monitoring and evaluation? This question is raised in the context of how participation is fundamentally defined in the co-ordinating mechanism as a whole.

### **How participation is understood**

It is advisable to decide at the very beginning of the process how participation, as a fundamental concept for the mechanism, is to be understood. This definition has implications for (i) all four tasks of the mechanism, (ii) the various phases of planning and implementing the mechanism and (iii) the various phases of development of individual measures against gender-based violence and domestic violence within the scope of the mechanism’s work. The Istanbul Convention does not stipulate any specific requirements in this regard, but the explanatory report refers to the idea of involvement as partners, which should be understood referring to a high level of participation. Accordingly, most countries have frequently integrated civil society actors into the co-ordinating mechanism or individual bodies within it. It has nonetheless become clear that the issue of which level of participation (information, consultation, dialogue or partnership)<sup>35</sup> is to be implemented in which settings has been neither thoroughly considered nor rendered transparent for those involved. This could have implications, for instance, for the choice of civil society representatives, for the flow of information, for the setting of agendas, for the structure of co-operation or for the definition of the rights and duties of the State and the civil society (see Section 4.3).

---

<sup>35</sup> See footnote 33.

## Appendices

---

### *1.1 Respondents to questionnaire from national co-ordinating mechanisms under Article 10 of the Istanbul Convention of the Council of Europe member states*

**Andorra:** National Commission for Prevention of Domestic Violence and Gender (CONPVG receives technical support from the Ministry of Social Affairs, Ministry of Justice and Interior, Ministry of Health, Ministry of Education).

**Austria:** Inter-ministerial Working Group "Protection of Women against Violence" (IMAG) and National Co-ordinating Agency "Violence against Women" (both under the aegis of the Federal Ministry of Women Affairs and Health).

**Belgium:** Institute for the Equality of Men and Women.

**Denmark:** Department of Gender Equality (Ministry of Children, Education and Gender Equality) and Division of Integration Policy (Ministry of Immigration, Integration and Housing).

**Italy:** Department for Equal Opportunities (Italian Presidency of the Council of Ministers).

**Portugal:** Portuguese National Human Rights Committee (PNHRC attached to the Ministry of Foreign Affairs).

**Serbia:** Co-ordination Body for Gender Equality headed by the Vice Prime Minister.

**Sweden:** Division for Gender Equality (Ministry of Health and Social Services).

## ***1.2 Interview partners from national co-ordinating mechanisms under Article 10 and other human rights treaties***

### **Serbia**

- Division for Gender Equality (Ministry of Labour, Employment, Veterans, Social Affairs; member of the Co-ordination Body for Gender Equality headed by the Vice Prime Minister)
- Autonomous Women's Center, Belgrade, NGO

### **Spain**

- Government Delegation on Gender Based Violence and Domestic Violence (Ministry of Health and Social Services)
- Spanish Observatory of the General Council of the Judiciary (Ministry of Justice)
- Fundación Mujeres, NGO

### **Sweden**

- Division for Gender Equality (Ministry of Health and Social Services)
- National Centre for Knowledge on Men's Violence against Women

### **Finland**

- National Co-ordinator against Trafficking of Human Beings (Ministry of Interior)
- RIKU, Victim Support Finland, NGO

### **Germany**

- Inter-ministerial Task Force in the office of the Federal Commissioner for People with Disabilities (Ministry for Labour and Social Affairs)
- Netzwerk Artikel 3 e.V., civil society network



*Table 1: Designated bodies in the national-co-ordinating mechanisms under Article 10 of the Istanbul Convention (answers to the questionnaire)*

| <b>Country</b> | <b>Co-ordination</b>   | <b>Implementation</b>   | <b>Monitoring</b>   | <b>Evaluation</b>   |
|----------------|--|---|---|---|
| <b>Andorra</b> | National Commission for Prevention of Domestic Violence and Gender (Ministry of Social Affairs, Ministry of Justice and Interior, Ministry of Health, Ministry of Education)   | Ministry of Social Affairs, Ministry of Justice and Interior, Ministry of Health, Ministry of Education | Ministry of Social Affairs, Ministry of Justice and Interior, Ministry of Health, Ministry of Education | Ministry of Social Affairs, Ministry of Justice and Interior, Ministry of Health, Ministry of Education |
| <b>Austria</b> | Inter-ministerial Working Group "Protection of Women against Violence" (IMAG: Ministry for Women and Education, Ministry of Interior, Ministry of Justice, Ministry of Health, Ministry for Family Affairs and Youth, Ministry of Labour, Social Affairs and Consumer Protection, Ministry for European Affairs, Integration and Foreign Affairs) & National Co-ordinating Agency "Violence against Women" | IMAG, relevant NGOs and institutions  | IMAG  | IMAG, relevant NGOs and institutions  |

| Country        | Co-ordination   | Implementation  | Monitoring   | Evaluation  |
|----------------|---|---|--|---|
| <b>Belgium</b> | Institute for the Equality of Men and Women   | Institute for Equality & Interdepartmental Group (IDG: relevant administrative actors of federal, regional and communal level)  | Institute for Equality & IDG   | Institute for Equality & IDG  |
| <b>Denmark</b> | Department of Gender Equality (Ministry of Children, Education and Gender Equality) & Division of Integration Policy (Ministry of Immigration, Integration and Housing) | <p>Ministry of Children, Education and Gender Equality</p> <p>(NAP 1 “Measures to combat violence in the family and in intimate relations”)</p> <p>Ministry of Immigration, Integration and Housing</p> <p>(NAP 2 “National strategy against honour-related conflicts”)</p> | <p>Department of Gender Equality (Ministry of Children, Education and Gender Equality) for NAP 1</p> <p>Ministry of Immigration, Integration and Housing &amp; Danish Agency for International Recruitment and Integration for NAP 2</p> | <p>Department of Gender Equality (Ministry of Children, Education and Gender Equality) for NAP 1</p> <p>Danish Agency for International Recruitment and Integration for NAP 2</p> |

| <b>Country</b>  | <b>Co-ordination</b>   | <b>Implementation</b>   | <b>Monitoring</b>                               | <b>Evaluation</b>                              |
|-----------------|--|---|---|--|
| <b>Italy</b>    | Department for Equal Opportunities (Italian Presidency of the Council of Ministers)                  | National Observatory on Violence (Department for Equal Opportunities) for NAP | n.a.  | n.a.   |
| <b>Portugal</b> | Portuguese National Human Rights Committee (PNHRC; Ministry of Foreign Affairs))                     | Commission for Citizenship and Gender Equality (CIG)                          | PNHRC   | CIG  |
| <b>Serbia</b>   | Co-ordination Body for Gender Equality (Vice Prime Minister)   | n.a.  | Independent Commissioner for Equality           | n.a.   |
| <b>Spain</b>    | Government Delegation on Gender Based Violence (Ministry of Health and Social Services and Equality) | n.a.  | Government Delegation on Gender -Based Violence | Government Delegation on Gender-Based Violence |

| <b>Country</b> | <b>Co-ordination</b>   | <b>Implementation</b>  | <b>Monitoring</b> | <b>Evaluation</b>  |
|----------------|--|--|-------------------|--|
| <b>Sweden</b>  | Government office (inter-ministerial body) and the 3 major ministries, County Administrative Boards (regional co-ordination), National Centre for Knowledge on Men's Violence against Women & Östergötland County Administrative Board (co-ordination of relevant national agencies) | Ministries, County Administrative Boards, Swedish Association of Local Authorities and Regions | Ministries        | Swedish National Council for Crime Prevention & National Board on Health and Welfare plus other authorities & universities |

*Table 2: Staff and budget for co-ordinating mechanisms (answers to questionnaire)*

| <b>Country</b> | <b>Function(s)</b>                                    | <b>Staff</b>  | <b>Budget</b>   |
|----------------|---|---|---|
| <b>Andorra</b> | Co-ordination, implementation, monitoring, evaluation | The National Commission for Prevention of Domestic Violence and Gender (CONPVG): professional social services, health, labour, justice, the police and field of political equality. A 40-hour workday | n.a.  |
| <b>Austria</b> | Co-ordination, implementation, monitoring, evaluation | <ul style="list-style-type: none"> <li>• Co-ordination: 4 full-time staff members (IMAG and National Co-ordinating Agency)</li> <li>• Implementation, evaluation, monitoring: n.a.</li> </ul>         | n.a.  |
| <b>Belgium</b> | Co-ordination implementation, monitoring, evaluation  | <ul style="list-style-type: none"> <li>• Co-ordination: 2 staff members (IEWM)</li> <li>• Implementation, monitoring, evaluation: 5 staff members (supported by inter-departmental group)</li> </ul>  | <ul style="list-style-type: none"> <li>• Co-ordination: EUR 72,000</li> <li>• Implementation, monitoring, evaluation: n.a.</li> </ul> |

| Country        | Function(s)   | Staff  | Budget   |
|----------------|---|--|--|
| <b>Denmark</b> | <ul style="list-style-type: none"> <li>• Co-ordination implementation, monitoring, evaluation of NAP1 or "Measures to combat violence in the family and in intimate relations"</li> <li>• Co-ordination, implementation and monitoring, of NAP2 for "National Strategy against honour-related conflicts"</li> </ul> | <ul style="list-style-type: none"> <li>• Co-ordination and implementation of NAP1: 1 full-time and 2 part-time staff members (Ministry of Children, Education and Gender Equality)</li> <li>• Monitoring and evaluation of NAP1: carried out by Department of Gender Equality of the Ministry of Children, Education and Gender Equality (staff size not specified)</li> <li>• Co-ordination and implementation of NAP2: 2 staff members</li> <li>• Monitoring of NAP2: carried out by Ministry of Immigration, Integration and Housing and the Danish Agency for International Recruitment and Integration</li> </ul> | <ul style="list-style-type: none"> <li>• Total budget DKK 1.1 million (Budget for co-ordination not specified)</li> <li>• n.a. for NAP2</li> </ul> |
| <b>Finland</b> | Co-ordination   | 1 staff member   | EUR 60,000   |
| <b>Italy</b>   | Co-ordination   | n.a.   | n.a.   |

| Country         | Function(s)   | Staff  | Budget   |
|-----------------|---|--|--|
| <b>Portugal</b> | Co-ordination and monitoring<br><br>Implementation and Evaluation | 2 head of the Commission; 7 head of units; 23 policy officers;<br>15 administrative assistants; 2 informatics staff  | Its activities are financed by the budgets of the members of Government (Ministers) who are members of the Committee<br><br>4.112.431€   |
| <b>Serbia</b>   | Co-ordination   | no extra staff   | no budget  |
| <b>Spain</b>    | Co-ordination, evaluation and monitoring                          | Co-ordination, evaluation and monitoring: about 30 staff members (Government Delegation on Gender Based Violence)  | EUR 26 million   |
| <b>Sweden</b>   | Co-ordination   | <ul style="list-style-type: none"> <li>• Co-ordination at governmental level: approx. 6-10 staff members of three relevant ministries</li> <li>• Inter-institutional level: Östergötland County Administrative Board and The National Centre for Knowledge on Men's Violence; no specific budget for co-ordination</li> <li>• County level: approx. 2 staff members for each of the 21 counties</li> </ul> | <ul style="list-style-type: none"> <li>• Governmental level: n.a.</li> <li>• Inter-institutional level: n.a.</li> <li>• County-level: n.a.; total budget (including co-ordination): EUR 2.3 million</li> </ul> |

## Bibliography

---

Council of Europe (2009), *Civil Participation in the Decision-Making Process*, The Code of good Practice.

Government Offices of Sweden (2014), *Greater Protection against Forced Marriage and Child Marriage*, Fact Sheet.

Group of Experts on Action against Trafficking in Human Beings (2015), *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Finland*, GRETA first evaluation round report.

Krizsan A. and Pap E. (2016), *Implementing a Comprehensive and Co-ordinated approach. An assessment of Poland's response to prevent and combat gender-based violence*, Council of Europe (editor).

Allen N. E. (2006), "An Examination of the Effectiveness of Domestic Violence Coordination Councils", *Violence Against Women*, Volume 12 Number 1, pages 46-67.

Office of the High Commissioner for Human Rights (2016), *Expert Workshop on the Right to Participate in Public Affairs*.

Swedish Government (2015), *Policy objectives and a new government agency*.

Swedish Ministry of Health and Social Affairs (2015), *Policy objectives and a new government agency - effective governance of Swedish gender equality policy*.

Ruuskanen E. and Aromaa, K. (2008), *Administrative data collection on domestic violence in Council of Europe member states*, Council of Europe (Editor).







[www.coe.int](http://www.coe.int)