



**THE COUNCIL OF EUROPE
CONVENTION ON
PREVENTING AND COMBATING
VIOLENCE AGAINST WOMEN
AND DOMESTIC VIOLENCE**

also known as the
**ISTANBUL
CONVENTION**

**MYTHS
AND FACTS**

ISTANBUL CONVENTION

www.coe.int/conventionviolence

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MYTH 1

The Republic of Moldova already has legislation to prevent violence against women and domestic violence, so the Istanbul Convention is not needed.

FACT

The Istanbul Convention calls for comprehensive action to end violence against women, covering the areas of prevention, protection, prosecution and integrated policies. As such, it is much more far-reaching than a national response. Moreover, it requires higher levels of protection of women and girls not only from domestic violence but also from all other forms of violence against women, which often remain marginally addressed as compared to domestic violence.

The Council of Europe stands ready to support the Republic of Moldova on its path to ratification and afterwards to provide valuable guidance and recommendations .

The current law No. 45 on preventing and combating violence against women is therefore an important step forward, but is not enough to fulfil the comprehensive requirements of the Istanbul Convention.



MYTH 2

The Istanbul Convention introduces the concept of "gender" in Moldovan legislation.

FACT

The concepts of "gender" and "gender equality" are not new to Moldovan legislation. National legislation defines "gender" as the social aspect of relations between women and men in all spheres of life. "Gender equality" is defined in national law as equality between women and men, for their rights, opportunities and participation in all spheres of life.

The definition of the term "gender" in the Istanbul Convention refers to the socially constructed roles and behaviours that a given society considers appropriate for women and men. The Convention underlines that violence against women originates in gender inequality and stereotypes, which are detrimental to women's empowerment and can result into acceptance of violence against women.



MYTH 3

The Istanbul Convention aims to regulate family life or family structure and leads to the destruction of the traditional Moldovan family.

FACT

The Istanbul Convention aims to end violence against women and domestic violence, not to regulate family. The convention does not contain a definition of "family" and does not establish or promote any specific type of family relationship.

It aims rather to break the silence, which causes suffering for victims, including children. The real threat to families is the violence itself, not measures that intend to protect and support its victims.



MYTH 4

The Istanbul Convention seeks to "eliminate differences" between women and men and denies their differences.

FACT

The Istanbul Convention does not seek to eliminate differences between women and men. It requires measures to counter the idea that women are inferior to men and that violence against women is a normality.

In its caselaw, the European Court of Human Rights has repeatedly stated that a difference in treatment between men and women cannot be justified by reference to the traditional distribution of gender roles in society.



MYTH 5

The Istanbul Convention contradicts religious traditions and religion in the Republic of Moldova

FACT

The Constitution of the Republic of Moldova states that religions are autonomous and separate from the state, guaranteeing the right of all citizens to follow, develop and express their ethnic, cultural, and religious identity.

The Istanbul Convention does not regulate religious norms or beliefs but it emphasises that culture, customs, religion, tradition or so-called "honour" should not be seen as a justification for any act of violence against women.



MYTH 6

The Istanbul Convention introduces same-sex marriage into Moldovan law, as well as the concepts of "sexual orientation" and "gender identity".

FACT

The Istanbul Convention does not set new standards or requirements for gender identity and sexual orientation, including for the legal recognition of same-sex couples. Nor does it require the Republic of Moldova to define the concepts of "sexual orientation" and "gender equality".

The convention provides, on the other hand, that protection must be available to all women and girls without discrimination, including on grounds of gender and sexual orientation. All women who identify and live as a woman and may be subject to violence because they are a woman, must be protected.



MYTH 7

The Istanbul Convention protects only women and gives them privileges.

FACT

The Istanbul Convention is focused on women, as it covers forms of violence from which only women suffer (forced abortion, female genital mutilation) or which women face much more often than men (sexual violence and rape, stalking, sexual harassment, domestic violence, forced marriage, forced sterilisation). However, the convention encourages the application of its provisions to all victims of domestic violence, including men and children.

The statistical data in the Republic of Moldova confirm for example that domestic violence is mostly exerted against women. In 2020, victims of domestic violence were 2177 women and 158 men with children compared to 150 men, while perpetrators were 2289 men and 181 women. (Source: General Police Inspectorate)



MYTH 8

The Istanbul Convention encourages states to intervene in the educational process.

FACT

The Istanbul Convention considers education an important aspect of the prevention of violence against women, because attitudes, convictions and behavioural patterns are shaped very early on in life. None of what is taught in educational institutions should lead children to believe that gender-based discrimination and violence against women are acceptable.

The Istanbul Convention allows flexibility for states to decide when and how to address these issues of gender equality, mutual respect and non-violence in formal or non-formal educational settings.

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The Council of Europe is the continent's leading human rights organisation. It comprises 47 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.

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