



## Co-operation with other Council of Europe bodies and institutions

### Committee of Ministers

86. Constructive synergy between GREVIO and the Committee of Ministers and a common ambition to give political priority to the convention have been developed through regular exchanges. During GREVIO's first mandate, frequent exchanges of views were organised between the President of GREVIO, Feride Acar, and the Committee of Ministers.<sup>87</sup> These encounters provided the opportunity for the President of GREVIO and the ministers' deputies to share their experiences and/or opinions regarding the monitoring procedure of the convention. During these exchanges, many delegations took the floor to thank GREVIO for its constructive approach over the monitoring process.

87. Additionally, initiatives organised within the framework of the Presidencies of the Committee of Ministers have given an impetus to the promotion of the standards of the convention, often with the participation of GREVIO members. On 25 October 2015, the Presidency of the Committee of Ministers of Bosnia and Herzegovina organised a high-level conference called "Monitoring implementation of the convention: new synergies", to which Marceline Naudi, the Second Vice-President of GREVIO at the time, took part. The conference allowed an exchange of experiences among governmental

87. Three exchange of views were organised between the President of GREVIO and the Committee of Ministers in Strasbourg during the 1295th meeting of the Ministers' Deputies on 27 September 2017; the 1328th meeting of the Ministers' Deputies on 24 October 2018; and the 1347th meeting of the Ministers' Deputies, on 29 May 2019. Please see Appendix 1.



and parliamentary representatives, civil society and international organisations, and promoted the signature, ratification and implementation of the convention. On 3 and 4 May 2018, the Danish Presidency of the Committee of Ministers launched the international conference “Gender Equality: Paving the Way”, the objective of which was to present the Council of Europe Gender Equality Strategy 2018-2023. The President of GREVIO, Feride Acar, attended the part of the event dedicated to the implementation of the convention, ending impunity for violence against women and ensuring gender equality. On 24 May 2019, the conference entitled “Women’s rights at the crossroads: strengthening international co-operation to close the gap between legal frameworks and their implementation” was organised by the Council of Europe in co-operation with the office of the United Nations Special Rapporteur on violence against women, its causes and consequences, and with the French Presidency of the Committee of Ministers. Several members of GREVIO participated actively in this large-scale meeting aimed at fostering co-operation, synergies and co-ordination in combating violence against women among relevant stakeholders, including other members of the Platform of independent United Nations and regional expert mechanisms on violence against women. Overall, these high-level initiatives have demonstrated the state representatives’ commitment to maintaining gender equality and ending violence against women as key issues on the political agenda of the Presidency of the Committee of Ministers.

## Parliamentary Assembly

88. As already noted, an innovative feature of the convention is the role that it grants to the Parliamentary Assembly of the Council of Europe (PACE) and national parliaments during its monitoring process. Over the evaluation process, GREVIO can suggest to the Committee of the Parties to invite the Parliamentary Assembly to take stock of the implementation of the convention (Rule 60). PACE delegates can indeed act as a conduit between GREVIO and national parliaments by fostering the national ratification and implementation of the convention. For instance, after supporting the ratification

process, the Finnish delegation to PACE prepared a seminar on the implementation of the convention on 31 March 2016, in Helsinki.<sup>88</sup> It also presented an annual report, which details concerns about violence against women, to the Finnish parliament. These commendable initiatives demonstrate PACE delegates' ability to facilitate national parliamentary debates about states parties' application of the convention.

89. During the period covered by this report, PACE has also adopted several resolutions calling for the ratification and the effective implementation of the convention in relation to data collection (Article 11), forced marriage (Articles 32 and 37), female genital mutilation (Article 38) and gender-based asylum claims (Article 60), namely:

- ▶ Resolution 2135 (2016) Female genital mutilation in Europe
- ▶ Resolution 2101 (2016) Systematic collection of data on violence against women
- ▶ Resolution 2159 (2017) Protecting refugee women and girls from gender-based violence
- ▶ Resolution 2233 (2018) Forced marriage in Europe
- ▶ Resolution 2290 (2019) Towards an ambitious Council of Europe agenda for gender equality

90. Moreover, GREVIO has nurtured effective working relations with the Parliamentary Assembly Committee on Equality and Non-Discrimination and the Parliamentary Network Women Free from Violence, which acted as interlocutors with national parliaments during the convention's ratification, implementation and monitoring phases. The President of GREVIO took part in a first exchange of views with the Parliamentary Network Women Free from Violence on 11 March 2016, in Paris.<sup>89</sup> On 12 and 13 May 2016, the joint meeting of the Sub-Committee on Gender Equality and the Parliamentary Network Women Free from Violence in Berlin illustrated the willingness of PACE and GREVIO to advance the ratification of the convention by building connections with national parliaments but also government officials and civil society organisations.<sup>90</sup> Rosa Logar, First Vice-President of GREVIO at the time, participated on the same occasion in discussions on Germany's upcoming ratification of the convention with representatives of the German parliament, government and civil society organisations. The President of GREVIO also attended a joint meeting of the Parliamentary Assembly Committee on Equality and Non-Discrimination and of the Parliamentary Network Women Free from Violence on 24 January 2019 in Strasbourg, where discussion focused on the commitment to overcome the backlash against women's rights.<sup>91</sup>

91. The last exchange of views between the President of GREVIO and the Standing Committee of the Parliamentary Assembly of the Council of Europe, on 1 March 2019 in Paris, provided an opportunity to reflect on the achievements and future perspectives regarding GREVIO's co-operation with PACE.<sup>92</sup> While commending PACE's

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88. Handbook for parliamentarians, Understanding the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) – what it is, what it isn't, and why and how parliamentarians should promote it (forthcoming publication).

89. [Committee on Equality and Non-Discrimination Activity report 2016](#), AS/Ega/Inf (2016) 13rev.

90. [Committee on Equality and Non-Discrimination Activity report 2016](#), AS/Ega/Inf (2016) 13rev.

91. Please see Appendix 1 for a full list of exchanges between the members of GREVIO and the Parliamentary Assembly.

92. [Activities of the President of the Parliamentary Assembly between the first and the second part of the 2019 Ordinary Session](#), Doc. 14857.



contribution to breaking new grounds for women's rights, Feride Acar evoked the wide range of actions that parliaments can take to encourage national compliance with the convention, including by intervening in the ratification process, exercising scrutiny over the formulation of reservations and contributing to the transposition of the convention's provisions into domestic laws. Feride Acar emphasised that GREVIO will continue to count on PACE's support to ensure the promotion and implementation of the convention at the national, regional and global levels.

### Office of the Commissioner for Human Rights

92. Substantial endeavours have been made to promote a comprehensive and consistent approach and regular exchange of information between GREVIO and the Council of Europe Commissioner for Human Rights, especially within the framework of their respective country visits. At its ninth meeting, from 14 to 17 February 2017, GREVIO invited Nils Muižnieks, the Council of Europe Commissioner for Human Rights from 2012 to 2018, for an exchange of views where the commissioner emphasised that gender equality and violence against women were a core matter of his work and his country visits, and offered to promote the ratification and implementation of the Istanbul Convention and to give visibility to issues of concern to GREVIO.<sup>93</sup> In May

93. In line with this engagement, in his country visits to Poland, Lithuania, Slovenia and Malta, the Commissioner referred to the need for national authorities to pursue the ratification or implementation process of the convention. As a follow-up to his visits to [Ukraine](#), [Latvia](#) and [Croatia](#), the commissioner also addressed letters to national parliaments and governments of the three countries encouraging them to ratify the convention, while making great efforts to dispel misconceptions about the convention and the understanding of the term "gender". The willingness to counter the backlash against women's rights was reaffirmed in his message on the occasion of the International Women's Day 2018, where he recalled that "politicians and opinion makers have the duty to promote an honest and well-informed public debate about the convention and focus on its potential to help states increase women's safety and liberty". The effort to promote the convention was continued by the new Commissioner, Dunja Mijatović, who took up the post in April 2018. During her country visits, she recommended that Hungary and Armenia ratify the convention, and that Poland, Romania and Estonia ensure its effective implementation.

2019, Dunja Mijatović, Commissioner for Human Rights of the Council of Europe as of 1 April 2018, took part in the conference organised by the Council of Europe in co-operation with the United Nations Special Rapporteur on violence against its causes and consequences, and with the French Presidency of the Committee of Ministers, entitled “Women’s rights at the crossroads: strengthening international co-operation to close the gap between legal frameworks and their implementation”. In January 2019, GREVIO and Commissioner Dunja Mijatović pursued their co-operation with the participation of the President of GREVIO at a panel discussion organised by the commissioner and the Finnish Presidency of the Committee of Ministers to mark the 20th anniversary of the establishment of the office of the Council of Europe Commissioner for Human Rights.

## Gender Equality Commission

93. In light of the central focus on gender equality in their respective mandates, natural synergies were established between GREVIO and the Gender Equality Commission (GEC). The Council of Europe Gender Equality Strategy, which was adopted for the periods 2014-2017<sup>94</sup> and 2018-2023,<sup>95</sup> sets out “preventing and combating violence against women and domestic violence” as one of its main objectives, including the promotion of the ratification and implementation of the convention within and beyond Europe. Four of its other objectives are directly interwoven with the elimination of violence against women, namely: preventing and combating gender stereotypes and sexism (objective 1); ensuring the equal access of women to justice (objective 3); protecting the rights of migrant, refugee and asylum-seeking women and girls (objective 5); and achieving gender mainstreaming in all policies and measures (objective 6). As such, the strategy represents a strong framework for co-operation between the two bodies.

94. During the GEC meetings, regular exchanges of views were organised between GREVIO and the GEC members. From November 2015 to May 2019, the President of GREVIO took part in four GEC meetings,<sup>96</sup> in addition to the regular attendance of the meetings ensured by the Secretariat of GREVIO. Throughout her various interventions, the President of GREVIO has always stressed the need to strengthen close and sustainable co-operation between GREVIO and the GEC, including by having the GEC feed into GREVIO’s monitoring procedure through the transmission of information, and by ensuring that GEC members disseminate information to member states and assist them in complying with the convention requirements. These exchanges were therefore an opportunity to discuss the state of ratification and implementation of the convention, progress and challenges and to take stock of the work carried out by the GEC, such as publications related to the different articles of the convention.

94. [The Council of Europe Gender Equality Strategy 2014-2017](#), adopted by the Committee of Ministers of the Council of Europe.

95. [The Council of Europe Gender Equality Strategy 2018-2023](#), adopted by the Committee of Ministers of the Council of Europe, March 2018.

96. Report of the 8th Gender Equality Commission (GEC) meeting, 18-20 November 2015; Report of the 9th GEC meeting, 27-29 April 2016; Report of the 11th GEC meeting, 5-7 April 2017; Report of the 15th GEC meeting, 22-24 May 2019.

## European Court of Human Rights

95. Since its entry into force, the convention has provided new international law standards to the European Court of Human Rights (“the Court”) when issuing judgments related to states’ legal obligations to prevent and prosecute violence against women, including domestic violence, with respect to Article 2 (the right to life), Article 3 (the prohibition of torture), Article 8 (the right to respect for private and family life) and Article 14 (the prohibition of discrimination) of the European Convention on Human Rights. In several cases on sexual violence and domestic violence,<sup>97</sup> the Court has begun to use the Istanbul Convention as a major instrument to interpret states’ positive obligations arising from the European Convention on Human Rights. In different judgments, the Court refers explicitly to the preamble or/ and various articles of the Istanbul Convention. For instance, the Court’s judgment in *Talpis v. Italy* (2017) emphasises that:

special diligence is required in dealing with domestic violence cases and considers that the specific nature of domestic violence as recognised in the Preamble of the (Istanbul) convention ... must be taken into account in the context of domestic proceedings.<sup>98</sup>

96. Considering the increasing interaction between the Istanbul Convention and the European Convention on Human Rights, GREVIO has taken initiatives to build co-operation with the judges of the Court. At its 12th meeting, from 9 to 13 October 2017, GREVIO organised an exchange of views with Işıl Karakaş, the Turkish judge at the Court at the time. She underlined the landmark case *Opuz v. Turkey* (2009), which marked the first time that Article 14 (the prohibition of discrimination) was considered as a violation alongside Article 2 (the right to life) and Article 3 (the prohibition of torture). Referring further to the jurisprudence of the Court, Judge Karakaş confirmed that violence against women, including domestic violence, is a violation of human rights, and that the due diligence principle requires states to establish a criminal system to prosecute perpetrators of these forms of violence. The discussion was expanded to include Court cases dealing with issues of child custody and gender stereotypes. This meeting represented a first step in the common effort of GREVIO and the Court to establish sustainable co-operation between the two bodies.

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97. For Court judgments on cases of domestic violence that refer to the Istanbul Convention, see *Bâlşan v. Romania* (2017), *Talpis v. Italy* (2017), *Z.B. v. Croatia* (2017), *Halime Kilic v. Turkey* (2016, French only), *Civek v. Turkey* (2016, French only). For Court judgments on cases of sexual violence that refer to the Istanbul Convention, see *M.G.C v. Romania* (2016) and *Y\_v. Slovenia* (2015).

98. Case of *Talpis v. Italy*, application no. 41237/14, 2 March 2017, paragraph 129.