

## Declaration

### of the Committee of the Parties to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) on the implementation of the Convention during the COVID-19 pandemic

#### The Committee of the Parties to the Istanbul Convention,

Recognising the challenges that Council of Europe member states are facing to protect their populations from the threat of the COVID-19 pandemic,

Noting that violence against women and girls, as well as domestic violence, tend to increase in times of crisis and that emerging data are showing an alarming increase in the number of reported cases of certain types of such violence worldwide and in numerous Council of Europe member states,

Aware of the potential impact that measures taken in response to the current crisis, particularly policies of isolation and confinement, are likely to have in terms of increasing the risk of women's and girls' exposure to all forms of gender-based violence, including sexual, domestic and so-called honour-related violence,

Mindful that such a risk is particularly high for women and girls belonging to disadvantaged groups and/or at risk of multiple discrimination depending notably on their social or ethnic/national origin, such as for example women with disabilities, women in prostitution, elderly women, migrant and asylum-seeking women,

Recalling the importance of promoting co-ordinated and holistic responses to common challenges which fall in line with the values and standards of the Council of Europe, based on the respect of the rule of law, democracy and the human rights standards of the Organisation,

Wishing to provide guidance to states parties and other states in support of their endeavours to continue to prevent and combat violence against women and domestic violence amid such challenging circumstances,

Having consulted and sought the expertise of the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO):

- **Recalls** that the principles and the requirements of the Istanbul Convention provide a framework for devising and implementing measures to ensure equality between women and men and to counter violence against women and domestic violence, which applies at all times and takes on further significance under the ongoing public emergency caused by the outbreak of COVID-19;
- **Underlines** the obligation of states party to the Istanbul Convention to exercise due diligence to prevent, investigate, punish and provide reparation for acts of violence covered therein, in accordance with their obligations under the European Convention on Human Rights;
- **Welcomes** the approach of those states which are seeking innovative ways to adapt their institutional responses to violence in the light of the current context and **calls** upon states

parties to uphold their undertakings under the Istanbul Convention and to fortify measures taken to this end;

- **Draws** states parties' attention to the selection of provisions of the Istanbul Convention in the annex to the present declaration, which offers examples of possible action and measures to take while facing the pandemic;
- **Acknowledges** the need to pursue exchanges and co-operation among the members and observers of the Committee to address the long-term impact and any fallout of the ongoing crisis on victims of violence against women and domestic violence, whilst ensuring full adherence to the principles and requirements of the Istanbul Convention and guaranteeing a victim-centred and human rights-based approach to such violence.

## **ANNEX**

### **Possible action and measures to take during the COVID-19 pandemic under select provisions of the Istanbul Convention**

#### **INTEGRATED POLICIES**

- **Article 6 (Gender-sensitive policies):** States parties should strive to include a gender perspective when devising and implementing strategies to combat the COVID-19 pandemic. This would imply evaluating the potential impact of measures taken on women and girls and their exposure to the risk of the various forms of gender-based violence, such as intimate partner and domestic violence, stalking, sexual harassment, forced marriage and sexual violence, including technology-facilitated violence, as well as the potential impact on children witnessing such violence.
- **Article 7 (Comprehensive and co-ordinated policies):** States parties should, as much as possible, maintain and reinforce inter-institutional co-ordination mechanisms in the development and implementation of policies to curb violence against women during the pandemic. Multi-stakeholder processes which involve all relevant actors, including civil society organisations and women's rights organisations, can help the national, regional and local authorities in assessing the realities and needs of victims; they can serve further to gauge the capacity levels of service providers and determine whether services require additional means. For example, shelters applying distancing schemes and offering quarantine for infected victims are likely to incur shortages in available places.
- **Article 8 (Financial resources) and Article 9 (Non-governmental organisations and civil society):** In the light of the aforementioned circumstances, states parties might need to consider whether the financial and human resources allocated to service provision, including services carried out by NGOs, continue to be appropriate or need to be reinforced in order to respond to the current situation.
- **Article 11 (Data collection and research):** The collection of data, including administrative data and data registered by specialist support services such as helplines, can serve to track trends and possible surges in victims' requests for help. Data continue to offer essential factual knowledge to ensure measures in place to prevent and combat violence against women and are aligned with developing needs during the pandemic and to draw lessons for the future.

## PREVENTION

- **Article 12 (General obligations) and Article 13 (Awareness-raising):** States parties should consider taking measures, such as press releases, television, radio or social media campaigns, aimed at making the general public aware of the increased risk of violence against women and girls during the pandemic and disseminating as widely as possible information about possible avenues where victims can get help. Efforts might include distributing existing information material, such as brochures and leaflets, in places not affected by the current restrictions such as supermarkets and pharmacies. Making information available in different languages might be instrumental to reach particularly vulnerable groups of women.
- **Article 15 (Training of professionals):** States parties should consider taking measures to raise awareness among state and public officials operating in critical sectors (health, justice, law enforcement for example) about the potential impact of measures such as social distancing, lockdowns or curfews, and more generally of the economic and social consequences of the crisis on women and children who live in a violent relationship and/or home environment. Authorities might also encourage professionals, such as lawyers and staff operating in support services for victims, to promote and engage in training by relying on existing training resources (online tutorials, webinars and training modules) developed both at the national and international level (for example, the online Human Rights Education for Legal Professionals (HELP) course on violence against women and domestic violence which has been developed by the Council of Europe)\*.
- **Article 16 (Preventive intervention and treatment programmes):** Governments should also consider advertising existing perpetrator programmes where violent men can seek assistance. Programmes which are available online and/or through telephone helplines might be particularly suitable under the current injunctions to practice social distancing.
- **Article 17 (Participation of the private sector and the media):** Media outlets could be encouraged to partner with national and local authorities to intensify reporting on how the pandemic exacerbates the risks of violence for women and girls and where/how to find help.

\* <https://rm.coe.int/help-course-in-brief/168076c9b5>

## PROTECTION

- **Article 19 (Information):** For victims of violence in self-isolation and/or living with their abusive partners/family members, accessing information on available support services and legal measures is likely to be an issue. In order to safeguard victims' right to access information, states parties should develop targeted information campaigns.
- **Article 20 (General support services), Article 22 (Specialist support services), Article 23 (Shelters) and Article 24 (Telephone helplines):** States parties should consider qualifying as "essential" and/or guarantee the continuity of general specialist support services for victims of all forms of violence covered by the scope of the Convention, as well as protection and support services for child witnesses, while ensuring that services comply with applicable safety guidelines. This might entail taking additional measures to adjust the capacity of existing

support structures, including shelters and telephone helplines, to emerging needs, as well as developing alternative ways to deliver services, for example by flanking helplines with chat-systems and counselling platforms providing social support and psychological assistance to victims online and through technological means. Attention must also be given to the need of financial support which many women will depend on after relocating to a shelter for victims of violence. Where particularly vulnerable groups of women are concerned, such as asylum seeking and refugee women, special efforts should be made to ensure their access to information and support services for any experiences of violence in reception facilities.

## PROSECUTION

- **Article 49 (General obligations):** Reporting of crimes must be ensured to allow victims of violence against women to file a complaint. Examples of online solutions for the reporting of crimes such as rape already exist and can be further explored. New channels for women to report violence should also be provided. An initiative of this kind has been the encouragement of the use of code words at pharmacies for victims to report intimate partner violence and/or domestic violence during lockdown. In pursuing this objective, states should bear in mind the requirement for information to be provided in a form and a language that victims understand, paying attention to the specific needs of different groups of women and particularly, the most vulnerable and hard-to-reach victims.
- **Article 50 (Immediate response, prevention and protection):** While in many countries the emergency has caused the activities of courts to slow down and non-urgent court hearings to be postponed, the safety of the victim and of her children should remain a priority concern for law enforcement agencies and judicial authorities. Accordingly, state parties remain bound by their duty to offer victims adequate and immediate protection from the risk of harm.
- **Article 51 (Risk assessment and risk management):** Under the pandemic, it remains crucial to continue to assess the seriousness of victims' situations and the risk of repeated violence. To the extent possible and provided precautionary measures to prevent contagion are in place, pretrial detention should remain the preferred option in high-risk cases. Where alternatives to perpetrator's deprivation of liberty and pretrial detentions are resorted to as a consequence of the pandemic, they should not be decided without informing the victim and without assessing the consequences thereof for the victim's safety.
- **Article 52 (Emergency barring orders) and Article 53 (Restraining or protection orders):** As part of their efforts to ensure proper risk management, state parties should continue to afford victims access to emergency barring, restraining and protection orders.