

EVALUATION OF THE COUNCIL OF EUROPE'S WORK UNDER THE SUB-PROGRAMME "VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE" 2016-2020



March 2022

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DOMESTIC VIOLENCE"
2016-2020**

Final report

18 March 2022

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List of acronyms

CAHVIO	Ad Hoc Committee for preventing and combating violence against women and domestic violence
CEDAW	Convention on the Elimination of Discrimination against Women
The Court	European Court of Human Rights
CSO	Civil society organisation
DV	Domestic violence
EIGE	European Institute for Gender Equality
EU	European Union
FRA	European Union Agency for Fundamental Rights
GEC	Gender Equality Commission of the Council of Europe
GED	Gender Equality Division of the Council of Europe
GRECO	Group of States Against Corruption
GREVIO	Group of Experts on Action against Violence against Women and Domestic Violence
Istanbul Convention	Council of Europe Convention on preventing and combating violence against women and domestic violence
ODGP	Office of the Directorate General of Programmes of the Council of Europe
OSCE	Organization for Security and Co-operation in Europe
NHRIs	National human rights institutions
PACE	Parliamentary Assembly of the Council of Europe
QCA	Qualitative comparative analysis
SDG	Sustainable Development Goal
SIGI	Social Institutions and Gender Index
ToC	Theory of change
UN	United Nations
UNDP	United Nations Development Programme
UUNFPA	United Nations Population Fund
UN Women	United Nations Entity for Gender Equality
VAW	Violence against women
VAWDV	Violence against women and domestic violence

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1. Executive summary

Object of the report

This report presents the results of the evaluation of the Council of Europe's work under its sub-programme on violence against women and domestic violence (VAWDV) from 2016 to 2020. This sub-programme encapsulates all Council of Europe work on the issue of violence against women and domestic violence, ranging from standard setting around the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention), the monitoring of states' obligations as regards violence against women and domestic violence, and co-operation work with public authorities and civil society actors towards the implementation of the relevant standards.

Methodology

The evaluation, conducted by the company Camille Massey ULTD with the direction and guidance of the Council of Europe's head of the Evaluation Division ad interim, was based on contribution analysis, reinforced by qualitative comparative analysis and informed by a qualitative data collection methodology drawing on general data confronted with case studies. It took place over one year, from March 2021 to March 2022, comprising inception, desk/field and reporting phases.

Figure 1. Data collection overview

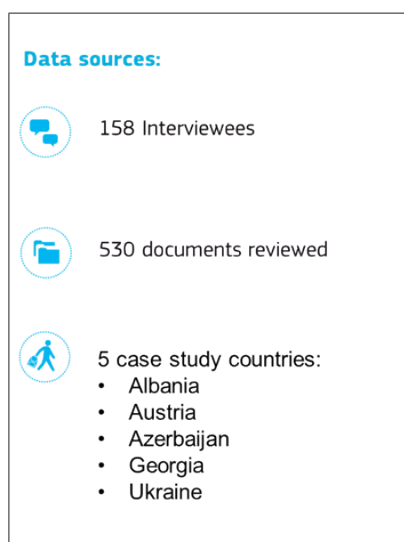
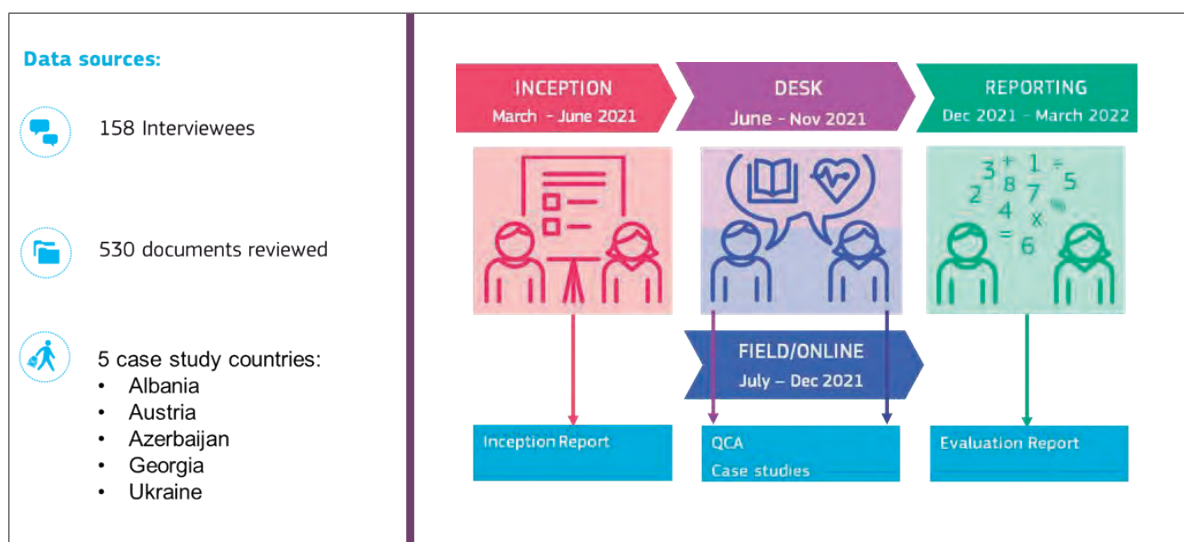


Figure 2. Evaluation process and steps



Key findings

The overall relevance of the Council of Europe's work in the area of violence against women and domestic violence is high: it responds closely to the needs identified by the Council of Europe monitoring bodies, the Parliamentary Assembly, the Committee of Ministers, the European Court of Human Rights and Department for the Execution of the Court's judgments, and the observations made through co-operation projects. The identification of needs has been refined through collaboration with practitioners, experts and civil society actors at national and international levels, to form the basis of a coherent theory of change. This theory of change rests on the Istanbul Convention, which is a seminal document embodying a vision and an illustration of the Council of Europe's role in legal innovation through standard setting. However, consensus about the Istanbul Convention, and more generally about the need and ways to address violence against women and domestic violence, has faced growing challenges and counter-rhetoric. The structure of monitoring mechanisms which assess and document the implementation of the Istanbul Convention in states party to it, and more generally the states' response, is both complex and recent. It is not yet well understood by most stakeholders. However, the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) in particular has gained very high recognition and faces growing demand, which is testimony to its relevance. Co-operation projects are in line with the priorities of the respective countries and entities, but there are geographic gaps related to resource constraints and interaction with other international organisations.

Signature and ratification of the Istanbul Convention have progressed impressively since its adoption, although they remain highly controversial in several member states. Despite the Organisation's efforts to promote them, signature and ratification of the Istanbul Convention are mostly triggered by factors outside of the influence of the Council of Europe. The Istanbul Convention has also become associated with "western" or progressive, not traditional, values, which are portrayed as dangerous by various political or religious actors and by regional powers. In most countries and entities, the Council of Europe's strategic approach on violence against women and domestic violence has had rapid results in terms of legal and policy reforms, directly connected to the signature and ratification of the Istanbul Convention – a prerequisite for changes in the practice of duty bearers. These results are further boosted by co-operation programmes in some countries. The practice of duty bearers is slowly changing, thanks to increased capacity and understanding of the Istanbul Convention and as a result of the first monitoring cycle. Civil society organisations, which carry out most protection services, are starting to enjoy emerging partnerships with duty bearers. Progress is particularly observed in the practice of some change agents regarding basic protection and prosecution. However, the states struggle to implement the Council of Europe's vision of an integrated approach to violence against women and domestic violence. This is particularly visible in the primacy of anti-domestic violence efforts at a national level (as opposed to other forms of violence against women), the lack of holistic and more long-term protection of survivors, the low rates of conviction of offenders (despite progress with the number of prosecution procedures) and the inability to implement comprehensive prevention measures beyond awareness raising.

The impact of the Council of Europe's work on violence against women and domestic violence, from the perspective of rights holders, can be observed in numerous instances. However, the Organisation's impact, and more generally the impact of the response to violence against women and domestic violence, cannot be measured quantitatively. While states and civil society actors increasingly generate data, these data are not standardised nor comparable and they are poorly used to inform policy planning. There is no reliable evidence of quantitative changes in the prevalence of violence against women and domestic violence. The resourcing of the adopted laws, regulations and policies is insufficient: the sector is structurally and chronically underfunded by states and donors at national and local levels. Sufficient resource allocation at country and entity level is a key assumption of success which has not materialised: this curtails the conversion of duty bearers' legal, political and practical commitments and capacity into impact for many victims and survivors – in addition to perpetrators. Within the Council of Europe, there are also limited financial resources allocated.

In its action to tackle violence against women and domestic violence, the Council of Europe has made the most of its comparative advantage in terms of expertise and legitimacy, as "the house of the standards", in the words of many stakeholders. It has built on its partnerships in the judicial, law-making and civil society environments and has established itself as a reliable partner in other spheres, such as internal affairs. It has compensated limited financial resources with the excellence of its human resources and broader mobilisation of expertise and support. It can optimise its synergies with other international organisations, international civil society organisations, and rally further supporters.

Recommendations

The Council of Europe's work on violence against women and domestic violence has triggered changes and hopes, in particular to support transition from results (from the duty bearers' perspective) to impact (for the rights holders) and to inspire responses to emerging challenges, whether they relate to digital violence, military conflicts within the continent, refugees' vulnerabilities or the implementation of standards at local and community levels.

This report proposes 11 recommendations to optimise its action, organised in four clusters, aiming at building on its excellence where it has the most added value:

- ▶ Cluster 1: Promoting ratification with stronger internal cohesion and synergies with other actors.
- ▶ Cluster 2: Responding to the demand for guidance, peer support facilitation regarding emerging issues and bottlenecks.
- ▶ Cluster 3: Embracing the holistic approach championed by the Istanbul Convention, both as regards the various forms of violence against women, and as regards an integrated approach to link protection, prosecution and prevention.
- ▶ Cluster 4: Communicate more clearly on the interplay between the monitoring actors and boost horizontal analysis throughout the second monitoring cycle.

Table 1. Table of evaluation questions, findings and links to recommendations

Questions	Findings	Recommendations
1. Evaluation question – Relevance and coherence: to what extent is the sub-programme relevant?		
1a. To what extent is the work of the Organisation in the field of VAWDV comprehensive? Are there any gaps?	<p>Finding 1: The Istanbul Convention is a human rights instrument adopted in response to the needs identified in the field of VAWDV, but the initial consensus among the countries, and among stakeholders within the countries about some key elements of the Istanbul Convention, is fragile.</p> <p>Finding 2: The Council of Europe monitors a comprehensive range of issues related to VAWDV and its core monitoring processes with GREVIO and the Committee of the States Parties are still young. Stakeholders are not always clear on how these two bodies' findings and recommendations are linked to each other. The monitoring of the Istanbul Convention, on the one hand, and the work performed by the Parliamentary Assembly of the Council of Europe (PACE), the Gender Equality Commission and the Commissioner for Human Rights, on the other hand, is coherent.</p>	<p>1, 3, 9</p> <p>2, 3</p>
1b. To what extent is the work of the Organisation in line with the needs and priorities of beneficiary states?	Finding 3: Council of Europe co-operation work is relevant and coherent where it is done, but there are gaps in geographical coverage, <i>inter alia</i> due to funding gaps.	7
2. Evaluation question - Effectiveness: to what extent is the sub-programme effective?		
2.a. What factors tend to lead to ratification of the Istanbul Convention?	Finding 4: Widespread ratification of the Istanbul Convention, which is the cornerstone assumption of the Council of Europe theory of change on VAWDV, is largely beyond the Council of Europe's influence.	3, 7
2b. To what extent, if any, through what mechanisms and under what conditions has the work of the Organisation contributed to changes in the legislation, policy, practice and horizontal co-ordination in case study countries/entities?	<p>Finding 5: Signature and ratification of the Istanbul Convention, especially when complemented by co-operation projects, are major accelerators of legislative and regulatory harmonisation with standards, albeit with gaps in addressing all forms of violence against women. The influence of GREVIO reports on legislative reforms can be identified, but it is too early to assess its full extent.</p> <p>Finding 6: Any interaction with the Council of Europe on VAWDV (signature, ratification and subsequent monitoring and/or co-operation) is associated with the production of dedicated policy documents, but countries that have ratified it reflect the Council of Europe standards more explicitly.</p> <p>Finding 7: Data collection is gradually increasing as envisaged by the Istanbul Convention, but its contribution to policies, legislations and regulations is uneven. There is demand for expertise and support on data collection that can inform policy and law making.</p>	<p>4, 5</p> <p>7</p> <p>4</p>

Questions	Findings	Recommendations
	<p>Finding 8: The Council of Europe’s dynamic triangle (standards, monitoring, co-operation) has contributed to the evolution of the institutional set-up and the knowledge of relevant practitioners – however, the institutional processes remain fragmented and knowledge does not always lead to capacity.</p> <p>Finding 9: The Istanbul Convention has most clearly positively changed legislation, followed by a slower progress in protection, prosecution and prevention. Usually, prevention activities are not well linked with the other areas of the Istanbul Convention. The most significant challenges for progress are: 1) the severe underfunding of the entire sector, from governmental social services to civil society organisations (CSOs). 2) missing overall prevention strategies and a slow implementation of co-ordinated policies and co-operation.</p> <p>CSOs are under-resourced and operate under constant budgetary uncertainty, despite the recognition in the Istanbul Convention that they are key for prevention, prosecution, prevention and co-ordinated policies.</p>	<p>7, 5, 8</p> <p>8</p>
<p>3. Evaluation question - Impact: to what extent did the sub-programme have an impact?</p>		
<p>3a. To what extent, if any, through what mechanisms and under what conditions has the work of the Organisation contributed to a decrease in VAWDV and to changes in the situation of victims in the case study countries/entities?</p>	<p>Finding 10: At the individual level, the existence and implementation of standards has made a great difference for many survivors. However, there is no indication that this progress is significantly affecting the various statistics related to VAWDV.</p> <p>Conflict and conflict-related violence against women have long-lasting consequences and are of a different nature compared with other contexts of violence against women. Legal and policy responses on VAWDV need to take these different realities into account in response to the war in Ukraine.</p>	<p>6, 8</p>
<p>3b. To what extent, if any, has the work of the Council of Europe under the sub-programme led to intended or unintended synergies and/or to self-initiatives of stakeholders outside of the scope of the Organisation’s intervention?</p>	<p>Finding 11: While there are occurrences of mutual reinforcement with other international actors, most situations can be characterised more modestly as “complementary”.</p>	<p>4, 11</p>
<p>4. Evaluation question – Added value: to what extent does the sub-programme add value?</p>		
<p>4a. To what extent, if any, through what mechanisms and under what conditions has the Council of Europe achieved the production of quality immediate outcomes?</p>	<p>Finding 12: Despite limited resources compared to other actors, the Council of Europe draws authority from and adds value to its positioning as the main source of human rights-related international instruments in Europe, which benefits standard setting, monitoring and co-operation.</p>	<p>11</p>

Questions	Findings	Recommendations
	<p>Finding 13: While no duplication of effort was observed, the Council of Europe underuses its potential for synergies internally and externally.</p>	<p>11</p>
	<p>Finding 14: The secretariat of the monitoring mechanism of the Istanbul Convention is under-resourced. GREVIO has developed from a nascent monitoring body into a renowned monitoring body and the diversity of its members will become even more important.</p>	<p>10</p>
<p>4b. To what extent does the work of the Council of Europe complement and/or duplicate the work of other organisations? What are the comparative advantages and disadvantages of the Council of Europe in comparison with other organisations?</p>	<p>Finding 15: There is demand for the Council of Europe to facilitate dialogue platforms more systematically.</p>	<p>4, 7</p>



2. Introduction

The 2021 work programme of the Directorate of Internal Oversight includes an evaluation of the sub-programme Violence Against Women and Domestic Violence. The evaluation is expected to contribute to the improvement of the Council of Europe's support to fighting violence against women and domestic violence (VAWDV) in Europe.

The evaluation was started on 22 March 2021.

This report presents the findings of the evaluation team.



3. Object of the evaluation

The Istanbul Convention defines violence against women and girls as

a violation of human rights and a form of discrimination against women and shall mean 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, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

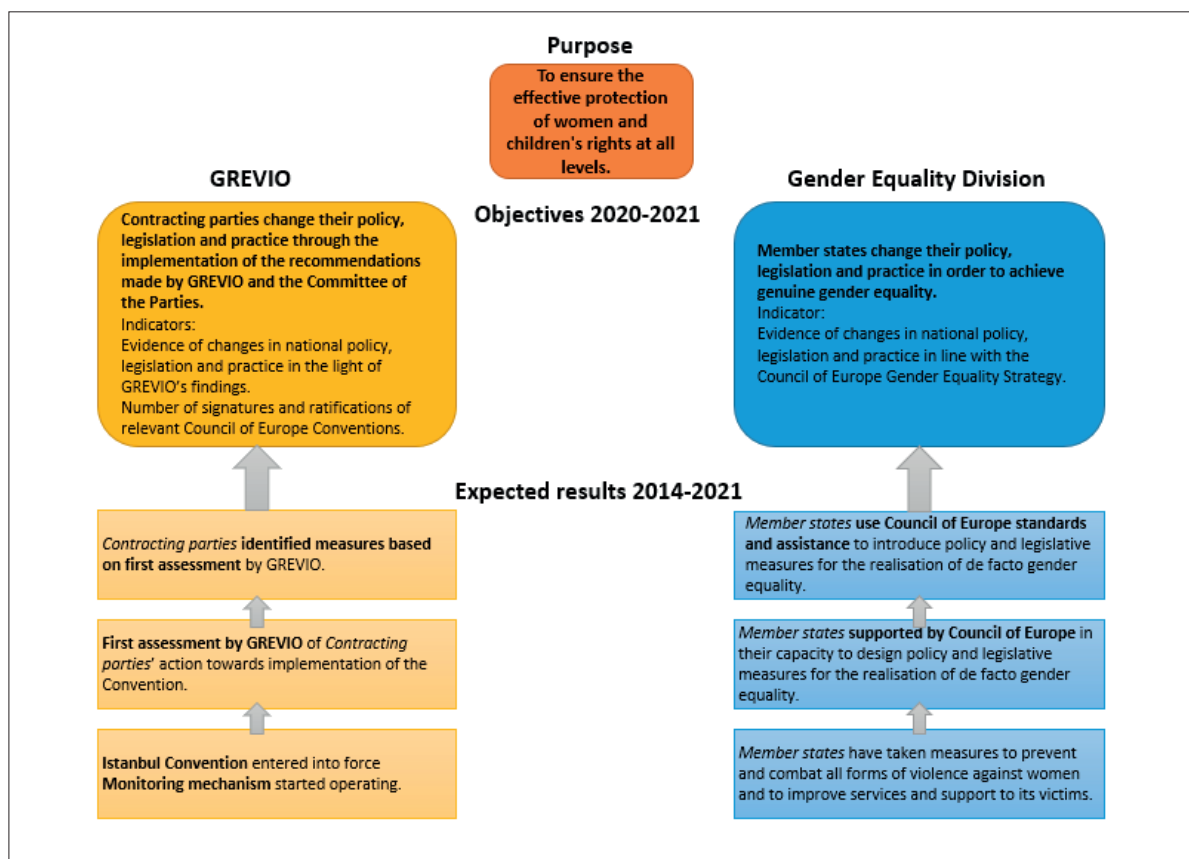
The Istanbul Convention is seen by Council of Europe representatives as directly stemming from the European Convention on Human Rights (Appendix 1).

To advance gender equality and mainstream it in all its actions, the Council of Europe has approved the Gender equality strategy 2018-2023 (the strategy), which embodies the Council of Europe’s work on gender equality, including combating VAWDV, and serves as the overarching document summarising this transversal approach. The strategy can be considered as the reference strategic document under which other documents and instruments used by the Council of Europe to implement its work on VAWDV are organised throughout the period under evaluation.

The components and intervention logic towards the realisation of the Council of Europe’s vision on combating VAWDV have evolved through time. In the Programme and Budget 2020-2021 document,¹ the VAWDV programme is a sub-programme under the Equality and Human Dignity programme line. The overall aim of this sub-programme line is “to ensure the effective protection of women and children’s rights at all levels”.

The diagram in figure 3 summarises the results framework in the Programme and Budget documents for the parts of the programme relevant to VAWDV, in addition to the corresponding indicators and the expected results of the VAWDV sub-programme in the Programme and Budget documents between 2014 and 2021:

Figure 3. Results framework of Combating violence against women (GREVIO) and Gender Equality 2014-2021



1. Council of Europe Programme and Budget 2020-2021, page 41, available at <https://rm.coe.int/1680994ffd>.

The funding dedicated to VAWDV essentially derives from the ordinary budget and represents a significant proportion (almost a third) of the Equality and Human Dignity budget.²

Table 2. Council of Europe Programme and Budget for 2020-2021 (in K€)

Year	2020					2021					2020 - 2021		
Types of resources	Budgetary resources		Extra-budgetary Resources		Total	Budgetary resources		Extra-budgetary Resources		Total	Budgetary resources		
	Ordinary Budget	Other Budgets	EU/JP Amount secured	VC Amount secured		Ordinary Budget	Other Budgets	EU/JP Amount secured	VC Amount secured		Standard sett	Monitoring	Co-operation
Human rights	114 798	1 464	14 224	6 376	136 862	114 619	1 484	10 945	1 126	128 174	15%	54%	31%
Equality and human dignity	4 854		829	953	6 636	4 897		562	162	5 621	30%	47%	23%
VAWDV	1 480				1 480	1 480				1 480		99%	1%

Source: Council of Europe Programme and Budget for 2020-2021

The contribution to the VAWDV is the same for 2020 and 2021. The Istanbul Convention is the main vehicle of Council of Europe standards on VAWDV. It entered into force on 1 August 2014. It has been ratified by 35 states parties and has direct applicability in the Kosovo* constitution. The Istanbul Convention is based on four pillars: (i) prevention; (ii) protection; (iii) prosecution; (iv) integrated policies, the latter covering all three pillars.

The monitoring of the implementation and compliance with the Istanbul Convention by the states who have ratified it is conducted by the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) and the [Committee of the Parties](#). GREVIO prepares and publishes reports evaluating legislative and other measures taken by the parties to give effect to the provisions of the Istanbul Convention. In addition, GREVIO may initiate a special inquiry procedure to prevent a serious, massive or persistent pattern of any acts of violence covered by the Istanbul Convention. GREVIO may also adopt general recommendations on themes and concepts of the Istanbul Convention. GREVIO consists of 15 members with multidisciplinary expertise in human rights, gender equality, violence against women and domestic violence or in the assistance to and protection of victims elected by the Committee of the Parties for four years. So far, GREVIO has issued its first round of monitoring reports, also called “baseline reports”, on 20 countries.³ The Committee of the Parties, composed of the representatives of the [Parties to the Istanbul Convention](#), elects the members of GREVIO and adopts, on the basis of the reports and conclusions by GREVIO, specific recommendations addressed to the parties concerned.⁴

In addition, the Gender Equality Division (GED) of the Council of Europe’s Directorate General of Democracy implements regional and bilateral co-operation activities funded by the ordinary budget and extra-budgetary contributions. During the budgetary cycles 2016-17, 2018-2019 and 2020, 24 co-operation projects were conducted in 12 countries/entities, in addition to four multilateral and five regional projects ([Appendix 2](#)). The volume of co-operation activities is shown in figure 4.

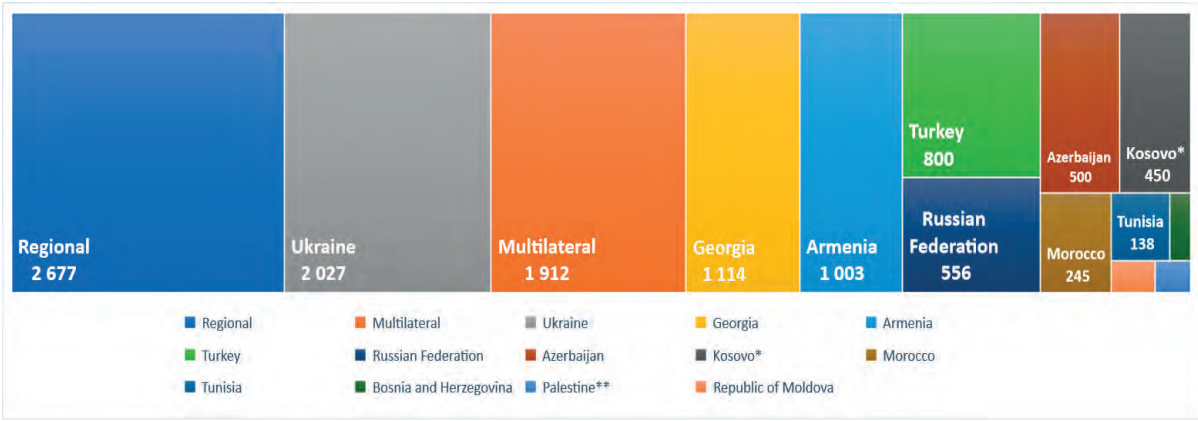
2. Council of Europe Programme and Budget for 2020-2021, available at <https://rm.coe.int/1680994ffd>.

* All references to Kosovo, whether to the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

3. Council of Europe, Istanbul Convention, Country monitoring work, available at www.coe.int/en/web/istanbul-convention/country-monitoring-work.

4. Rules of procedure of the Committee of the Parties, available at <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168046325b>.

Figure 4. Project volume per country between 2016 and 2020 (in K€). Source Council of Europe Project Management Methodology platform



**This designation shall not be construed as a designation of a State of Palestine and is without prejudice to the individual positions of Council of Europe member states on this issue.



4. Evaluation methodology

The evaluation is expected to contribute to the improvement of the Council of Europe's support to fighting violence against women and domestic violence (VAWDV) in Europe through:

- ▶ use of findings, conclusions and/or recommendations for the purpose of decision making;
- ▶ use of findings and conclusions for learning and knowledge sharing.

Based on the terms of reference (Appendix 3) and initial interviews, the objectives of the evaluation are identified as follows:

- ▶ to ensure the accountability towards the Council of Europe's governing bodies and the direct and indirect beneficiaries of the VAWDV sub-programme;
- ▶ to draw learning on whether and how the Council of Europe's standard setting, co-operation and partnerships have contributed to changes towards the elimination of violence against women and domestic violence and the empowerment of women;
- ▶ to inform, for the purpose of future decision making, the Committee of Ministers, the Human Dignity and Gender Equality Department, GREVIO members and members of the Committee of the Parties, in addition to senior management of the Organisation and donors funding the thematic area, if relevant.

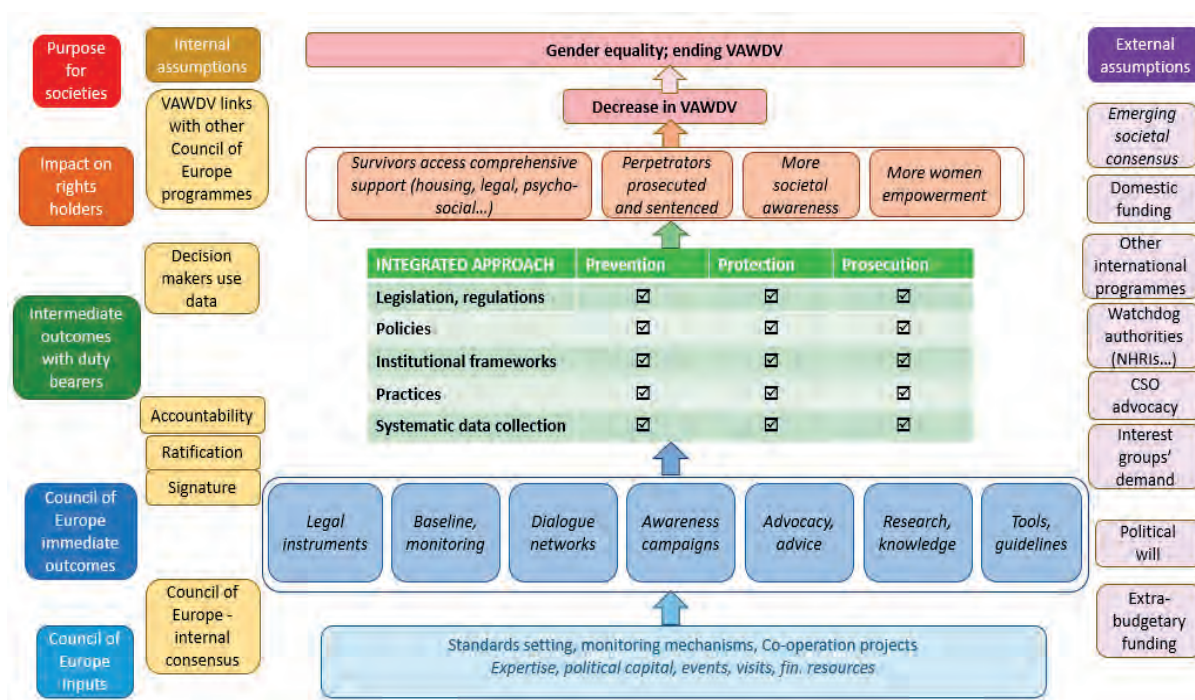
Programmatic coverage: the evaluation covers all activities conducted under the sub-programme on VAWDV since the entry into force of the Istanbul Convention in 2014, in Council of Europe member states, as well as other states and entities which benefited from bilateral technical co-operation activities of the Council of Europe in the field of VAWDV⁵. This constitutes a total of 51 states and entities.⁶ As regards co-operation activities, the evaluation will focus on projects implemented between 2016 and 2020.

This evaluation is based on the theory of change (ToC) of the Council of Europe's intervention through its sub-programme on VAWDV: it tests how the chain of changes envisaged by the Council of Europe has materialised and how this relates to the realisation of internal and external assumptions made by the Council of Europe. The evaluation examines four criteria corresponding to their respective level in the theory of change, which closely match respective levels of the theory of change: relevance and coherence (immediate outcome level and its relation to the overall purpose); effectiveness (intermediate outcome level); impact (impact level); added value (input level).⁷

In order to respond to the evaluation questions, the evaluation team has reconstructed the theory of change and represented it graphically (figure 5):

5. Information about ongoing capacity building and co-operation projects, HDGE/GED/Co-operation, 18 October 2021, available at: <https://rm.coe.int/oct-2021-cooperation-projects-on-vaw-and-dv-2770-1225-6260-v-1/1680a43ca4>.
6. The 51 countries are the 47 (at the time) Council of Europe member states, four non-member states of Council of Europe (Algeria, Egypt, Jordan, Lebanon) and two entities (Kosovo* and Palestine). The countries/entities covered by regional co-operation only (not bilateral) and which are not members of the Council of Europe are not included in the evaluation coverage, because it was anticipated that the attributability of changes would be very low in these countries/entities. These countries/entities include Algeria, Egypt, Jordan, Lebanon and Palestine.
7. The evaluation criteria were selected as the most useful to examine the theory of change, in consultation with the Evaluation Reference Group.

Figure 5. ToC of the Council of Europe's sub-programme on VAWDV: visual representation



The evaluation team then:

1. reconstructed the various components of the actions and their interplay: the key actions of the Council of Europe and how they were implemented using the assets (standards, financial and human resources, expertise, political capital, existing partnerships) of the Council of Europe (input level, added value question);
2. examined how these actions matched the needs on the ground and the strategic vision of the Organisation (immediate outcome and purpose levels, relevance and coherence criteria). This was done through qualitative analysis of documents (including existing surveys, if any) and interviews;
3. examined how these actions interplayed as factors and with other external factors for the realisation of most important key assumption of the theory of change (ratification of the Istanbul Convention). This was done through qualitative comparative analysis (QCA)⁸ (intermediate outcome level, effectiveness criterion). QCA consists of identifying standard factors⁹ and discerning them from exceptional circumstances and then modelling how these factors interact to lead to the outcome(s) (in this case, the ratification of the Istanbul Convention), or lack thereof, by identifying patterns in this process (Appendix 4);
4. analysed the changes in five countries sampled as case studies in view of the ToC, with particular emphasis on the changes in the legislation, policy, institutions, practice and data collection of the countries/entities (intermediate outcome level, effectiveness criterion), and on the changes from the rights holders' perspective (impact level, impact criterion). The five countries included Albania, Austria, Azerbaijan,

8. Selected a sample of 13 cases (inception report) and added two more during the process to have a higher variation of cases (15 cases in total): Albania, Austria, Azerbaijan, Denmark, Georgia, Germany, Greece, Hungary, Liechtenstein, Lithuania, the Russian Federation, Serbia, Tunisia, Ukraine, the United Kingdom. For more details, please see Appendix 4.

9. The evaluation team followed the following QCA steps: Step 1: specifying the QCA model by selecting a sample of 15 cases, defining the outcome as ratification of the Istanbul Convention by the respective countries, identifying six factors which, under the team's hypothesis, may strongly contribute to the countries' decision to ratify the Convention. Step 2: assessing these factors qualitatively in a desk review. Step 3: transcribing the qualitative findings as numerical (0 or 1) values and including them in a table. Step 4: representing these factors visually as true/false and analysing the patterns presented by each country and patterns overall (in QCA language: a "necessity analysis" and a "truth table" were done). Step 5 and several additional steps: obtaining deeper qualitative and quantitative analysis. Then, the findings of interviews on the key factors leading to the ratification of the Istanbul Convention, available for six cases of the sample (Austria, Georgia, Germany, Serbia, Switzerland, Turkey), were analysed and used to better explain the QCA data.

Georgia and Ukraine, sampled based on a clustering exercise¹⁰ among all Council of Europe member states and other countries or entities which have ratified the Istanbul Convention and/or benefited from co-operation. It ascertained the Council of Europe's contribution to these changes.

The data collection was essentially qualitative, including (Appendix 5):

- ▶ observation of the Conference on the occasion of the 10 years of the Istanbul Convention;¹¹
- ▶ review of general documents (Appendix 6):
 - documents drafted by the Council of Europe on standards, monitoring and VAWDV-related co-operation activities and relevant policies, including GREVIO reports (particularly the Horizontal Review published in 2021), GEC documents, European Court of Human Rights (the Court) judgments, Secretary General reports, and other general reports or publications, in particular individual GREVIO baseline evaluation reports, recommendations issued by the Committee of the Parties to the Istanbul Convention and the reporting forms submitted by Austria, Albania, Denmark and Monaco with a view to reporting on the measures taken in response to the Committee's recommendations;
 - documents drafted by Council of Europe member states and civil society relevant to standard setting, monitoring and co-operation activities, including policies and action plans;
 - Council of Europe programme documents;
 - national and regional surveys on the prevalence of VAWDV and perceptions on VAWDV and its root causes;
- ▶ review of documents related to the QCA:
 - high-level Council of Europe documents which call for signature and/or ratification of the Istanbul Convention (e.g. Secretary General's statements and letters, Parliamentary Assembly reports, Human Rights Commissioner's publications and statements);
 - other international actors' high-level advocacy documents and agreements (e.g. EU agreements, EU reports, Convention on the Elimination of Discrimination against Women (CEDAW) reports, UPR reports, publications by UN agencies);
 - civil society advocacy documents (e.g. publications), complemented by national human rights institutions (NHRIs)' reports;
 - Council of Europe co-operation programme documents and latest/final reports or evaluations (as applicable);
- ▶ review of documents related to the case studies:
 - expert assessments based on experience, collection of country/entity documents and interviews prior to the missions;
 - GREVIO reports and shadow reports;
 - materials from Council of Europe co-operation programmes (programme reports, training materials, publications, agreements with CSOs and public entities as applicable);
 - relevant publications by CSOs, NHRIs and other international organisations as advised by national experts and Council of Europe staff at headquarters and offices;
- ▶ semi-structured interviews (Appendices 7 and 8) with:
 - Council of Europe staff members involved in the work on VAWDV, including the GREVIO secretariat, co-operation programme staff in headquarters, the GEC secretariat;
 - members of GREVIO and the Committee of the Parties;

10. Cluster 1: countries that ratified and reported progress (Georgia); Cluster 2: countries that signed but did not ratify (Ukraine); Cluster 3: countries that neither signed nor ratified (Azerbaijan); Cluster 4: countries that are not members of the Council of Europe (Morocco, Tunisia); Cluster 5: entities that reported progress (Kosovo*, Palestine); Cluster 6: Council of Europe member states that have ratified the Istanbul Convention, have been part of the monitoring and are now reporting to the Committee of the Parties (Albania without co-operation activities and Austria with co-operation activities). Cluster 4 is not included in the sample of case studies because of ongoing evaluations in these countries. Learnings to be derived from case studies in entities (Cluster 5) would not likely be applicable to other clusters, because entities cannot access the Istanbul Convention, which is the centrepiece of the theory of change, and are of limited application because no other entities are expected to be covered by the sub-programme. So, the five case studies included in this evaluation are: Albania, Austria, Azerbaijan, Georgia and Ukraine.

11. Online conference "Gender equality and the Istanbul Convention: a decade of action", available at: www.coe.int/en/web/istanbul-convention/conference-gender-equality-and-the-istanbul-convention-a-decade-of-action.

- actors from the Council of Europe working on case study countries (including Council of Europe field office staff), Gender Equality Commission members from sampled countries, public authorities and civil society actors who are instrumental to implementing changes in line with the Istanbul Convention to identify key changes, including several survivors in case study countries.

In view of constraints imposed by the Covid-19 pandemic and resource limitations, most interviews in Albania, Azerbaijan, and Ukraine took place in person, while others took place mainly online (Austria, Georgia).

The evaluation reference group¹² was consulted on the theory of change, the scope of the evaluation, the evaluation approach and methodology and the evaluation process and provided written and oral comments on the evaluation inception report.

The reference group further provided comments on the draft evaluation report including on the factual accuracy of the report as well as on the feasibility of the implementation of proposed recommendations. The evaluation team then finalised the report taking into consideration the comments.

12. The reference group is composed of representatives of the GREVIO secretariat, the Gender Equality Division, the PACE secretariat, the Office of the Directorate General of Programmes, the Directorate of the Programme and Budget and the Private Office of the Secretary General.



5. Limitations

One of the key limitations was the lack of comparable data documenting prevalence and response, including the implementation of legislation and policies compliant with the Istanbul Convention, therefore informing the impact level of the theory of change. A large part of collected data about the situation of indirect beneficiaries of the Council of Europe's work was therefore based on secondary quantitative and qualitative data. These included GREVIO and CEDAW reports, CSOs reports, existing European Union Agency for Fundamental Rights, Organization for Security and Co-operation in Europe (OSCE), United Nations and national surveys, national response statistics (including police, judicial, social affairs and CSO sources) and the Global Gender Gap Report.¹³ All these sources suffer from some weaknesses in terms of comparability, geographic and time coverage. The evaluation team therefore complemented documentary data with interview data, but this is subject to limitations, as it was not possible to hold those for the entire geographic scope of the evaluation, both due to limited availability of stakeholders and evaluation resources. This was part of the rationale for sampling.

With this in mind, in view of the complex result chain of the Council of Europe's theory of change and because of the multiplicity of other factors that influence the realisation of the countries' and entities' measures against VAWDV, the ability to attribute changes to the Council of Europe's work is limited. This is the rationale for a contribution analysis: this contribution could either be demonstrated and acknowledged or excluded – but not measured quantitatively.

Covid-19 constraints on the evaluation were not very significant: one out of five case studies (Georgia) had to take place online, but this did not reduce stakeholder availability. On one field mission (Ukraine), it was not always possible to access shelters and interview rights holders due to Covid-19-related restrictions.

13. Global Gender Gap Report 2021, World Economic Forum.

6. Evaluation findings

Question 1: To what extent is the sub-programme relevant?

Finding 1: The Istanbul Convention is a human rights instrument adopted in response to the needs identified in the field of VAWDV, but the initial consensus among the countries, and among stakeholders within the countries about some key elements of the Istanbul Convention, is fragile.

The adoption, implementation and monitoring of any international instrument rests upon a fundamental consensus among standard-setting actors, countries parties to this instrument, and monitoring actors. The sub-programme's ToC assumes, at input level, the existence of a consensus internal to the Council of Europe as an intergovernmental organisation regarding the approach towards VAWDV. This is viewed as a condition for the coherence and feasibility of the ToC, and more generally of the Council of Europe's action on VAWDV. The evaluation found that this notion of consensus, to be understood, needs to be nuanced and analysed through several angles, to:

- ▶ identify the various aspects of the Council of Europe's approach, in particular standard setting, monitoring and co-operation, respectively;
- ▶ distinguish consensus (general agreement on principle among the actors, in other words a common vision) from compromise (acceptable alternative to consensus, when there is no agreement on principle, but actors are ready to relinquish some aspects of their respective visions in order to arrive at a mutually agreed solution);
- ▶ distinguish the actors, in particular the member states of the Council of Europe and the various administrative entities of the Council of Europe, respectively.

The present finding starts by analysing consensus for coherence in standard setting. The standard-setting work on VAWDV includes several actors and processes: under the authority of the Committee of Ministers, the Ad Hoc Committee on preventing and combating violence against women and domestic violence (CAHVIO) prepared the text of the Istanbul Convention. The Gender Equality Commission prepares standards that complement the Istanbul Convention. The Parliamentary Assembly also issues complementary standards in the form of recommendations and resolutions. The Istanbul Convention is viewed by many interviewees as an example of the Council of Europe's trademark: legal innovation. This positioning has helped unite stakeholders among member states and beyond. Since its adoption, the entire Council of Europe approach, and its ToC, are built around the Istanbul Convention, which acts as a strong federating instrument.

Council of Europe member states and other external stakeholders

The evaluation team found that the necessity to adopt a convention on VAWDV was the object of a consensus from early on: the Committee of Ministers' members felt that the magnitude of VAWDV in general, and of domestic violence in particular, was such that the existing Committee of Ministers' Recommendation of 2002¹⁴ was insufficient. They established a taskforce, which produced a report recommending, above all other recommendations, the adoption of a legally binding convention. The Committee of Ministers then established the Ad Hoc Committee for preventing and combating violence against women and domestic violence (CAHVIO) in 2008.¹⁵ The very existence of CAHVIO with a mandate to prepare this convention was a testimony to the consensus on the necessity to address VAWDV, including domestic violence (DV), with a new legal standard.

14. Committee of Ministers to member states of the Council of Europe: Recommendation Rec(2002)5 on the protection of women against violence, available at www.coe.int/en/web/genderequality/recommendation-rec-2002-5-and-other-tools-of-the-council-of-europe-concerning-violence-against-women.

15. CAHVIO reports, in particular "Elements for discussion", available at <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168059416c>.

CAHVIO reports and interviews with the actors who contributed to preparing the text of the Istanbul Convention show that the scope, target groups and specific content of the Istanbul Convention have benefited from a consensus which existed externally to the Council of Europe administrative entities, among international non-governmental organisations, some feminist movements and some human rights champions. But there have been diverging views among member states on how to address the phenomenon. Some member states championed their approaches within CAHVIO but never met full consensus among all member states' governments.¹⁶ CAHVIO invested a lot of efforts to find a compromise and convince like-minded actors (member states, various administrative entities within Council of Europe including the Parliamentary Assembly, Directorates General, and the Court) using a human rights-based approach.

The result of CAHVIO's efforts was "the best document possible" in the words of an interviewee: a document which links the Istanbul Convention to the European Convention of Human Rights, acting as a federating element. It has a complex structure which comprehensively covers all types of VAWDV, and also defines a path to address VAWDV with a rights-based approach, organised in three substantive pillars (protection, prosecution, prevention) and a horizontal pillar (integrated approach). Interviewees from governments, CSOs, lawyers, the expert community, and other international organisations consider the Istanbul Convention to be the clearest, most holistic international legal instrument on VAWDV to date and a tool that is focused on practical implementation. It gives not only a definition of VAWDV as a violation of rights, and objectives to address this violation – it provides a method to curbing VAWDV. The Istanbul Convention also comprehensively addresses several intervention areas covered: the pillars of the Istanbul Convention address VAWDV from relevant angles. It closely corresponds to needs on the ground, when benchmarked against the aspirations expressed by anti-VAWDV actors in interviews, and their satisfaction regarding the Istanbul Convention.

Quote (a GREVIO member)

"Before the Istanbul Convention, VAW was referred to as DV, while DV is a form of VAW and VAW is an overarching concept including DV (...). The Istanbul Convention is not like CEDAW that needs interpretation. The Istanbul Convention tells exactly what to do."

Yet, some questions remain open. The most often-cited controversy concerns the coverage of children by the Istanbul Convention. Children are mentioned on nine occasions in the Istanbul Convention, including in the Preamble and in six articles. Among our interviewees in case study countries and beyond, many argue that the inclusion of children in the Istanbul Convention makes it more acceptable to actors who understand the Istanbul Convention as an instrument to counter violence more than as a gender equality instrument. Others hold that it weakens the gender equality focus of the Istanbul Convention, while being insufficient to address the violations committed against children in violent contexts – which in turn may also be prejudicial to the attention given to the rights of children in the fight against VAWDV. The inclusion of children is both an indication that the text of the Istanbul Convention is a compromise and an outcome of this compromise.

Good practice: channelling emerging debates with a human rights lens

Some emerging issues could also have an effect on the compromise in the Istanbul Convention. For instance, several countries are paying increased attention to perpetrators as a target group of the Istanbul Convention, alongside victims including children. But interviews with national actors in case study countries, with Council of Europe officials and with several GREVIO and Committee of the Parties members show that this generates profound debates. Actors who consider the Istanbul Convention as a victim-centred instrument primarily designed to protect the rights of women as (potential) victims and survivors fear that working with perpetrators could dilute this victim-oriented focus and deplete already limited resources to the benefit of perpetrators. Others see the Istanbul Convention as an instrument to combat and prevent violence in society, including with perpetrators. The Council of Europe is a good channel for these debates, with GREVIO-internal debates, PACE events, Committee of the Parties meetings and discussions within the Committee of Ministers. It fulfils its role as a human rights-based organisation and a legal innovator when it provides a safe environment for all opinions to be expressed, while consistently applying a human-rights lens to emerging issues.

The Istanbul Convention was adopted in 2011 and received broad support at the time, but it has been increasingly challenged since then, particularly by illiberal governments and political forces.¹⁷ The withdrawal of

16. CAHVIO meeting reports (1st to 9th), available at www.coe.int/en/web/istanbul-convention/cahvio.

17. Conference on 10th Anniversary of the Convention recording, available at <https://vimeo.com/556162419>.

Turkey, a leading member of CAHVIO, from the Istanbul Convention, illustrates this trend. So do the difficulties and delays in ratifying the Istanbul Convention even in signatory countries, in the context of an “anti-gender” discourse observed by virtually all informants.

Quote (a GREVIO member)

“The Istanbul Convention is facing contradiction from some countries in Europe, like CEDAW does (...) There is resistance against the convention through reservations. Being politicised in some countries in Europe, the Istanbul Convention is becoming a target of anti-gender, anti-LGBTI and anti-Europe movements in Europe. [The Istanbul Convention is] challenging the normative traditional cultural setting, therefore it is normal to have such a reaction against it. It proclaims a new mind set and requires a cultural shift.”

Many interviewees from among policy makers, practitioners, elected officials, international civil servants and civil society representatives analyse this trend in the context of opposing world views, and the protracted and unfinished ratification process witnessed in Ukraine (including voting trends in the Parliament) exemplifies this analysis. According to many, the Istanbul Convention is now seen (although this was never its intention) by illiberal political forces as a marker of a “pro-European”, “pro-western”, or “liberal” position – the three being seen as interchangeable in anti-gender rhetoric. As most interlocutors repeatedly highlighted, the Istanbul Convention and the very concept of gender have been the subject of active, increasing disinformation and political pressure by leaders who are not friendly to human rights, democracy, the rule of law and the idea of a law-based international order.

These opposing views, referred to by international civil servants and civil society actors as a backlash, are multilayered and complex. Some actors refer to conservative and religious motives, exemplified by the withdrawal of Turkey. Other actors, while referring to “traditional family values” and religion, also quote issues of national identity and power structures within the European security architecture.

An example was found in Ukraine, where all informants representing national, international and local perspectives deplored an “anti-gender” campaign which they attributed to regional power. The “anti-gender” propaganda campaigns witnessed in Eastern Europe form part of a long continuum of actions taken in rejection of the values which are enshrined in Council of Europe human rights instruments and which guide numerous reforms undertaken in Council of Europe member states. According to interviewees, this continuum of actions takes many forms, from communication to military action, and this rejection concerns, among others, gender equality.¹⁸ The civil society actors who advocated for ratification of the Istanbul Convention have been subject of online attacks using similar rhetoric.

In parallel, the issue of VAWDV has received increased attention in most member states, and also from “unusual allies” of the Council of Europe human rights standards, as an interviewee defined them. For instance, the law enforcement and health sectors have advocated for more government efforts, and/or have led numerous initiatives against VAWDV in several countries. Some religious leaders have expressed support to the prevention of VAWDV. For instance, Georgian interviewees pointed out that the Orthodox Church has supported the adoption of the corresponding legislative package. In his 2022 New Year address, the Pope condemned VAWDV unequivocally.¹⁹ The Covid-19 crisis, which resulted in an increase of reported case of DV in some countries, also placed the issue high in some media.

Council of Europe bodies and staff

While there are ongoing debates on various issues related to the Istanbul Convention, the internal coherence and consensus among the various bodies and among the staff of the Council of Europe – another aspect of the basic assumption of coherence – holds. But there are some weaknesses: despite alignment of vision, in practice the efforts of the different parts of the Council of Europe regarding the Istanbul Convention could

18. Speech of President Putin of 24 February 2022, no longer available online, accessed 3 March 2022 through the New York Times annotated quotes www.nytimes.com/2022/02/24/world/europe/putin-ukraine-speech.html. This speech, which seeks to justify the military aggression against Ukraine by the Russian Federation, quotes various elements against the “collective West”, including allusions such as “degeneration” (as in counter-natural) and “traditional values”, which are often used in propaganda efforts in reference to gender equality and the rights of LGBT+ persons. For instance: “until very recently, the attempts to use us in their [the West’s] interest, to destroy our traditional values, and to impose their pseudo-values which would eat us, our people, from inside, and the postulates that they [the West] are already aggressively imposing in their own countries and that lead directly to degradation and degeneration, since they are contrary to the very nature of the human being itself - [these attempts] did not cease. This shall not pass; nobody has ever managed to do this, it would not work this time either.”

19. Source available at www.reuters.com/world/violence-against-women-insults-god-pope-says-new-years-speech-2022-01-01/.

be better co-ordinated. The Gender Equality Commission, under the authority of the Committee of Ministers, was created in 2012 and its mandate was consequently adjusted “to help ensure the mainstreaming of gender equality into all Council of Europe policies and to bridge the gap between commitments made at international level and the reality of women in Europe”,²⁰ by providing advice, guidance and support to other Council of Europe bodies and to member states. It advises the Committee of Ministers and has a potential to contribute to better co-ordination at the highest levels, although there is insufficient hindsight at the moment to document the effects of this Commission.²¹

Quote (Council of Europe staff)

“It would be good if we [the implementing staff] were better aware about the high-level advocacy strategy and how our projects fit into that advocacy strategy. There is still some silo mentality – working together with the Council of Europe political part does not come naturally from both sides.”

The Parliamentary Assembly has held numerous events and adopted texts around the Istanbul Convention. The parliamentary network, Women Free from Violence, composed of like-minded members of the Parliamentary Assembly, is very active, as is the general rapporteur on violence against women. The Human Rights Commissioner pays a lot of attention to VAWDV, as envisaged in its specific mandate.²² Human Rights Commissioners have regularly recommended ratification in their reports addressed to several countries. A series of events also took place, in a co-ordinated manner, ahead of the tenth anniversary of the Istanbul Convention. But it is unclear whether these efforts have been co-ordinated to reinforce one another, especially when they concern specific countries.

Lesson learnt: high-level efforts for advancing the ratification of the Istanbul Convention require rejuvenated internal communication, in the aftermath of C and in view of staff turnover.

The level of co-ordination and visibility of the efforts deployed in specific countries by the Council of Europe to advance the geographic coverage of the Istanbul Convention differ, depending on whether they aim for signature or ratification. In the first case (signature), the staff who implement the programme line technically (e.g. the secretariats of the Parliamentary Assembly and of GREVIO) seem to be fully informed of the others', or of higher level actors' efforts for advancing the ratification of the Istanbul Convention and its standards. According to interviewees and, in some cases, to public documents, the Secretary General, the Deputy Secretary General, the President of the Parliamentary Assembly, the Presidency of the Committee of Ministers, some senior staff of the Directorate General for Democracy and the Venice Commission Secretariat, in addition to the Commissioner for Human Rights, have undertaken high-level efforts to encourage ratification in several countries. At this level, co-ordination is taking place.

However, co-ordination is not always visible to staff. Some of these efforts take place without being documented, as exemplified in one of the case study countries, due to the sensitivity of these efforts, which could be compromised if they were too visible. During the field visit, interviews then revealed that VAWDV and the Istanbul Convention were discussed during two visits by the Council of Europe Secretary General in 2017 and 2018, one visit of the President of the Parliamentary Assembly in 2019, and one visit of the Commissioner of Human Rights in 2019. However, none of the reports nor publications found recorded these efforts.

Before the outbreak of the Covid-19 pandemic, the Directorate General for Democracy would organise biennial co-ordination and consultation meetings involving staff working at the technical level in Strasbourg and field offices, which ensured a common understanding and a strong cohesion. The measures related to the pandemic have prevented this practice since 2020 and there have been changes in human resources during this period. There is, therefore, a demand to re-intensify internal communication so as to reignite a common understanding of all Council of Europe stakeholders' actions.

In contrast, efforts towards signature, or the reaction to Turkey's withdrawal (for instance by members of the Parliamentary Assembly) are much more publicised and visible in the documentation: statements, reports,

20. Terms of Reference of the Gender Equality Commission, 2020-2021 and 2022-2025, available at <https://rm.coe.int/tor-gec-2020-2021/1680997efd> and 2022-2025; <https://rm.coe.int/gec-terms-of-reference-2022-2025cm-2021-131-en-2782-8830-8997-v-1/1680a50f58>.

21. The Gender Equality Commission was created in 2012 as part of the Transversal Programme for Gender Equality. At that stage it was under the authority of the Steering Committee for Human Rights. Then, in 2016, it became an independent steering committee again under the direct authority of the Committee of Ministers.

22. Mandate of Human Rights Commissioner regarding women and gender equality, available at www.coe.int/en/web/commissioner/thematic-work/women-s-rights-and-gender-equality

website publications about high-level visits, internal reporting, and the recollection of interviewees (both Council of Europe staff and counterparts in the countries concerned) show a higher level of information exchange and dissemination ahead of and after these occurrences.

The Council of Europe needs to continue nurturing a strong, unified, unambiguous position on VAWDV and on the understanding of the Istanbul Convention, backed by a more unified approach to promoting the Istanbul Convention, including registering these efforts and communicating about them internally. The co-ordinated efforts mobilised ahead of the tenth anniversary of the Istanbul Convention represent a positive precedent, which could inspire future efforts at transverse and country-specific scales.

Overall, the existing Council of Europe standards on VAWDV constitute the best possible compromise, and they are highly relevant. They build on a consensus about the need to have such standards and on human rights as the lens of choice to address VAWDV. But the coherence of approach among the various Council of Europe actors is not optimal. This affects the ability to mitigate the risks posed to the Istanbul Convention by its challengers.

Finding 2: The Council of Europe monitors a comprehensive range of issues related to VAWDV and its core monitoring processes with GREVIO and the Committee of the States Parties are still young. Stakeholders are not always clear on how these two bodies' findings and recommendations are linked to each other. The monitoring of the Istanbul Convention, on the one hand, and the work performed by PACE, the Gender Equality Commission and the Commissioner for Human Rights, on the other hand, is coherent.

The monitoring and follow-up of Council of Europe member states' actions against VAWDV is intensive and multifaceted. It includes the monitoring of the Istanbul Convention by the GREVIO²³ complemented by the Committee of the Parties,²⁴ and the supervision of the relevant judgments of the Court by the Committee of Ministers with the assistance of the Department for the Execution of the Court's judgments, but also the observation of the states' action regardless of their ratification status: this is done mostly through conferences, analytical and reporting work performed by PACE, the Commissioner for Human Rights and the Gender Equality Commission. Finally, the Department for the Execution of European Court of Human Rights Judgments, while not monitoring the implementation of the Istanbul Convention, monitors the implementation of the Court's decisions, some of which are related to violence against women and domestic violence, citing the Istanbul Convention where applicable. The work of this department constitutes a useful source for GREVIO and the Gender Equality Commission. The coherence of Council of Europe monitoring action related to the VAWDV sub-programme is dependent upon the synergies between these actors and their respective tasks. The evaluation found the monitoring of the Istanbul Convention, on the one hand, and the work performed by PACE, the Gender Equality Commission and the Commissioner for Human Rights, on the other hand, to be coherent. Within the monitoring of the Istanbul Convention, coherence could be optimised with the refinement of monitoring processes, which are still in their early years.

The core of monitoring: monitoring of the implementation, progress and results of the Istanbul Convention by states parties

The Istanbul Convention is monitored through two processes.

1. In-depth expert review by GREVIO: GREVIO started its first evaluation in 2016 and has so far evaluated the implementation of the Istanbul Convention in a first monitoring cycle (baseline) of 21 countries. This constitutes a classical monitoring mechanism, based on country reports prepared by the respective governments, shadow reporting provided by civil society actors in addition to monitoring visits resulting in evaluation reports including recommendations by GREVIO. GREVIO baseline evaluation reports cover all aspects of the Istanbul Convention, they are comprehensive and detailed and usually around 60-80 pages long. Their format follows the structure of the Istanbul Convention and GREVIO defines four kinds of findings (leading to Committee of the Parties recommendations) labelled with various levels of urgency.

23. CETS 210 – Violence against women and domestic violence, 11.V.2011, Article 66.

24. CETS 210 – Violence against women and domestic violence, 11.V.2011, Article 67.

2. Through peer review by the Committee of the Parties, which consists of all states in which the Istanbul Convention has entered into force and which held its first meeting in 2015. The Committee of the Parties elects the GREVIO experts and is composed according to its rules of procedure of “experts of the highest possible rank in the field of VAWDV and knowledge of the Convention”.²⁵ The Committee of the Parties has developed a first approach to its peer monitoring: it issues recommendations to the state party based on the urgency of the findings in the respective GREVIO baseline evaluation reports and sends a standard questionnaire about their implementation status to governments. The secretariat invites civil society actors (which were part of the GREVIO visit) to complement this reporting with their own reporting (CSOs have used this opportunity in two countries out of four being monitored by the Committee of the Parties). Rules of procedure foresee a review and adjustment of this approach after a few more rounds of peer review (at the time of writing this report, Albania, Austria, Denmark and Monaco have been monitored).

Both bodies are supported by the same secretariat.

The evaluation found a lack of clarity for relevant stakeholders in how these two bodies’ findings and recommendations are linked to each other. This is attributed by Council of Europe staff and monitoring actors to the recency of the monitoring procedure: GREVIO issued its first report in 2017. The Committee of the Parties issued its first recommendations to Austria in 2018; Austria reported back in January 2021 with the standard questionnaire.²⁶ The Committee of the Parties issued its conclusions about the recommendations at the end of 2021, inviting Austria to report back on four remaining recommendations in 2023.

Since 2018, the Committee of the Parties has standardised and streamlined the reporting on the implementation of their recommendations to make the monitoring process more manageable and get a more comprehensive overview of the progress. The standard questionnaire is grouped into eight themes, based on an analysis of the most common GREVIO findings and one section called “specific recommendations”.²⁷

Figure 6. Committee of the Parties approach to streamlining and focusing on the most urgent GREVIO findings and standardised reporting



As the eight themes do not repeat all chapters of the Istanbul Convention, states parties might not be requested to report on all initially issued Committee of the Parties recommendations, but only on the ones which fall into the eight themes, plus two additional Committee of the Parties recommendations selected by the Committee of the Parties at its discretion when sending the standard questionnaire. The basis for this procedure is the

25. Rules of Procedure of the Committee of the Parties, available at <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168046325b>.

26. Austria was the first country with a GREVIO Baseline report in 2017

27. The questionnaire response and the conclusions are available under the Istanbul Convention country monitoring website.

framework for supervising the implementation of recommendations addressed to the states parties to the Istanbul Convention, which is not publicly available.²⁸ As an example: the Committee of the Parties initially issues 14 recommendations, the state party reports back on 8+2, so not on the four recommendations which are not covered by the eight themes of the standard questionnaire. Then, based on the conclusions of the Committee of the Parties, the state will report again, for example, on three recommendations not yet fully addressed.

It should be noted that the reasons or procedures for GREVIO to label its findings one or the other way are not specified, or not publicly available. Because the Committee of the Parties guidance publicly available is limited, *de facto*, stakeholders in the countries perceive these Committee of the Parties recommendations as a set of priorities. Case study analysis and additional interviews showed that the link between the Committee of the Parties recommendations and GREVIO's findings was not clearly perceived by stakeholders.

It appears difficult for relevant stakeholders to track and understand the extent to which the state parties report on the Committee of the Parties' recommendations. This finding is based on two case studies conducted by the evaluation team. Even experts and representatives of states parties to the Istanbul Convention struggled to grasp the process.

As a result, many stakeholders, particularly representatives of national authorities, misperceive that the Committee of the Parties performs some kind of prioritisation of GREVIO recommendations. Experts from the monitoring bodies and in the countries feared that this could be used (and was reportedly used in one case) as justification by some countries not to follow up on all GREVIO findings, and even on Committee of the Parties' recommendations. Some interviewees regretted that there is no definition of the extent of implementation of recommendations. The perceived lack of a clear link between the GREVIO findings and the follow-up by the Committee of the Parties was seen by some actors as a gap in accountability towards the Istanbul Convention.

This might be mainly rooted in a lack of clarity for persons unfamiliar with the Committee of the Parties' procedures about the links between the initial GREVIO findings, the Committee of the States Parties recommendations and the finally reported questionnaire. Therefore, the finally published report questionnaires are perceived as not being sufficiently transparent.

Overall, the Committee of the Parties monitoring focuses on encouragement and facilitation. It is perceived as fair and, in the words of an interviewee, "less brutal than, for example, Group of States Against Corruption (GRECO)". There is a genuine objective to tie it to GREVIO findings, as envisaged by the procedures. However, so far this has been insufficient: the (perceived) lack of clarity between the monitoring outputs of GREVIO and those of the Committee of the Parties may dilute the states parties' accountability. On the other hand, the encouraging peer approach of the Committee of the Parties has the potential to attract countries that have not yet ratified the Istanbul Convention. The Committee of the Parties can realise this potential by encouraging signatory countries to more systematically attend Committee of the Parties' meetings (as foreseen by its rules of procedure, by invitations to attend which the secretariat always sends to all signatory countries and as used by some signatory countries) to get a better picture of what ratification would also entail. It should also be noted that some interviewees considered that the triangle constituted by the GREVIO, the Committee of the Parties and their common secretariat, ensured a "balance of powers": given the sensitivity of the topic, some actors see potential in mutual scrutiny as a long-term guarantor of the spirit of the Istanbul Convention.

The monitoring process of the Istanbul Convention is still young and some of its aspects (such as monitoring beyond the GREVIO baseline evaluation cycle) are yet to be fully defined. Potential, coherence and credibility can be further developed provided key questions are addressed.

- ▶ How can the "red thread" between the first GREVIO baseline evaluation report and Committee of the Parties monitoring be better ensured?
- ▶ How will the future GREVIO chapter-by-chapter monitoring be designed to complement the existing baseline reports and the Committee of the Parties' standard country reporting questionnaire?

Other aspects of monitoring work

GREVIO monitoring goes further than individual state party scrutiny: it also tackles emerging issues horizontally. For instance, it published its first general recommendation on the digital dimension of violence in November 2021, outlining the problem of violence against women being both committed online and facilitated by technology. The recommendation proposes specific actions to take in the four pillars of the Istanbul

28. IC-CP(2021)LD11. See references to this document in several list of decisions by the Committee of the Parties, the most recent one being: List of decisions taken at the 11th meeting Strasbourg, 7 December 2021 at <https://rm.coe.int/ic-cp-2021-lod11-eng/1680a4d34e>.

Convention to combat this type of violence. The recommendation is not legally binding but will be included in upcoming GREVIO monitoring rounds.²⁹ However, emerging issues are numerous and create a vast demand for guidance on how to best implement the Istanbul Convention in relation to many emerging issues, which cannot always be met.

Lesson learnt: a need not matched – demand for exchange with other experts on current topics at the expert level.

In Austria, which ratified very early, nearly all interviewees mentioned their current intense internal debates and expressed a strong need for expert-level and regular exchange with other experts, CSOs and the Council of Europe on current and specific topics. The debates in this case study country are currently on the approaches to:

- victim-oriented perpetrator programmes;
- new approaches in shelters;
- planned changes in child custody;
- the issue of low conviction rates;
- resources for prevention activities.

There is a need to exchange with other experts about issues coming up when implementing the Istanbul Convention in countries with no Council of Europe co-operation projects. GREVIO is seen by CSOs and government experts as a “guardian of the Istanbul Convention principles” and a “haven of wisdom” on the Istanbul Convention. So, the expressed need is to exchange and discuss with and under the guidance of GREVIO.

The Committee of the Parties meetings enable members to volunteer a subject and present on it to start an internal dialogue. Open platforms are more difficult to organise: so far, to our knowledge, the Committee of the Parties has conducted one thematic debate.³⁰ Case studies showed that the Committee of the Parties is not yet very well known by CSOs and government experts outside of the Council of Europe structures.

In identifying recurring and emerging issues, GREVIO is backed up by the monitoring of the execution of European Court of Human Rights judgments, performed by a dedicated department within the Council of Europe: in the field of VAWDV, this cornerstone function examines, for instance, how redress is provided to victims and how corrective measures ordered by the Court are implemented to avoid repeated violations of the European Convention on Human Rights. This completes the analysis of the practices of the duty bearers of human rights obligations (including obligations stemming from the Istanbul Convention). GREVIO has also started performing synthesis work based on its first (baseline) evaluation cycle, a good practice recognised by interviewees.

Emerging knowledge-generating avenues which complement monitoring

So far, the need expressed by CSOs and local governmental experts for exchange (cross-national or regional conferences, regular working groups on specific topics) is met rather by co-operation projects; however, this is limited to a small number of countries and mostly takes place within a national, not an international or regional setting. This is regrettable, because stronger coherence of the Council of Europe’s approach towards VAWDV could also be ensured by providing member states and other interested countries or entities (beyond Committee of the Parties’ meetings) with regular meetings to discuss emerging issues which they identify in a setting that includes countries’ and entities’ representatives, experts, and civil society representatives. There is a demand for more regularly taking stock on emerging challenges, such as online violence, through such platforms.

29. GREVIO General Recommendation No. 1 on the digital dimension of violence against women adopted on 20 October 2021, available at <https://rm.coe.int/grevio-rec-no-on-digital-violence-against-women/1680a49147>.

30. Efforts were underway to hold a meeting of the national co-ordinating bodies to facilitate exchange among the representatives of those mandated at national level to implement the Istanbul Convention, upon the invitation of a host government. Unfortunately, the meeting dates had to be postponed twice because of the Covid-19 pandemic.

Good practice: 10-year anniversary of the Istanbul Convention (May 2021) – taking stock and facilitating debate despite Covid-19.

In the context of the 10th anniversary of the opening for signature of the Istanbul Convention, the Council of Europe, in partnership with Germany, organised an online conference to mark 10 years of this treaty.³¹ Although the conference was held online, it managed to provide a platform for debate, to take stock of the Istanbul Convention's progress and to discuss how to counter the backlash towards it. The conference also discussed how combating sexism and empowerment of women are intrinsically linked to the prevention of VAWDV, with reference to the Committee of Ministers' 2019 recommendation on preventing and combating sexism.³²

Shortly before the conference, GREVIO published its first mid-term review, a horizontal review report taking stock of 17 baseline evaluations conducted and identifying promising practices, but also challenges and shortcomings for each article of the Istanbul Convention. This horizontal report is a great source of real-world implementation and could be further used in exchanges and debates to foster practices. Another very good example is the recent comparative Study on the Istanbul and Cybercrime Conventions.³³

Finding 3: Council of Europe co-operation work is relevant and coherent where it is done, but there are gaps in geographical coverage, *inter alia* due to funding gaps.

Council of Europe co-operation work on VAWDV, like in other areas, is mostly funded by extra-budgetary contributions. It is therefore dependent not only upon the dialogue with the partners in the relevant countries (e.g. through the elaboration of country action plans or the establishment of common priorities) but also on donors' priorities. The key donors of the Council of Europe on VAWDV include the European Union, followed by action plan-level voluntary contributions (unearmarked contributions for country action plans, financed by various donors), and bilateral contributions for specific projects from a few member states or other countries, such as Sweden, Germany, Canada and others. The level of earmarking of these contributions varies a lot. Some donors give both country action plan-level contributions³⁴ and project-specific contributions. The Council of Europe also contributes to joint programming with certain donors, which provides an opportunity to define VAWDV as a priority for co-operation: for instance, the Council of Europe has a strategic advisory role in the Norway/EEA grants country programmes as an "international partner organisation" on VAWDV.³⁵

A few activities are funded by the core budget. Individual project budgets during the reference period of the evaluation typically ranged from around €100 000 to €200 000, with broad variations. Interviewees indicate that the most recent projects more commonly range above €400 000, which represents an increase but remains modest in view of the needs and in comparison with other organisations. Most of the funding dedicated by donors to VAWDV stems from financing instruments for official development assistance (ODA).³⁶ The precise situation therefore differs depending on regions: in EU and other western European countries, the Council of Europe, as other actors, struggles to obtain funding, because these do not qualify for ODA spending.³⁷ For instance, no stakeholders in Austria had direct contacts with the Council of Europe, and the Council of Europe regional and multilateral projects have not covered Austria at all. There is underused potential for co-operation activities through the Gender Equality Commission by states parties. For example, the Gender Equality Division has reached out through the Gender Equality Commission to member states to respond to their needs; however, only Slovenia and Latvia have responded.

31. Conference report, available at <https://rm.coe.int/final-prems-rapport-de-berlin-may-2021/1680a3d7fd>.

32. Council of Europe, Gender Equality Commission, Recommendation CM/Rec(2019)1 Recommendation on Preventing and Combating Sexism, available at <https://rm.coe.int/cm-rec-2019-1-on-preventing-and-combating-sexism/168094d894>.

33. Protecting women and girls from violence in the digital age, available at <https://rm.coe.int/prems-153621-gbr-2574-study-online-a4-bat-web/1680a4cc44>.

34. The Council of Europe has signed national action plans with most of its member states. Action plans include a package of actions or projects, organised around thematic areas. Voluntary contributors may contribute at the level of an entire action plan or thematic area, leaving it to the Council of Europe to direct the funding to specific actions, or for a specific action.

35. The EEA and Norway Grants are funded by Iceland, Liechtenstein and Norway. The Grants have two goals – to contribute to a more equal Europe, both socially and economically – and to strengthen the relations between Iceland, Liechtenstein and Norway, and the 13/15 beneficiary states in Europe. See also <https://eeagrants.org/topics-programmes/justice-and-home-affairs/domestic-and-gender-based-violence>.

36. The OECD Official Development Assistance, available at www.oecd.org/dac/financing-sustainable-development/development-finance-standards/official-development-assistance.htm.

37. The EU Commission DG JUST finances actions on VAWDV under the Daphne programme, which mostly targets CSOs and national authorities as well as other international organisations (UN Women). Voluntary contributions from member states are extremely rare in this region: this would require that a given country funds co-operation for projects on its own territory.

In Eastern Europe, South-East Europe, Turkey and the partnership countries of the Council of Europe, funding is easier to obtain through voluntary contributions and EU-Council of Europe joint programmes, including funding facilities of the EU. Yet, Council of Europe VAWDV programmes remain modestly funded even in these regions, compared to other actions and to the projects on VAWDV operated by other organisations and often funded by the same donors.

These funding patterns show that the Council of Europe co-operation activities on VAWDV generally operate with limited funding, despite the donors' attention to gender issues. In this context, gaps in the Council of Europe's response to needs on the ground are unavoidable, therefore the key question is not whether the Council of Europe responds to needs, but rather how joint programming with national partners and resource mobilisation prioritise the Council of Europe co-operation in response to these needs, given the limited resources.

The review of project documents and reports, in combination with interviews with stakeholders in case study countries where co-operation projects take place, show that the Council of Europe has strong mechanisms to ensure the relevance of its co-operation activities. There, the Council of Europe prioritises its actions based on consultation with existing Council of Europe partners, cross-referenced with GREVIO reports and recommendations, where relevant. The judgments of the European Court of Human Rights relevant to the respective countries that cite the Istanbul Convention, or addressing violations of the European Convention of Human Rights in the context of VAWDV, are also explicitly and systematically used as reference points for the design of projects. The reports and recommendations of other Council of Europe monitoring bodies whose mandate intersects with VAWDV (such as the Group of Experts on Action against Trafficking in Human Beings or Lanzarote Convention Committee), in addition to CEDAW reports, routinely complement these references. Reports and publications from previous projects complete the picture, especially in countries where no GREVIO reports exist. Evidence of inclusion of PACE or Gender Equality Commission recommendations is less conclusive: they are occasionally referred to, but not often. These complementary sources are analysed in project documents, amounting to an analysis of the gaps that the Council of Europe can help bridge thanks to its expertise and funding opportunities. These gaps are specifically addressed through project outputs and activities.

The issues addressed by and beneficiaries of this support come from pragmatic choices, in a manifest attempt to match monitoring results, Council of Europe added value, and traditional Council of Europe partners' requests (e.g. judicial authorities, NHRIs and equality bodies, line ministries, CSOs). Where there exists a set or suite of projects reaching a critical mass of support (going beyond small, one-time initiatives), the Council of Europe tends to take the lead on promoting the ratification of the Istanbul Convention and harmonisation of the legal framework with the Istanbul Convention in all spheres of implementation. This is classically complemented by demand-driven capacity building, which tends to focus on traditional Council of Europe partners: judicial actors, human rights protection architecture (NHRIs and other dedicated state actors, CSOs) and, occasionally, other actors from law enforcement or social protection. So, the Council of Europe prioritises (1) areas where it has added value and/or which are not addressed by others (such as the United Nations), and (2) issues which present a potential for ratification of the Istanbul Convention or immediate implementation of GREVIO recommendations.

Good practice: an interactive approach from project to project

In Ukraine and Georgia, the Council of Europe has implemented projects on VAWDV for several years (since 2018 in Georgia, shortly after ratification of the Istanbul Convention; since 2013 in Ukraine). The study of project documents shows that these interventions started with general sensitisation of core duty bearers (line ministries, law enforcement, members of parliament) within the executive about the Istanbul Convention and its pillars, with a view to establishing a common vision. These first inroads enabled the Council of Europe to better assess needs and raise the demand for co-operation. Based on this mutual understanding with its core national partners, the Council of Europe then proceeded to work at the policy and legislative level, in parallel with capacity building. This iterative approach has increased the relevance to the emerging issues and needs. During the Covid-19 crisis, it has also increased the projects' ability to adjust to circumstances and remain relevant, because the partners and (in the case of Ukraine) donors showed flexibility towards adjustments, confident that the Council of Europe's vision was adequate to the needs.

Council of Europe projects operate within the limits of each country's political and cultural context. Intervention design is largely done in consultation with public officials and thus matches the priorities of the countries. This increases ownership, but also means that Council of Europe co-operation reproduces the gaps that may exist in national policies (e.g. prevention left behind, protection seen mostly through a prism of emergency shelter and restriction orders – not comprehensive). For example, in one of the case study countries where potential ratification of the Istanbul Convention is not expected in the near future, exposure of national experts

to European practices (like in study visits) and small but long-term investments (like training of trainers for judges or university teachers) are prioritised. State actors are satisfied overall, but activities targeting broader audiences and directly benefiting victims are not a part of the portfolio. Some interviewees suggested that showcasing the benefits for victims may demonstrate the positive changes when implementing the spirit and standards of the Istanbul Convention. In other countries, such as Ukraine or Georgia, the level of satisfaction of stakeholders with the choice of priority issues is generally higher among state officials than among CSOs, suggesting that Council of Europe prioritisation aligns with national policy constraints.

Lesson learnt: alignment between high-level efforts to advance the standards of the Istanbul Convention and co-operation projects can be made more predictable.

Alignment of co-operation projects with efforts to encourage ratification can be very powerful, but this alignment varies over time. Some stakeholders perceive this as unpredictable. One case study shows that high-level efforts were instrumental to launching a project in a challenging context. However, when the Human Rights Commissioner visited after the project was launched, she did not include VAWDV in her country report. More clarity on the coherence between political-level efforts for advancing ratification and co-operation is needed.

Modest funding and reach (especially compared with United Nations agencies) leave weak points, particularly in prevention: according to many interviewees, awareness-raising campaigns are “a drop in the ocean”, whereas needs in education and social sectors are far from being met. In the area of protection, Council of Europe projects seldom work on services to women (whereas they often address issues of restraining orders, which also pertain to protection). This is also due to the fact that other actors with more substantial funding carry out this work. Overall, the Council of Europe has very limited engagement with law-enforcement agencies and social affairs (except inclusion in a few training initiatives such as the HELP (Human Rights Education for Legal Professionals) course and manuals). This is changing and more engagement with law enforcements is taking place, for example, in Ukraine and Armenia.

Geographic prioritisation is the least clear aspect of the Council of Europe’s approach. In countries where there is no or only very modest co-operation on VAWDV, whether through bilateral or regional projects, issues are prioritised based on multiple factors:

- ▶ substance (observed needs based in particular on monitoring and lessons learnt from earlier co-operation programmes);
- ▶ demand from officials, which are channelled through national action plans’ programming through a dialogue fed by monitoring findings;
- ▶ donor priorities (except for action plan-level funding);
- ▶ the place of Council of Europe field offices among international actors in each country or entity.

The Gender Equality Division, which oversees programmes, has limited room to arbitrate among these at a strategic level. Opportunities and circumstances may draw attention to or, on the contrary, deflect it from countries. The Council of Europe navigates them, but prioritising VAWDV has proven difficult. In Albania, for example, many stakeholders pointed to great needs which the Council of Europe could match (just like, for instance, in Ukraine or Georgia), but the Council of Europe has not implemented any bilateral projects nor any significant regional activities. Again, the Council of Europe has reached out to Albania through the Gender Equality Commission, however no follow-up has yet materialised.

Question 2: To what extent is the sub-programme effective?

Finding 4: Widespread ratification of the Istanbul Convention, which is the cornerstone assumption of the Council of Europe theory of change on VAWDV, is largely beyond the Council of Europe’s influence.

Key factors leading to ratification

The evaluation team investigated the factors which were reported to lead to the ratification of the Istanbul Convention (see more details in [Appendix 4](#)). In the theory of change, ratification is a key internal assumption and leads from immediate outcomes (like the negotiations around the Istanbul Convention, the final text of the Istanbul Convention, its mechanisms and bodies) to the actual application of the Istanbul Convention at the state level.

Qualitative comparative analysis showed that the key factor is the political motivation of the political majority in place at a given moment, which political actors tend to assess in terms of electoral and/or geopolitical costs versus benefits: this is not linear, but rather complex, and it is a matter of appreciation and anticipation of these risks and benefits. In many cases, personalities, specific events or news items can play the role of the trigger, provided there is fundamental will to eventually ratify the Istanbul Convention. This fundamental will, in turn, is determined by sub-factors, only a few of which are within the area of influence of the Council of Europe and its allies or partners.

Quote (a gender expert at national level)

“The government sees itself as a leader in this, so they signed very soon in 2011. However, the existing law on sexual violence was not in line with the convention, so the country did not want to ratify it immediately. There was a divide between two different Ministries. The Ministry for Women’s Rights was all for it, while the Ministry of Justice first wanted to get the laws aligned. CSO activists advocated strongly to change the law, but nothing happened for a very long time. The game changer was a public event in 2015/2016 – where many women were in public sexually harassed. Only then a discussion on sexual harassment started and the call for stronger laws against sexual harassment in public emerged as a topic in the public, so it was only that event, which led to reforming the law on sexual violence and then led to the ratification in 2017.”

A co-ordinated approach to the advancement of the Istanbul Convention is one of the sub-factors within the influence of the Council of Europe and its allies and partners and has the potential of keeping the ratification of the Istanbul Convention on national agendas. Comparison among 15 countries showed that important gaps remain in the efforts for advancing ratification, which could be addressed by the Council of Europe or by the EU as a close partner and donor: the Council of Europe has not always conducted high-level efforts, even in countries that have not yet ratified. Likewise, the EU has not always introduced conditionalities or recommendations to countries with European accession aspirations which have not yet ratified.

The keys for impactful promotion of the Istanbul Convention are close co-ordination among champions of ratification (national and international) and the identification of a conducive timing/window of opportunity. Co-ordination and identification of windows of opportunities are most successful when they build on field presence and attentive monitoring of sub-factors within the country, through:

- ▶ involvement of the relevant Council of Europe field office, if any, through co-operation programmes and lobbying by the head of the field office;
- ▶ PACE follow-up (formally through post-monitoring dialogue, but also through informal events, seminars, and possibly co-operation projects);
- ▶ mobilisation of the Private Office (for instance, with letters and/or visits of the Secretary General or participation of the Secretary General/Deputy Secretary General in relevant events);
- ▶ close follow-up by the GREVIO secretariat, informing the efforts of the above actors.

Examples of conducive timings/windows of opportunity identified in case study countries included a significant European Court of Human Rights’ judgment, several Council of Europe high-level visits, a country taking on a significant role as part of the CEDAW committee, or striking media coverage of the consequences of VAWDV. It takes a co-ordinated Council of Europe-internal effort to urge for ratification with the right timing.

Another sub-factor of political will is the constellation of persons active on ratification at a given time. In some case study countries, this role was played by Ministers of Justice, or a Minister for Women’s Affairs and sometimes coupled with pragmatic and internal advocacy actions by CSOs, members of parliament or politicians. For example, in one case study country, female members of parliament symbolically signed the Istanbul Convention on a flip chart in front of the Parliamentary meeting room. In another, a personally committed Minister of Justice conducted in-depth, discrete individual negotiations with the religious authorities or conservative members of parliament even before the debate was open, so as to obtain guarantees while giving all stakeholders a face-saving possibility, which decreased considerably the political costs of ratification for the government.

Quote (a CSO representative)

“Support from the Members of Parliament was very important. For the first time, the speaker of the Parliament was a woman and she insisted to pass the law on ratification of the convention.”

In countries that ratified the Istanbul Convention at an early stage (countries that ratified before or immediately after the entry into force of the Istanbul Convention, in 2012-2014), the least significant factor seems to be CSO pressure (not supporting, for this group of countries, this external assumption in the theory of change). This is validated by interviews: while all acknowledge the value of CSO pressure and its effects on public opinion, they also consider that ratification was more clearly related to a benefit for internal politics and linked to geostrategic stakes at that time (like showing that the government is pro-Europe when European integration is consensual in the electorate).

For countries that ratified later (2015-2020), a vibrant civil society advocating ratification appears as a necessary factor; interviews confirmed the role played by CSOs for ratification, as they were involved in delivery of various services and actively demanded ratification through evidence-based dialogue with decision makers, information campaigns and CSO reports. Specialised Council of Europe bodies, such as the Venice Commission, play a role in some cases where there is some political will for ratification.³⁸ In these countries, co-operation projects are useful and are an “extra”, helpful tool that multiplies the effects of civil society engagement for ratification – but these projects are not obviously necessary to create an incentive for ratification.

The role of the media in preparing public opinion is another sub-factor, correctly identified as an external assumption in the theory of change of the sub-programme. It does not make or break political will to ratify, but it can accelerate a momentum in countries where ratification was delayed over the years (ratification after several years, or no ratification to date). In Georgia, for instance, the amount and tone of media coverage of VAWDV (particularly femicides) has played a role in social rejection of VAWDV itself, thus increasing the political gains of ratification. In Ukraine, contrasted media coverage is associated with an equivocal calculation of the gains and losses associated with potential ratification.

For countries that have not ratified, the absence of a political leadership motivation to ratify, and the environment for civil society operation, conjugate and diminish the weight of the internal and international advocacy factors. Co-operation programmes seem to have little effect on the balance of political costs and benefits expected from ratification. So far, the Parliamentary majorities in most countries that have not ratified the Istanbul Convention have either been focused on a concept of sovereignty which relativises international human rights obligations, or on preserving “traditional family values”, considered by them to be at odds with gender equality. In some countries, the worsening environment for CSO operation has prevented the latter from getting actively involved in service delivery, women’s empowerment initiatives and meaningful advocacy for ratification.

Role of disinformation and counter-advocacy locally and by regional powers

Ratification of the Istanbul Convention has faced considerable opposition in some countries from some members of parliaments, representatives of religious institutions, and “anti-gender” movements which are very active on social networks and in classical media.

Quote (a member of Parliament)

“The key obstacle is really the position of [the Church], and the misconception of the term “gender”. Only if there is a strong coalition in the Parliament, ratification is likely.”

All stakeholders interviewed in countries outside of the EU, along with all actors having a regional overview, have observed continuous manipulation of the terminology used by the Istanbul Convention, distortion of its core purpose and its definitions. Some of the arguments put forward are that it would destroy traditional families and values, and that it would enforce “LGBT propaganda”. Many interviewees in two case study countries (both national and international experts) perceive that the debate and these misconceptions are affected by a narrative from other countries that are regional powers. The war in Ukraine, which started as this report was being finalised, is likely to exacerbate positions and have a double-edged effect on future ratifications: while it may further antagonise the political forces that support the war, it may change the position of actors who were originally opposed to ratification but have dissociated themselves from “anti-western” rhetoric.

38. For instance, the Constitutional Court of the Republic of Moldova decided on 18 January 2022 that the ratification of the Istanbul Convention by the Parliament of the Republic of Moldova did not conflict with Article 31 of the Supreme State Law on Freedom of Conscience, or article regarding education. Before this decision, the President of the Constitutional Court had requested an *amicus curiae* brief to the Venice Commission. A comparable situation was witnessed in Armenia in 2019.

Good practice: countering disinformation about the Istanbul Convention

In Ukraine, the Council of Europe has for several years performed co-operation activities and the Heads of Office have actively engaged in efforts to explain the content of the Istanbul Convention. They provide factual, politically neutral answers, often in a visually creative way. Interviewees on the ground concur on finding these communication products useful and user friendly. The Gender Equality Commission, under the authority of the Committee of Ministers, and the PACE Anti-discrimination Committee (sub-committee on Gender Equality) have, in parallel, contributed to better factual awareness of the Istanbul Convention among high-level public official and Members of Parliament.

This explanatory approach was praised as effective to reach the “undecided”. Some stakeholders in the civil society and within the Council of Europe also consider that a less reactive, more proactive approach is a good complement: this entails bringing out positive examples of the results brought about by the implementation of the Istanbul Convention.

Figure 7. Awareness-raising flyer responding to common misconceptions about the Istanbul Convention, issued through a Council of Europe project in Ukraine ©Council of Europe



A key factor outside the Council of Europe’s influence is the existing gender gap in a country: the evaluation found that countries that ratified the Istanbul Convention tended to have a small gender gap (in terms of ranking in the World Economic Forum’s Global Gender Gap Report 2021³⁹) and/or a combination of efforts for ratification by the Council of Europe, CEDAW and, in some cases, the EU. On the other hand, countries that did not ratify the Istanbul Convention presented a great variety of profiles, suggesting that when a country is not prepared to ratify the convention, this is related to internal (political, societal) matters which can hardly be addressed by the efforts of international actors – hence justifying resorting to co-operation programmes as an interim measure. This understanding is confirmed by many interviewees.

So, the countries that ratify the convention are those where the government, backed by society, already has some level of commitment to implementing the measures flowing from the Istanbul Convention.

Another nuance are the diverse strategies identified by countries ratifying the Istanbul Convention: some have started with ratification right away, followed by progressive harmonisation (as witnessed in most countries of South-East Europe), while others first signed the Istanbul Convention and then took the time to bring legislation into compliance, like in Georgia where several years elapsed between signature and ratification, or the United Kingdom, which has not ratified the Istanbul Convention yet.

39. Source available at www.weforum.org/reports/global-gender-gap-report-2021.

Quote (a civil servant in a Ministry of Justice)

“It helped that our country had already something in place, it was common sense that our country was always in the forefront in the area of protection of victims. It served to foster this image of our country. It was also the people involved, the colleagues from government and CSOs involved, we dealt with it in a very non-bureaucratic way, very close co-operation between the different Ministries and CSOs, we were all in favour of ratifying it. We also wanted to be part of the 10 first countries to ratify, to make it happen that it came into force.”

Finding 5: Signature and ratification of the Istanbul Convention, especially when complemented by co-operation projects, are major accelerators of legislative and regulatory harmonisation with standards, albeit with gaps in addressing all forms of violence against women. The influence of GREVIO reports on legislative reforms can be identified, but it is too early to assess its full extent.

The existence of the Istanbul Convention has played a manifest role in the improvement of legal and regulatory frameworks in all countries exposed to it as Council of Europe member states or partners. In all countries where we held interviews and performed document review (case study countries and others), there has been at least some legislative and regulatory progress towards harmonisation with the Istanbul Convention. This is also supported by the GREVIO Horizontal Review report⁴⁰ and the interviewees in case studies have mentioned these legislative changes in criminal law, family law and by-laws for police and institutions in many instances. However, to date, there is no authoritative data, or measurement, even in the GREVIO horizontal report, which would enable comparison of the progress of legislative harmonisation in states parties to the Istanbul Convention. This is partly explained by the recency of ratification: GREVIO has progressed towards completing its first, “baseline” round of country evaluation (currently, there are 20 adopted GREVIO reports, 10 ongoing procedures and 5 upcoming evaluations). While the Committee of the Parties ensures the follow-up of recommendations, it does not measure nor benchmark countries. The second round of GREVIO country evaluations and, perhaps, a successor to the first Horizontal Review report, could fill this gap.

Collection of illustrative quotes about legislative improvements due to the Istanbul Convention

“The convention has changed legislation, policy, and practice referring to the three pillars of the convention, except for the fourth pillar about the co-ordination of the policies.”

“However, there is still room for improvement, especially regarding the criminal code. We are in process of developing new criminal cases. GREVIO has emphasised the need for criminalising all forms of domestic violence.”

“The new laws on the protection against violence have meant an enormous step forward in terms of quality, as they are the legal basis for being able to take such comprehensive action.”

“The greatest achievement of all is Istanbul Convention ratification in 2017, as we changed legislation to be compliant with its standards. The work goes on with amendments of criminal procedure law and a new specific law on DV.”

“One of the greatest achievements is the new Violence Protection Act and here in particular the following:

- mandatory counseling for perpetrators is a significant change;
- prohibition of proximity for 100m for perpetrators;
- network of support services for victims of sexual violence was enhanced and is wider spread;
- the Istanbul Convention had little impact on shelters as they are organised in a very decentralised way and were there before the ratification;
- victim protection was strengthened again.”

Ratification, or intention to ratify (marked by signature) made significant contributions to the legislative process towards harmonisation with the Istanbul Convention in four case studies. Even in countries that pioneered progressive legislation along the lines of the Istanbul Convention already before the Istanbul Convention, the ratification of the Istanbul Convention played a strong accelerating role afterwards.

40. Mid-term Horizontal Review, GREVIO, available at <https://rm.coe.int/prems-010522-gbr-grevio-mid-term-horizontal-review-rev-february-2022/1680a58499>.

Quote (Member of Parliament)

"[My country] was already a model country when it comes to the protection of victims of violence when the Istanbul Convention was ratified, however, we are not everywhere in line in the Istanbul Convention, in particular on the countryside in terms of number of shelter beds."

In Albania, Austria and Georgia, the adoption of new or amended legislation was mostly done immediately after ratification, or after signature, particularly in the last years prior to ratification, or (where the Istanbul Convention has not yet been ratified) during the past three years. In Austria, there was a second wave of legal amendments after the GREVIO visit and the baseline report. The Council of Europe was actively involved, providing expertise for legal amendments through its offices in two of the case study countries (Ukraine and Azerbaijan).

Quote (gender expert)

"The Council of Europe contributes through analysis of legislation and filling gaps: there is this misperception [in the country] that the existing legislation is perfect already, but the Council of Europe shows it is not the case."

GREVIO baseline evaluation reports often recommend and precede legal amendments. As confirmed by interviews, they have therefore played an important role in the alignment of the normative framework performed in the three case study countries that already received a GREVIO visit. This was also the case of other countries, such as Spain. However, this is difficult to ascertain for all states parties, as there are only 20 baseline reports available and the follow-up on recommendations made by the Committee of the Parties is not yet complete and does not cover all GREVIO findings.

This move towards harmonisation is also visible in some countries or entities that have co-operation programmes but are not Council of Europe member states (for instance, in Morocco or Tunisia), have not signed (such as Azerbaijan), have not announced impending ratification (such as Armenia), and/or cannot ratify (such as Kosovo*): ongoing legal amendments and the extension of support services to victims and survivors are reportedly, to varying degrees, at least partly in line with the Istanbul Convention. There is an effort to reflect the standards, clearly supported by Council of Europe co-operation initiatives where they exist.

Quote (gender expert)

"I noted that in countries who have not ratified but have those co-operation programmes, the Istanbul Convention has a positive effect. Even when there is a negative public debate about the Istanbul Convention, everywhere there are government people who are already using the principles of the Istanbul Convention in their work."

Case studies also showed that European Court of Human Rights judgments referring to the Istanbul Convention have the potential to boost harmonisation and optimisation of national legislative frameworks. Although the length of the Court's proceedings limits such effects, it is still a powerful motivation for legislative amendments. For instance, in a case filed with the Court in 2015, the Court's judgment was issued in 2021 – but the relevant country had amended its law on restraining orders in the meantime already. Conversely, ratification gives additional grounds for the Court to make decisions that protect the rights of survivors: the Istanbul Convention is firmly tied to the European Convention on Human Rights, but it gives countries more precise obligations, towards victims in particular. These cases further provide foundations for possible future co-operation programmes. In states party to the Istanbul Convention, executing the Court's judgments further motivates the correction of legislation and practices (in particular the practice of the law enforcement and the judiciary). The role of the Department for Execution of judgment is pivotal in both processes above, because it enables both the Council of Europe and the member states to take stock of progress achieved by countries in correcting the structural issues that cause repeated violations of human rights obligations, in strong adequation with the findings of the GREVIO reports.

Legislative gaps

Despite this progress to which the Council of Europe has directly contributed to with the Istanbul Convention and its monitoring, legislative co-operation, and Court judgments, many gaps remain, as acknowledged by the first GREVIO Horizontal Report: even in countries that ratified early on, full legislative and regulatory compliance is usually still work in progress.⁴¹

41. Mid-term Horizontal Review, GREVIO, available at <https://rm.coe.int/prems-010522-gbr-grevio-mid-term-horizontal-review-rev-february-2022/1680a58499>.

Quote (a civil servant)

"[My country] ratified the convention among the first. It considered itself very advanced when it comes to legislation, with wide political consensus and legislation against gender-based violence even before the convention was drafted. Yet, when we ratified the convention, we realised that we had a lot of work to do to harmonise this progressive legislation with the convention. The convention forced us to go deeper, and to be more comprehensive in our legislative framework – and we progressed, but we still work on it."

These gaps are typically observed in the criminal legislation, and often concern definitions and constitutive elements of VAWDV criminal acts (in our case study countries: rape in the case in Georgia and Albania, or domestic violence as in Ukraine). Legislation also often fails to define and address all types of VAW: it often focuses on DV and some sexual offences, but insufficiently addresses economic violence, stalking, and other forms of violence, thus limiting the scope of state action.

The evaluation found a strong tendency in all case study countries to produce legislation, policies and regulations, invest budget in domestic violence, and neglect other forms of VAW - although some specific topics are addressed when they are a national priority such as child marriage, bride abduction and forced marriage, or female genital mutilation depending on the context of specific countries.

Gaps often have a lot to do with the legislators' perception and bias and the gaps mirror these biases. For example, domestic physical violence and rape by others than intimate partners, are widely acknowledged by societies, and legislative frameworks as unacceptable forms of violence. Other forms of violence, like economic violence and controlling behaviour by partners or rape in marriage often remain poorly addressed by legislative frameworks, because they are often perceived as socially more acceptable.

Quote (an international civil servant)

"The latest prevalence survey on perceptions about DV shows a wide acceptance of DV in [the country's society] fueled by patriarchal norms, especially in remote areas. Education of younger generation is crucial for prevention, including early childhood education."

Council of Europe co-operation projects have not addressed this tendency very proactively, because they are demand-driven; as a result, they have also tended to address these issues as secondary. Council of Europe co-operation actors on the ground are becoming conscious of this shortfall.

Lesson learnt: even where efforts are made to align legislation with the Istanbul Convention in accordance with GREVIO findings, persisting gaps tend to concern the scope of VAWDV and the definition of various types of VAWDV.

The case of Albania exemplifies which typical gaps tend to persist despite efforts to harmonise legislation with the Istanbul Convention. Albania reported twice on the Istanbul Convention: to GREVIO in 2017 and to the Committee of the Parties in 2021. According to interviewees, national policy and legal changes (Law against DV and Criminal Code) refer to the Istanbul Convention, and most of 2018 Committee of the Parties' recommendations (16 out of 19) are addressed – except for the definitions of rape and VAW.

The regulatory framework then takes time to get harmonised with new legislation. For instance, standards on service provision in state or state-funded shelters and service centres do not exist or are not updated; regulations and administrative instruction on police restraining orders are not immediately brought in line with the law.

Finding 6: Any interaction with the Council of Europe on VAWDV (signature, ratification and following monitoring, and/or co-operation) is associated with the production of dedicated policy documents, but countries that have ratified reflect the Council of Europe standards more explicitly.

The Istanbul Convention itself does not require that the GREVIO would take stock of all provisions under the Istanbul Convention regularly and measure progress from one monitoring cycle to the next, although it does not prevent it. In the absence of second wave of GREVIO reports, the evaluation, or indeed any other actor to date, cannot assess the level of implementation of GREVIO findings from its first monitoring wave. Also the Committee of the Parties has just begun supervising the implementation of its recommendations in January 2021 with four countries so far submitting the standard questionnaire. But we have the perception of progress voiced by stakeholders, and their perception of how much GREVIO reports and findings contributed to

change. This was cross-referenced with the GREVIO Mid-term Horizontal Review⁴² which shows how policies have evolved towards the spirit of the Istanbul Convention.

Generally, policy documents do not all make explicit reference to the Istanbul Convention, but in countries that ratified, several do. In these countries, several national strategies or action plans are closely aligned to the convention's pillars. In contrast, in both case study countries that have either not ratified yet or not signed, policy documents do not include a visible reference to the Istanbul Convention.

Quotes (civil servants):

"The National Human Rights Protection strategy is based on this new philosophy [following the Istanbul Convention's approaches and standards]."

"[My country] developed a constructive dialogue with GREVIO, which has been providing recommendations to us. We wrote the baseline report for GREVIO with UN Women support. Strategic Policy Documents are rooted in the recommendations of GREVIO."

The evaluation found some positive examples on how the Istanbul Convention and the GREVIO monitoring have resulted in more holistic policies dedicated to VAWDV. Typically, national policies adopted after ratification, and especially after GREVIO reports, often:

- ▶ broaden the reach of the policy because of Istanbul Convention and GREVIO baseline report (e.g. Spain, Albania);
- ▶ consist of a dedicated national strategy, partially mirroring the Istanbul Convention's pillars (e.g. Georgia, Albania);
- ▶ include the implementation of the Istanbul Convention in the current government's programme, with some trickle-down effect of the following year's budget (e.g. Austria, Albania).

The case of Albania is interesting because, in the absence of Council of Europe co-operation programmes, the contribution of the Istanbul Convention and of GREVIO are easier to isolate. According to most interviewees there, while the Council of Europe may not have been present in terms of technical co-operation in the VAW area, GREVIO findings have led the policy on VAWDV. National policy explicitly refers to the Istanbul Convention, and most of the measures enshrined in national policies against VAWDV are directly meant to implement the Istanbul Convention in this light.⁴³

Policies reflect the same tendency as legislation: non-domestic violence aspects are not well addressed. In many countries, the other forms of VAW are seen as the "new frontier". In others, it is not prominent in the policy debate, as it is overshadowed by the amount of domestic violence still to tackle. Stakeholders explained that domestic violence is less polemic and easier to understand for decision makers and the public than other aspects of VAWDV.

Finding 7: Data collection is gradually increasing as envisaged by the Istanbul Convention, but its contribution to policies, legislations and regulations is uneven. There is demand for expertise and support on data collection that can inform policy and law making.

Overall, there has been an increase in the amount of data collected by the states, CSOs, and international organisations. There are, therefore, more data available. This was envisaged by the theory of change, and it is a constitutive element of the Istanbul Convention. But the theory of change also assumed there would be a direct linkage between these data and an improved normative framework (legislation, regulations, policies): so far, this link remains weak. National normative frameworks are not well informed by this data, even while data are increasingly available.

This is due to several reasons. The first pertains to the nature and quality of data. There is no unified data-gathering and -processing mechanism in any of the countries. Where an effort has been invested in data collection (Albania, Georgia and the Republic of Moldova are illustrative examples), it often leads to the multiplication of several data collection initiatives by various national institutions for their own internal use. As a result,

42. Mid-term Horizontal Review, GREVIO, available at <https://rm.coe.int/prems-010522-gbr-grevio-mid-term-horizontal-review-rev-february-2022/1680a58499>.

43. Albania National Gender Equality Policy, available at <https://shendetesia.gov.al/wp-content/uploads/2021/07/Strategjia-Kombetare-per-Barazine-Gjinore-2021-2030.docx>

the data are not comparable, and may even at times be (or appear) contradictory. Policy makers sometimes consider that the impartiality of data collection is unsatisfactory (when collected by CSOs only for example), rendering the data unreliable. It should be acknowledged that, whether they are impartial or not, data on VAWDV are extremely difficult to compare and interpret. There are no authoritative data on “prevalence”: the closest proxies concern the number of calls received by hotlines or victim centres, the number of cases filed by the police, the number of convictions, and victimisation surveys. All have their biases and limitations and they can point to seemingly contradictory phenomena.

Quote (a civil servant)

“Data collection needs to be unified and improved; it is very difficult to track a case from the first incidence to how it has been followed.”

Overall, the lack of agreement on a standard methodology for data collection (also within the international community) compromises evidence-based policy on VAWDV, additionally, like in legislation and policies the focus on domestic violence overlooks other forms of VAW data collection.

Quote (a National Statistical Institute professional)

“...the national violence survey does not follow Eurostat methodology because it was done with the UN, but in the survey done under the EU project on DV we have to use the indicators of Eurostat. Further disaggregation of data is needed. International classification of crimes is not applicable because we use different classification. Data on prosecution and investigation of DV exist but not in the same format. We have no authority to collect data from other institutions. We collect data on DV, as per criminal code definition, not on all forms of VAW.”

Second, data are often underused, both in policy making (only exceptionally do the policy documents reviewed have an analysis section using or quoting the data) and in field activities by all stakeholders. The availability of data is no guarantee that decision makers have the know-how to channel them into policy and law making. This requires learning and support in all countries. Stakeholders are looking for good practices, success stories and replicable experiences on this aspect – and looking to the Council of Europe and other international actors for guidance and exposure.

Good practice and learning: data on attitudes towards VAWDV are produced every five years and used for prevention campaigns, but could be used better in policy.

Good practice: every five years, a National Institute for Statistics provides a nationally representative survey on the prevalence of VAWDV; in 2018, it featured for the first time questions about social norms, attitudes and behaviours related to violence against women and girls.

The National Institute for Statistics is included in the national co-ordination body and its data are referred to in the current National Action Plan for Gender Equality.

Learning: However, there is no use of data in the national action plan for prevention activities, so activities and their evaluation are not based on data, although they exist. So, future prevention activities might be less effective than if they would be based on these statistical data.

On the positive side, these data were then used as part of the “16 days” campaign to sensitise the general public, i.e. as part of prevention work. This can be seen as a good practice as it provides tailored national information to a campaign and not generalised worldwide data.

This is an important internal assumption of the theory of change that could be realised but is not: more and better data start to become available, but they are not used properly and, therefore, do not result in more effective policies. This could be overcome with the expertise of, and in co-operation with, actors like the European Institute for Gender Equality (EIGE),⁴⁴ UN Women⁴⁵ and the United Nations Population Fund (UNFPA).

44. For example: the EIGE's work on administrative data, available at <https://eige.europa.eu/gender-based-violence/data-collection>.

45. UN Women: Women count, available at <https://data.unwomen.org/resources>.

Finding 8: The Council of Europe’s dynamic triangle (standards, monitoring, co-operation) has contributed to the evolution of the institutional set-up and the knowledge of relevant practitioners – however, the institutional processes remain fragmented and knowledge does not always lead to capacity.

A major evolution of institutional set-up and capacities has taken place since 2014 in most countries and in all areas. This is true for case study countries regardless of ratification, but more pronouncedly so in countries that ratified. The trend is verified according to interviewees in other, non-case study countries. It is difficult to say that ratification makes a direct contribution to the institutional set-up: it could also be correlation, both being caused by pre-existing political will and interest for the issue, as in several countries that signed or ratified early. But contribution is plausible and corroborated by interview data.

Quote (a civil servant)

“Some of the things which served for implementing the Istanbul Convention would have also happened without ratifying it, but the Istanbul Convention gave the directions and laid out a theoretical basis for the things that happened.”

Stakeholders are increasingly able, if they have been put in the position to do so by the normative framework, to deliver prevention and protection and to initiate prosecution regarding VAWDV – but they do not always do all they are able to and the stakeholders/duty bearers are not always ready to fully co-operate with and implement the laws, regulations and co-ordination processes, for several reasons.

First, the evolution of the institutional set-up tends to be done first and foremost through the normative framework by establishing co-ordination institutions and tasking institutions, through policies and laws. This approach often results in insufficient attention being paid to institutional processes necessary to form sustainable horizontal co-operation. This is illustrated by several instances of interagency task forces, working groups or committees at the top level, but they do not always trickle down to the lower levels. Leading institutions do not always have legitimacy/capacity to co-ordinate with others. Where co-operation takes place, it is often the result of the personal commitment of the individuals involved, without a guarantee that it is sustainable.

Quote (a CSO)

“The sensitisation of the police has developed very positively; they now really intervene because they have the legal basis to do so. There is also much more co-operation and networking with the NGO sector – but it still depends on individuals, because it means extra work and not every police officer is willing to go that far.”

Second, the knowledge that is built often focuses only on the legal framework and on how the respective institutions should implement their duties – not necessarily on how to co-operate. Apart from legislative/regulatory support, institutional capacity building is the other key output of the Council of Europe. The Council of Europe innovates with skills-oriented trainings in some cases but, in many instances, it is still covering the basics (knowledge of standards, laws, basic concepts on VAWDV). It does not seem to sufficiently address practitioners’ biases.

The case studies have identified the contribution of Council of Europe projects to the evolution of the institutional set-up and knowledge of relevant practitioners in some countries. For example, interviewees strongly agreed that the duty bearers trained by the Council of Europe have increased their knowledge of the Istanbul Convention and national legislation, and their know-how on how to implement them in their daily decision making. Council of Europe programmes in case study countries offer a few good examples of joint training and workshops involving several institutions and focused on practical application (for instance in Georgia). These experiments have created know-how on how to co-operate across sectors, ministries and between governmental institutions and the NGO sector. But the modest funding does not enable the Council of Europe to reach a critical mass of participants and cascade training (while positive in terms of ownership) do not seem to result in multidisciplinary, interinstitutional training.

As a result, co-operation efforts tend to leave the fourth pillar (integrated approach, Article 7 of the Istanbul Convention) behind. In some cases, co-operation is limited to certain regions of the country, or one sector lags behind. In most cases, where co-operation exists, it is focused on domestic violence only: holistic policies are

also not yet to be found everywhere and interinstitutional mechanisms mirror these policies. These findings also coincide with the GREVIO Mid-term Horizontal Review findings on Article 7.⁴⁶

Finding 9: The Istanbul Convention has most clearly positively changed legislation, followed by a slower progress in protection, prosecution and prevention. Usually, prevention activities are not well linked with the other areas of the Istanbul Convention. The most significant challenges for progress are: 1) the severe underfunding of the entire sector, from governmental social services to CSOs. 2) missing overall prevention strategies and a slow implementation of co-ordinated policies and co-operation. CSOs are under-resourced and operate under constant budgetary uncertainty, despite the recognition in the Istanbul Convention that they are key for prevention, prosecution, prevention and co-ordinated policies.

Finding 9 shows that the application of consistent practices, the institutionalisation of co-operation processes and channelling the diversity of good practices in all pillars of the Istanbul Convention are a concern. But this is often subject to a sequence mirroring the priorities of the countries. There is a typical sequence in the priorities of state measures: alignment of the legal framework with the Istanbul Convention, especially as regards prosecution; then, efforts on protection, but mostly through law enforcement and judicial means (restraining orders) rather than immediate protection services (such as sheltering, legal aid and psychological support in the short run) and post-shelter support (integrative social services); then, concerns about conviction within prosecution efforts; finally, prevention and an integrated approach. The case studies and the analysis of the projects and programmes showed that the Council of Europe capacity-building co-operation programme works on all pillars, but also with a prominence of prosecution, where the Council of Europe has particular experience, expertise and recognition.

The evaluation found that it takes a long time for practitioners and decision makers to experience and understand the fourth pillar of the Istanbul Convention: comprehensive policies and multi-agency co-operation and the mutual dependency of the first three pillars, how they overlap, and how they cannot function without one another. Even within each institution (police, prosecution, judges, social and health sector), legal frameworks (whether they comply with the Istanbul Convention or not) are not consistently applied – or sometimes not applied at all, due to lack of knowledge, lack of practical know-how, lack of incentive, resistance to change, or bias and prejudices. Meanwhile, implementation of the legislation and co-operation among national institutions, CSOs and local authorities remain scattered, especially among the professionals who work in direct contact with the victims in prosecution and, even more so, protection. These findings are in line with the GREVIO Horizontal Review report, which states that: “GREVIO has noted gaps and weaknesses in multi-agency co-operation across the baseline evaluation reports.”

Learning example: multi-agency co-operation needs a long time to be implemented on the ground.

Despite the case study country's long and successful history of co-operation between the government and CSOs on violence protection, the partners on the ground (police, CSOs, prosecution, etc.) have not yet found/agreed on joint criteria to assess the risks emanating from a perpetrator.

In 2019, “case conferences” were introduced by law for the entire country. These new case conferences are called for by the police only, but can be suggested by anyone. Some CSOs are very critical towards this new format, while others report that the case conferences are working well and see it as a great achievement that they are now included in the legal framework.

One open question to solve is the approach to the risk assessment of offenders in these case conferences. Currently, there are different methods used and each institution uses their own tool and does not recognise the risk assessment by the other actors.

It is clear that the absence of an agreed tool has a negative effect in many areas (for example, not identifying possible risks of femicides). However, an agreed tool needs the buy-in of many different actors with different perspectives.

Nearly all interviewees, ranging from police to CSO stakeholders, mentioned that there is room and need for improvements around the case conferences, including the risk assessment tool, and a need for exchange with peers and the Council of Europe to discuss and learn.

46. Mid-term Horizontal Review, GREVIO, available at <https://rm.coe.int/prems-010522-gbr-grevio-mid-term-horizontal-review-rev-february-2022/1680a58499>.

The evaluation found that attention to protection is slowly progressing in most countries. There is a (very progressive) evolution from a CSO-based, almost charity-based approach to protection, to a rights-based approach acknowledging the state as duty bearer, responsible, *inter alia*, for funding CSOs to fulfil their role in protection of victims. Survivors interviewed systematically reported on the decisive support from CSOs/shelters - without it, there would have been no solution either in terms of livelihood/accommodation, or access to justice. As mentioned by interviewed survivors in case study countries, their overwhelming feeling is gratitude towards CSOs – not towards police or judicial professionals. However, most protection services are still provided for under budgetary uncertainty, despite Articles 5 (state due diligence) and 8 (financial support) of the Istanbul Convention: CSOs need to apply for budgets, are resourced only in the short-term and are often severely under-resourced. This is not only true for CSOs, but also for related governmental institutions (most pronounced in four out of the five case studies), like co-ordinating bodies and related general services. As the GREVIO Mid-term Horizontal Review notes: “Another trend that has been identified across evaluated parties is that many general support services have insufficient funding and/or human resources.” More specifically, in its baseline evaluation reports on Albania, Andorra, Montenegro and Serbia, it has noted insufficient funding for social services to support victims of all forms of violence against women and respond to their short and long-term needs.

Additionally, it is very difficult in many countries to trace and identify the budgets allocated for this topic: as the GREVIO Horizontal Review report notes: “the absence of clear and transparent data on the allocation of resources was noted in nine out of seventeen countries reviewed.” In Austria, a potentially good practice was found that might inspire other countries to better track and better assess the impact of budget allocated to the sector.

Potential good practice: use of goals and targets linked to the Istanbul Convention in the budget impact allocation and assessment of the state.

The obligation of gender-equitable budget management within the framework of an impact-oriented budget management is already a good practice in Austria.

When the goals and targets in the budget document also encompass principles and goals of the Istanbul Convention, this has the potential to even strengthen the governmental focus and actions in that regard. An example for this potential is the goal and target related to trial assistance of the Ministry of Justice in the current 2022 budget. However, for this to become a good practice, ambitious and relevant targets are necessary.

It is often very difficult to assess the budgets spent on the topic. In two case study countries, the budget has increased; however, the funds are spread unevenly and are not permanent. This is the case even in EU member states.

Role and funding of CSOs

CSOs are under-resourced and operate under constant budgetary uncertainty, despite the recognition in the Istanbul Convention that they are key for prevention, prosecution, prevention and co-ordinated policies. In countries outside the EU, CSOs' operations often rely on funding from international donors – which is not sustainable either. Even free legal aid for victims of VAWDV is often performed by underfunded CSOs, because in several countries, free legal aid must be provided to the accused, whereas it is optional for victims and witnesses.

Quote (international organisation):

“[we supported] a contract-based grants programme by the government, based on the communities' projects. [We received] very uneven amounts and number of grants depending on the areas and communities. It's a one-time allocation, not a permanent solution.”

In EU countries, CSOs need to constantly apply for budgets, taking resources away from providing services, are resourced only in the short-term and are often severely under-resourced.

The institutional capacity of CSOs is often affected by their funding structures. Additionally, there seems to be a lack of standards on protection services and shelters or missing agreements among stakeholders on these standards. The quality of services is not well regulated, even in the most advanced countries that have well-funded national protection programmes, such as Spain.

Some vulnerable categories of victims of violence have more difficult access to protection (for example, migrant women). In territories affected by conflicts, there is usually no access at all to services and no data on responses to or the prevalence of VAWDV.

Quote (international expert):

“Generally, in Eastern Europe, CSOs and activist groups are under-resourced and under-equipped with regards to their political and advocacy work, in terms of finances and (staff) skills. Pressure from bottom up could not be applied because of this. If compared to other topics, I can see the capacities and level of skills are lower. It did not get the attention it needed... we need to step up on providing sufficient resources to these NGOs.”

Quote (a protection CSO):

“There is no post-shelter fund. When the order is over, we run after the CSOs to provide something for women. There is no interest to sponsor the services, we have good walls but bad conditions (the roof is not enough for shelter).”

While protection efforts are slowly catching up, prevention is the missing link. States still very much perform prevention through general awareness-raising campaigns on how to get help when experiencing violence, or messages that domestic violence (and to some extent various forms of violence against women) are not acceptable. The Council of Europe and other international actors have supported almost exclusively this type of prevention effort, not prevention that would address the root causes of VAWDV.

This is very useful, but far from sufficient. The evaluation team could not identify examples of prevention strategies in the countries studied that cover the entire prevention areas asked for by the Istanbul Convention and sufficiently addressing the inequality between men and women as the root cause of VAWDV. Usually, prevention activities are not well linked with the other two pillars. Prevention needs constant efforts, time and budget and has no immediate results, so political motivation is sometimes difficult to sustain.

These findings are in line with GREVIO’s Mid-term Horizontal Review findings on prevention, which show that prevention falls short as there is, for example:

- ▶ a focus of awareness-raising initiatives on domestic violence – forgetting other forms of violence;
- ▶ a short-term approach to awareness-raising and insufficient geographical outreach, not targeting women from specifically vulnerable groups;
- ▶ insufficient involvement of women’s non-governmental organisations;
- ▶ a need to address underlying patriarchal/stereotypical attitudes and to apply a gendered understanding of violence;
- ▶ a lack of sufficient and sustainable funding for awareness-raising campaigns.

Figure 8. Examples of awareness-raising products focusing on services to victims



Although women's economic independence is not explicitly mentioned in the Istanbul Convention, most VAWDV professionals interviewed in case study countries are deeply aware that addressing the inequality in influence, power and economic independence between men and women is key to preventing VAWDV and for women to extricate themselves from violent situations. It is seen by them in particular as key to breaking the cycle of economic dependence of women experiencing domestic violence and expressed concern that this is not addressed.

Quote (a CSO representative)

"We missed to make gender equality and the gender pay gap a topic of campaigns. This EU country has a very high gender pay gap and this is not made a public topic and is not debated. This country is very good in VAWDV legislation, but the attitudes behind are more conservative and have not been changed. Attitudes towards violence is backward and there is still no or little acceptance of working moms."

Likewise, in the case study countries, gender equality education in schools is not addressed, or only partially addressed. Also, the GREVIO Horizontal Review report noted:

In a significant number of GREVIO baseline evaluation reports, including those on Albania, Finland, Italy, Malta, Monaco, Serbia, Sweden, [...] GREVIO has encouraged/strongly encouraged the authorities to incorporate, strengthen or review teaching on the various topics addressed under Article 14 of the convention, including on the various forms of gender-based violence against women and girls, in curricula at all levels of formal education.

Learning example: mainstreaming prevention of VAWDV into the entire education curriculum.

One of the countries studied had (in the past) a national action plan on mainstreaming prevention of violence into the entire education curriculum. But it was not followed through, given changes of political majority after 2016. According to an expert:

the Ministry of Education has been pursuing a national strategy for school violence prevention since 2008. This includes workshops in schools on the prevention of violence. The ministry provides funding for these actions (including parent education by family counseling centers). From 2014-2016 the government launched a National Strategy on the Prevention of Violence in Schools, and the Ministry for Education has also published several brochures with background information for teachers, as well as toolkits. However, the use of this material is not mandatory for teachers and thus not well known either.

Another topic in many case study interviews with CSOs was that they are not receiving sufficient funds for prevention activities and are not well included in governmental prevention activities. This is also noted by the GREVIO Horizontal Review:

Another recurring finding made by GREVIO in its baseline evaluation reports on Denmark, Finland, France, Italy, Malta, Monaco, Serbia, Spain, [...] is the need to involve relevant stakeholders, in particular women's support services and women's non-governmental organisations in the design and implementation of awareness-raising campaigns and to give them the financial means for it.

Finally, a legitimate victim-centred approach to prevention has partly left other actors behind in the dynamics of VAWDV, such as children and perpetrators. More systematic provision of perpetrator programmes is an emerging issue in two case study countries, where some CSOs expressed concern that this could divert funding and attention from victims to perpetrators. This illustrates again the scarce funding available to the sector at national or local level. Standards, approaches and methods for perpetrator programmes are also hotly debated in one of the case study countries, indicating a need for exchange with other state parties, experts and CSOs to be able to share and learn from each other.

Efforts are also hampered by parallel reform processes in some countries – reforms which are also supported by the Council of Europe in some cases. Parallel decentralisation processes led to delegation of protection and prevention to the local level, without any funding scheme. This was observed in countries where decentralisation reforms are ongoing. There is a need to share examples of decentralised funding mechanisms from traditionally less centralised countries (like Spain, where decentralisation preceded the laws and policies on VAWDV which are currently in force).

To sum up a trend observed in the cases studied, the countries' action against VAWDV often first focuses on legislative alignment to the Istanbul Convention; then comes the most obvious aspects of protection (as this is the most urgent and visible need of victims); then (and usually only due to CSOs' strong lobbying) conviction

of perpetrators by the judiciary becomes an issue (as this also addresses the deeply rooted attitudes in the judiciary and is a long-term process). While general prevention (such as awareness-raising campaigns) has long taken place, often with led by civil society, government efforts to tackle the causes of VAWDV (such as targeted efforts in education and economic equality) tend to come last or to be disconnected from VAWDV. These shortfalls are partly caused by the underfunding of the sector and of the integrated approach, as observed through case studies and confirmed by other interviewees and the GREVIO Horizontal Review:

the insufficient allocation of financial and human resources for the implementation of integrated policies, measures, and programmes to prevent and combat all forms of violence covered by the convention, is an emerging common feature across many of the parties that have been evaluated. In these cases, GREVIO has expressed the concern that it indicates states' limited degree of commitment to the implementation of a comprehensive and co-ordinated approach to preventing and combating violence against women.

This explains why horizontal processes are weak. By and large, even the most compliant legal frameworks are either poorly implemented or not used by the victims if there are limited funds available and limited attention to horizontal co-operation and integrated policies.

Quote (a national human rights institution)

"There is an impact. The laws are amended, and NHRIs monitor the implementation [in our country]. But implementation is not systemic, is sporadic, referral mechanisms do not work. The progress is modest, but the killing of women is high. Protection by the courts is insufficient. The focus is on repression of domestic violence, but the social component is the most relevant. The budget is also an issue; we have a vision without resources."

Question 3: To what extent did the sub-programme have an impact, or may have future impact?

Finding 10: At the individual level, the existence and implementation of standards has made a great difference for many survivors. However, there is no indication that this progress is significantly affecting the various statistics related to VAWDV.

Conflict and conflict-related violence against women have long-lasting consequences and are of a different nature compared with other contexts of violence against women. Legal and policy responses on VAWDV need to take these different realities into account in response to the war in Ukraine.

Prevalence data are not collected regularly in many countries, so it is hard to draw links between prevalence figures and measures taken by the states. The upcoming Eurostat prevalence survey may enable comparison with the EU Agency for Fundamental Rights (FRA)'s VAW survey from 2012 on some forms of VAWDV.⁴⁷ To assess evolutions in prevalence, most experts and government actors use data on the response to VAWDV, access to services, protection orders, perception of women survivors regarding the services they access, prosecution and conviction rate statistics, CSOs' data on victims. Femicide data have only recently begun to be collected systematically in some states, and it is unclear whether and how they could be used as a proxy indicator for the prevalence of VAWDV. Currently, data on femicide are sometimes used qualitatively to identify the loopholes in the system and as grounds for advocacy – not as a quantitative indicator of prevalence or of the effects of states' measures.

The review of available data in case study countries and in additional countries shows no decrease in proxy data on prevalence anywhere, regardless of configuration. There is no indication anywhere that prevalence has been curbed. According to most interviewees, this is linked to the shortcomings exposed above (scarce funding, not addressing prevention, protection and prosecution holistically and missing interinstitutional co-operation), and to persisting gender bias, inequalities and vulnerabilities in society. According to most interviewees (practitioners, decision makers, experts), it is too early to expect a decrease of VAWDV prevalence rates, when the root causes – the inequality between men and women and deeply rooted values of the inferiority of women within families – have not yet been addressed.

47. FRA survey on gender-based violence against women. Source available at <https://fra.europa.eu/en/content/violence-against-women-survey-information>. <https://fra.europa.eu/en/project/2012/fra-survey-gender-based-violence-against-women>.

Typically, after strong measures against VAWDV are taken, one would first expect an increase of statistics in prevalence and response: as the topic becomes less of a taboo, more women will share their experiences in dedicated prevalence surveys, leading to potential increase in prevalence data; they will seek help, leading to an increase in reported and registered VAWDV cases (administrative data). An example of this could be the so-called “Scandinavian paradox” as described in the FRA VAW survey.⁴⁸ Interviews with experts, GREVIO and Committee of the Parties members indicate that this paradox is expected by experts, but not always well understood by practitioners and decision makers. Recently, the Republic of Moldova experienced a similar pattern, as evidenced by the OSCE survey.⁴⁹

Then, reports filed with the police, as well as statistical indicators of police action, tend to increase after legislative amendments and ensuing training of officials, but in most cases not effective prosecution and even less so conviction statistics. This pattern was evident in the figures from Ukraine and Georgia, for instance. In these countries, the number of restraining orders has consistently and steeply increased, but from a very low starting point. The conviction rates and absolute numbers remain extremely low, according to national police and judicial statistics and confirmed by the analysis of experts and practitioners.

In practice, the measures taken so far in the countries examined have not conclusively affected access to support services, reporting, nor response statistics in the long run. The example of Spain, which had advanced legislation as early as 2004 and was among the first to ratify and start implementing the Istanbul Convention, is very telling: proxy data (in this instance, cases of “gender-based violence”, a vast array of crimes related to VAWDV, reported to the police) dwindle until the adoption of new legislation, then increase, then show an inconclusive succession of ups and downs during the Covid-19 crisis. Even the most experienced and leading professionals within the civil service are unable to identify any trend that would enable to predict future impact of measures on the data – and, presumably, on prevalence. Therefore, even in countries where there exists lengthy experience of strong legislation and policies against VAWDV, proxy data do not conclusively indicate sustained reduction of the prevalence of VAWDV.

Figure 9. Evolution of gender-based violence reports to the police in Spain since 2009. Source: national statistics⁵⁰



This may be related to the very long inertia between states’ action and actual existence of VAWDV. It is also most likely due to the “iceberg” phenomenon⁵¹ - there is so much VAWDV actually happening and so little being identified or expressed, even by the victims themselves, that the effect of measures on data is distorted and marginal. In short, even if the ultimate goal is to see VAWDV eventually decrease, none of the documents nor experts consulted were in a position to measure the status of this goal. Acknowledging that we do not know is the first step towards formulating, and acting towards, impact on prevalence. This acknowledgement by the Council of Europe is also essential, in order not to raise expectation of quick, statistically visible impact: stakeholders in the states parties to the Istanbul Convention should not expect or communicate to the public that prevalence will be affected or even measured in the short to medium run.

48. Ibid

49. OSCE-led Survey on Violence Against Women: Moldova results report, available at www.osce.org/secretariat/424979.

50. Source available at www.epdata.es/asi-aumentado-denuncias-violencia-genero/8308062e-e06b-4a08-aaf5-557f58880e7d/espana/106.

51. Council of Europe, human rights channel, available at <https://human-rights-channel.coe.int/stop-sexism-en.html>.

Lessons learnt: difficulty to measure impact through quantitative data.

In Austria, Georgia, and even Spain – countries that either ratified and started implementing, or signed and started implementing the Istanbul Convention early – there are no comprehensive data, especially on prevalence. The existing reporting data and response data do not conclusively evolve in Austria and Spain, which both collect such data in a somewhat robust fashion. In Georgia this data evolves, but from an extremely low base and with a decreasing rate of conviction despite an increase in absolute numbers of cases and convictions, which does not help measure impact, only the potential of future impact. These examples show that there should not be an expectation from states or donors that they will see quantifiable impact in the foreseeable future.

Another factor is the inertia between the deployment of legislation and practical measures and their implementation by duty bearers in the field. Even in countries with most advanced legislation fully harmonised with the Istanbul Convention, the practice of state officials is not always in line with the Istanbul Convention, partly due to lack of capacity. Interviews with CSOs and victim testimony show that VAWDV cases are not always referred to specialised or well-trained investigators and prosecutors, either due to lack of availability of specialised or sufficiently trained officials, or due to the deliberate choice of their supervisors (e.g. police station commanders). This situation was particularly noted in remote areas (villages, mountainous areas). Council of Europe co-operation has little impact on this situation structurally: Council of Europe training reaches limited numbers of professionals outside of capitals and large cities and mostly focuses on implementation of new legislative frameworks, the Istanbul Convention, and Court case law – not on increasing the likelihood of conviction. To increase conviction rates, judiciaries need to overcome deeply rooted biases and build stronger capacity to deal with traumatised witnesses. States also need to address the lack of incentives for police and prosecution to take on a more proactive approach to VAWDV cases. The balance needs to change between:

- ▶ conducive factors for active investigation/prosecution on one hand: improved legislation and regulatory framework, training;
- ▶ adverse factors on the other hand: difficulty of cases, bias, risk of victims dropping charges if/when they are not well protected, skills of practitioners and mixed loyalties within close communities.

The evaluation also identified, in all case study countries, a lack of incentive for police and prosecution to take on a proactive approach to VAWDV cases – despite instructions, legislation and/or training.

Quote (a lawyer)

“Justice is far too lax and trivialising these cases – it also depends on who it is. There is still a lack of training (it is still not obligatory) for the judiciary, there is a lack of understanding of what happens in a violent relationship, there is still victim blaming. The criminal law is very much oriented towards the accused (presumption of innocence, may lie during the trial). Victims and witnesses always must tell the truth. Women in these criminal trials are under a lot of pressure. There is the right to refuse to testify. Some women use it if they feel they are not believed. Using this right is often understood by judges and prosecutors as meaning that nothing happened anyway – because of the refusal to testify, the perpetrators are acquitted.”

Some groups of rights holders are particularly affected by the shortfalls in the implementation of the Istanbul Convention, yet they are not particularly addressed by the Council of Europe’s work. Children remain underserved by measures against VAWDV in all countries – in the same way as they have a marginal part in the Istanbul Convention and thus in GREVIO reports. The case studies in Austria and Albania highlighted the unsolved issue of child custody in contexts of violent relationships, despite the specific and unique provisions of the Istanbul Convention in this regard. There is a transition in duty bearers’ perceptions from children being considered as mere witnesses, to children being seen as co-victims of violent relationships. Yet, specific care for children affected by VAWDV is not fully provided for by protection schemes. The practical situation of children varies a lot from country to country. While some actors reported that many shelters try hard to accommodate the needs of children, despite limited resources, other interviewees reported cases of traumatisation of children in some shelters as the specific needs of children could not always be met. This in turn can deter victims from seeking redress and protection.

Lessons learnt: responding to the consequences for women from the war in Ukraine and other past and current armed conflicts.

While this report was being finalised, the war in Ukraine had just started. While it is impossible to grasp the consequences of this war and its implications for VAWDV, for the Council of Europe's work on VAWDV, or for the Council of Europe as an organisation, this report can already point to evidence on the specific nature and needs related to VAWDV in armed conflict situations and for refugees and internally displaced people. The Council of Europe will need to swiftly put this issue on top of the list of emerging issues and include conflict analysis into its work on VAWDV.

- Violence experienced by women directly affected by armed conflict can be more severe than violence experienced by women who are not conflict-affected. This is even more marked for women who are refugees/displaced or returnees.
- Women whose current or previous partner suffered from a psychological consequence as a result of actively participating in a conflict are more likely to say they have experienced intimate partner violence.
- Incidents of conflict-related non-partner violence are much more likely to occur at the hands of multiple perpetrators than non-partner violence that is not associated with conflict.

The OSCE-led Survey on Violence Against Women – Violence Against Women in Conflict Thematic Report⁵² and the OSCE-led Survey on Violence Against Women: Ukraine – Results Report⁵³ show that conflict and conflict-related violence against women have long-lasting consequences and are of a different nature compared with other contexts of violence against women. Legal and policy responses on VAWDV need to take these different realities into account.

Interviews in case studies confirmed that victims and survivors in conflict-affected zones or areas not under control of the government (especially regions with no access for international donors) have no access to justice or protection.

Another open question is the sustainability of every survivor's livelihood and housing after temporary placement in shelters. Only in one case study country is the existing social support system sufficiently developed to ensure that victims of violence have a real choice and chance to become financially independent from the perpetrators of DV.

Overall, the impact of the sub-programme on rights holders is therefore extremely watered down as it depends on political will and sufficient funding in countries. Yet, it is possible to trace, at least in specific cases. The Council of Europe sub-programme positively affects the balance of incentives and deterrents which the duty bearers and CSOs, who benefit from the sub-programme, face when they work on VAWDV and respond to the needs of rights holders. In this way, standards (especially the Istanbul Convention), monitoring work, co-operation work including sensitisation through training and (modest) efforts on awareness raising play a distinctive role. One of the most powerful tools of the Council of Europe concerns legal practitioners: judgments of the European Court of Human Rights, complemented by training of the judiciary.⁵⁴

Good practice/quote: training for lawyers boosting access to and impact of the European Court of Human Rights.

"There had been attempts of application to the Court on domestic violence by Ukrainian lawyers since 2012, and none was accepted by the Court. Probably the requirements in order to file it right were not fulfilled. In the Council of Europe Partnership for Good Governance project, we had a training (...) with lawyers from all across the wider region, and we learned how to submit the cases. It takes a specific know-how, we learned about that. As a condition to attend the training, the participants had to commit to filing at least one such case to the Court within a few years. Then [the applicant] came to me, and I decided to represent her (...) The training helped me prepare the application for this case. (...) The case is a landmark. After the case was decided upon by the Court, within a few weeks, we had tens of decisions of courts referring to [this case]! So, it really had so much impact on so many women already. It gives a lot of hope."⁵⁵

52. OSCE-led Survey on Violence Against Women – Violence Against Women in Conflict Thematic Report: www.osce.org/secretariat/444157.

53. OSCE-led Survey on Violence Against Women: Ukraine – Results Report www.osce.org/secretariat/440312;

54. A few interviewees were confused by differences they perceived in the Court's judgments between what they saw as similar cases (for instance in cases from Albania and Austria, respectively).

55. This good practice was best summarised by a lawyer (quoted with permission).

In countries that have invested significant efforts in the implementation of the Istanbul Convention, compared to others, duty bearers and CSOs in direct contact with the victims and survivors find success stories to be told, and see an improvement in some victims' realisation of their rights. Testimonies of survivors show that there exists redress sometimes, where there used to be none – but redress is often the result of a long struggle and is usually only successful with the support of CSOs working with no or limited state support.

Finding 11: While there are occurrences of mutual reinforcement with other international actors, most situations can be characterised more modestly as “complementary”.

Other key international actors on VAWDV use the Council of Europe outputs in their daily activities. The Council of Europe standards, particularly the Istanbul Convention, and its monitoring mechanism, equip not only the Council of Europe and duty bearers, but also other international actors with legal grounds, facts, analysis and expertise. The UN, the FRA and the EIGE, among others, *de facto* work on VAWDV for the same purpose as the Council of Europe. Although these organisations do not usually mention the Istanbul Convention in their strategic documents, they often make explicit reference to it in their publications and in their daily work. For instance, a large, multi-agency UN programme in Albania⁵⁶ explicitly works towards the implementation of the Istanbul Convention, including with support to country reporting and shadow reporting to GREVIO. The OSCE project WIN promotes the Istanbul Convention's concepts, for example in mapping all existing police training on VAWDV in the OSCE region.⁵⁷ UN Women is also active in promoting the implementation of the Istanbul Convention and has developed several publications.

Conversely, many key international actors in the field of VAWDV contribute to the Council of Europe's work through advocacy and funding. The FRA and the EIGE have published several joint statements calling on EU members states to ratify or implement the Istanbul Convention.⁵⁸ UN Women also actively and publicly lobbies for the Istanbul Convention,⁵⁹ likewise UNFPA and other UN agencies.⁶⁰ Another active promoter of the Istanbul Convention is the OSCE.⁶¹ Embassies of Council of Europe member states also often join forces bilaterally to advocate for the Istanbul Convention, in addition to occasionally funding Council of Europe projects. Various CSOs actively promote the ratification and implementation of the Istanbul Convention, sometimes in direct co-operation with the Council of Europe.

Figure 10. Examples of CSO campaigns promoting the Istanbul Convention. ©Association des états généraux des étudiants de l'Europe, La Strada Ukraine/Council of Europe, Work With Perpetrators Europe, Human Rights Watch



56. The main intervention in Albania comes from the UN Joint Programme on Ending Violence Against Women in Albania, supported by the Government of Sweden, implemented by UNDP, UN Women and UNFPA, available at www.un.org.al/sites/default/files/Government%20of%20Albania%20-%20United%20Nations%20Progress%20Report%202019_0.pdf.

57. Source available at www.osce.org/winproject.

58. Source available at <https://eige.europa.eu/news/eu-rights-and-equality-agency-heads-lets-step-our-efforts-end-domestic-violence>.

59. Source available at www.unwomen.org/en/news/stories/2021/3/statement-un-women-turkey-withdrawal-from-the-istanbul-convention.

60. Source available at <https://eeca.unfpa.org/en/news/statement-response-turkeys-withdrawal-istanbul-convention>.

61. Source available at www.osce.org/chairmanship/486104.

The European Union signed the Istanbul Convention in 2017 and in so doing started a longer journey towards ratification. One step forward is the fact that the European Commission intends to propose⁶² a law to combat violence against women that will include prevention, protection and effective prosecution, online and offline.

However, this mutual reinforcement does not usually lead to joint operation. This is partly due to administrative and regulatory constraints related, for instance, to the absence of formal agreement between organisations, and to restrictions on grant administration. There are some rare examples of joint work on promotion of the standards at a high level. UN Women, the Council of Europe and the EU co-operated, for example, on the last regional conference on the implementation of the Istanbul Convention in the Western Balkans and Turkey. The Council of Europe co-operates to some extent with the network Women Against Violence Europe and UN Women on impactful communication on gender equality and human rights.

At a country level, the situation is very contrasted. All advocate for the Istanbul Convention, but to varying degrees depending on the political situation of each organisation in each country. For instance, the EU does not advocate for ratification in the Russian Federation nor in Azerbaijan.

In project work, there is a thin line between complementarity and competition. Proactive co-operation with other agencies is the exception. The situations are very varied and depend greatly on the visibility of the Council of Europe on the ground. In Albania, the Council of Europe was absent from the co-operation field until the end of 2021, unlike UN agencies, but since then has succeeded in attracting funding. From 2023, a regional intervention funded by the EU should cover Albania, resulting from negotiations at headquarter level, and in complementarity with EU-funded work on services to victims and survivors, conducted by UN Women. This EU priority of funding the UN in the South-East Europe region has recently been changed and the Council of Europe will be funded by the EU for a regional intervention complementary to the work of UN Women. In Ukraine, the Council of Europe enjoys good synergy with the UN and bilateral embassies, with a noticeable division of labour: the UN work mostly on protection, while the Council of Europe works on prosecution and promotion and the OSCE mostly on law enforcement. There is occasional co-operation and a close exchange of information, as well as a united front in favour of ratification. In Georgia, the same complementarity was observed but with evidence of closer co-operation. In Azerbaijan, the UN are more visible, but recent Council of Europe projects have created opportunities for future synergies.

Question 4: To what extent does the sub-programme add value?

Finding 12: Despite limited resources compared to other actors, the Council of Europe draws authority from and adds value to its positioning as the main source of human rights-related international instruments in Europe, which benefits standards setting, monitoring and co-operation.

As has been identified in numerous previous Council of Europe strategic evaluations, the Council of Europe is perceived by its partners and beneficiaries as the “house of the standards”, in the words of an interviewee – and these standards enjoy an excellent reputation among the actors which counter VAWDV: except among “anti-gender” actors, there is an overwhelming satisfaction with the quality of the Istanbul Convention, which is considered by many as more comprehensive and more precise than CEDAW. The Istanbul Convention and GREVIO baseline evaluation reports are considered of the highest quality, respected, appreciated and authoritative. They constitute the reference points on VAWDV, which is a testimony to the quality of work despite limited resources.

The Istanbul Convention is a Council of Europe treaty, therefore the Council of Europe is often perceived as best positioned to advocate for it and support its implementation in its member states. All in all, many interlocutors would like to see the Council of Europe take the lead on advocating for its implementation. Because it emitted and monitors the Istanbul Convention, its expertise has authority and political legitimacy. This applies both to GREVIO and to co-operation projects. The advantage is further multiplied by the fact that the Istanbul Convention is backed up by the European Convention on Human Rights, and further by judgments of the European Court of Human Rights: it is therefore considered by many as stemming directly from the European Convention on Human Rights which is itself an integral part of the legal order of the Council of Europe member states.

62. Source available at www.europarl.europa.eu/news/de/press-room/20210910IPR11927/make-gender-based-violence-a-crime-under-eu-law-meps-say.

For interlocutors, the Council of Europe usually stands for quality. The quality of staff, expertise and publications are the most appreciated assets of the Council of Europe. Beneficiaries are mostly satisfied, especially with the Council of Europe's demand-driven approach. Interviewees consider Council of Europe training to be of high quality, for instance within the EU-Council of Europe horizontal facility programme for the Western Balkans. Feedback on awareness-raising products is less even but remains mostly positive due to the high level of expertise mobilised and because these products build on the Istanbul Convention, European Court of Human Rights cases and GREVIO reports.

This potential can still be optimised to make the most of the Council of Europe's added value. In particular, visibility remains a challenge in co-operation work: the landscape is mostly occupied by the UN and the EU. This aspect interplays with resource mobilisation, as described in Findings 3 and 11. Other actors often operate with more financial and human resources than the Council of Europe. In Albania, for instance, the evaluation observed the primacy of UN agencies, which receive the bulk of donor funding and work on the implementation of GREVIO recommendations, while the Council of Europe is absent from this field: stakeholders regretted that the Council of Europe was not in a position to mainstream the implementation of the Istanbul Convention into the work done by other international donors. Administrative management is considered by most as yielding good results but not necessarily as being very agile. Donors are satisfied overall, with nuances and some reservations about the turnover of staff.

Finding 13. While no duplication of effort was observed, the Council of Europe underuses its potential for synergies internally and externally.

The evaluation found no duplications between the Council of Europe and other actors, but the Council of Europe and its partners do not suffice to cover the entire field. Gaps exist due to a certain level of compartmentalisation between Council of Europe and like-minded actors (such as the EU, the EIGE, the FRA, UN Women, the UNFPA and the OSCE).

Funding remains a weakness (especially compared to the UN), leaving the Council of Europe with a small share of operations and visibility in this field, while other actors use Council of Europe products. For instance, the OSCE Survey on VAW was based on the definitions of the Istanbul Convention and it made many recommendations in line with the Istanbul Convention or about implementing it. The OSCE's Effective Criminal Justice Strategies and Practices to Combat Gender-based Violence in Eastern Europe is now replicated in the Western Balkans based on an adapted version of the GREVIO questionnaire for the justice system.

In the field, the Council of Europe does not always have the lead in advocating for the implementation of the Istanbul Convention and GREVIO findings: in some cases, it is rather included in platforms created by other actors.

Quote (an international civil servant)

"There is an active policy dialogue with the Government from the working group of development partners led by UN Women. GREVIO recommendations are used to build advocacy with the Government. The Council of Europe is part of the platform."

If the Council of Europe does not see a role to work extensively towards the implementation of its standards, this situation is perfectly acceptable, but it should be an explicit vision. The Council of Europe needs to clarify its limits and role based on its strengths, which stem from the standards it emits. It also needs to build more explicit synergies with the actors that use the Council of Europe's products and contribute to their impact.

A huge untapped potential concerns the synergies within the organisation, among various sources of standards. The Local Governance Charter and Istanbul Convention, for instance, could be used and promoted in a mutually reinforcing way, as most protection work on VAWDV is devolved at the local level in the context of decentralisation reforms, while the fiscal and financial scheme accompanying these reforms in multilevel governance often remain ill-defined and ill-adapted to such responsibilities. The findings of GREVIO and the Congress of Local and Regional Authorities could reinforce each other. There are other standards that could be mutually reinforcing with the Istanbul Convention, and this is the case already to a point with the Cybercrime Convention,⁶³ the Lanzarote Convention and the Anti-trafficking Convention, but it could go further and be expanded.

63. For instance: Protecting women and girls from violence in the digital age. Source available at <https://go.coe.int/YAJXN>.

Finding 14: The secretariat of the monitoring mechanism of the Istanbul Convention is under-resourced. GREVIO has developed from a nascent monitoring body into a renowned monitoring body and the diversity of its members will become even more important.

GREVIO has developed from a nascent monitoring body, which initially worked to finetune its internal processes, into a renowned monitoring body operating more fluidly than during the first few years after entry into force of the Istanbul Convention. It has developed its interpretation of the Istanbul Convention and its position on substantive issues, all with a changing composition. Through the establishment of internal processes and by building cohesion and communication among its members, GREVIO has also developed an internal identity, of which it is protective.

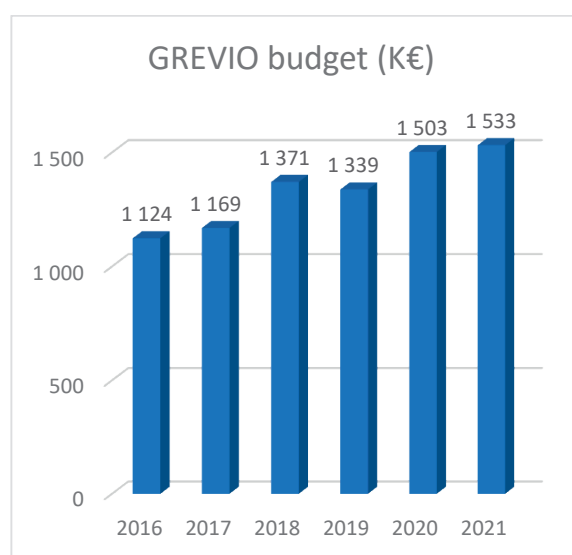
Quote (a GREVIO member)

“GREVIO work started with 10 people, elected for the first time as members, all different backgrounds such as legal, academic, media, civil society and state. It was fantastic to share all this cultural and professional background among us, it served the purpose of working together to push the convention’s implementation ahead, as we had to work in teams, or in pairs during the monitoring visits. We had a strong back-up with the secretariat, which was an excellent pool of experts all supportive to us. We became more efficient after knowing each other in preceding meetings.”

The resources of GREVIO, the Committee of the Parties and their common secretariat have increased over time with the increasing number of ratifications and the performance of monitoring work. However, they remain thinly stretched. GREVIO’s evaluation procedure makes up 100% of the relevant staff’s planned work. Supporting the monitoring work of the Committee of the Parties comes in addition to that, notably the supervision procedure recently introduced to monitor its recommendations. Thus, the resources available do not reflect the secretariat’s tasks in serving both bodies.

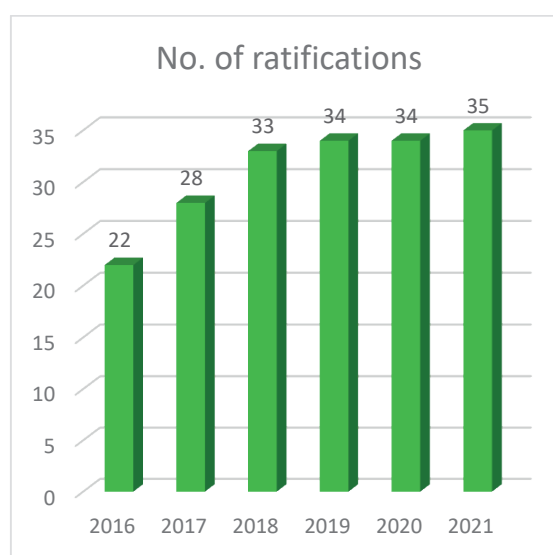
On top of that, the budget of the secretariat does not fully reflect the increase in ratifications. The secretariat budget increased by 36% between 2016 and 2021, while the number of ratifications increased by 59% over the same period.

Figure 11. GREVIO budget (K€), 2016-2021



Source: Directorate of the Programme and Budget data 2022

Figure 12. Number of ratifications of the Istanbul Convention, 2016-2021



Finally, beyond the regular one-hour thematic exchange during committee meetings, broader and more in-depth thematic discussion forums are dependent on individual states parties hosting and funding these events. One of the risks faced by the Council of Europe’s work in VAWDV is the overstressing of limited resources of the secretariat of the monitoring mechanism of the Istanbul Convention.

Lessons learnt: the Istanbul Convention is an example of an area of work where the Council of Europe’s legal innovation has led to the creation of a monitoring mechanism without commensurate resources.

The funding of the secretariat of the monitoring mechanism of the Istanbul Convention funding illustrates how the Council of Europe’s continuous production of standards stretches its fixed ordinary budget resources too thinly. Interviewees have called secretariat members “exceptionally dedicated, despite meagre resources”, or “saints and martyrs”. These are nice words, but they depict a situation which is not sustainable.

The Council of Europe is in the business of legal innovation, with new standards responding to the needs, old or new, of changing societies: the Istanbul Convention is a good example of this. In addition, the number of states parties to the Istanbul Convention is expected to increase, among and even beyond Council of Europe member states. This means that the number of countries for which these standards need to be monitored will increase. This clashes with finite core resources in a lasting context of zero real growth of the organisation’s budget, including as regards ordinary budget funding of VAWDV. The risk posed must be acknowledged.

GREVIO experts often lack resources in their country of origin, which can pose a risk to their ability to fulfil their roles. GREVIO members are elected and independent and they receive a home work allowance for their work on GREVIO and subsistence allowances for their travel. This is coherent with the wish to attract self-motivated, dedicated persons who are at the same time real experts on VAWDV. However, their institutions of origin do not always earmark the time necessary for these functions. GREVIO members perform these duties in addition to their original posts. There are exceptions to this, which in turn place the various members in very different positions. There might be a need for better information to the member states, and through them to potential GREVIO members, about the workload and conditions before a member is proposed. GREVIO members are proposed by the states parties and elected by the Committee of the Parties; the generation of feminist advocates and activists who took part in the original CAHVIO and Istanbul Convention consultations is being gradually replaced by a new generation. Interviews showed that this generational change is important, as many emerging experts and activists often propose pragmatic ways to respond to the threats posed to the Istanbul Convention by its adversaries and see themselves as less militant than their peers who initiated the debates on VAWDV.

Finding 15: There is a demand for the Council of Europe to facilitate dialogue platforms more systematically.

Overall, bilateral projects are more appreciated than regional ones by interviewees in the case study countries. In Azerbaijan, the bilateral project seems to have boosted exchange among the various state authorities working on VAWDV as it has bridged a gap by providing a co-operation platform, including exchange between authorities and with NGOs. In other countries, such as Georgia, governments have put in place co-operation and exchange platforms where the Council of Europe actively participates and provides expertise based on the standards.

At the same time, there is a demand for facilitated platforms among countries that have common approaches to the implementation of the Istanbul Convention. Most interviews in the case study countries, but also with stakeholders in other countries, point to the lack of venues to identify common emerging or underserved issues, and to discern good practices among the variety of experiences and experiments conducted in the countries. They cite, among other issues which require guidance: how to channel the VAWDV data on VAWDV that is increasingly produced into policies and practices; better synchronisation of measures on protection, prosecution and prevention; the protection of the most vulnerable women; the place of children in anti-VAWDV schemes. Another emerging topic to be anticipated is the fallout of the war in Ukraine on VAWDV in terms of vulnerabilities of refugees in neighbouring counties and internally displaced people in Ukraine, in addition to the increase of domestic violence due to the traumatising of men who will have actively participated in an armed conflict, as described above.

The Committee of the Parties can hold thematic exchanges as described above by invitation by an individual host state party. For example, there are plans to bring together the Article 10 co-ordinating bodies. However, due to the Covid-19 pandemic, it has had to be postponed twice already and has not yet taken place.

Despite these efforts, there is demand for a stronger role of the Council of Europe’s standard-setting and monitoring bodies to channel monitoring results into soft standards (such as GREVIO general recommendations or publications of the Gender Equality Commission) discussed and agreed regionally, in order to better implement the Istanbul Convention.

The Committee of the Parties, PACE and the Gender Equality Commission, which offer peer-to-peer platforms, remain curtailed by limited resources, combined with the effects of the Covid-19 pandemic, although they are in high demand, particularly in countries without international field presence. The Council of Europe and other organisations remain ill-equipped to support these countries (typically EU member states). There might be opportunities to overcome this partly by using the Council of Europe's strategic role in the Norway/EEA grants country programmes to elicit support and funds for this. Austrian stakeholders, for instance, are missing regular peer-to-peer dialogues, platforms and networks at the European level. Not being able to offer sufficient peer-to-peer exchange could erode the Council of Europe's edge to lead the debate and horizontal exchange among countries that have ratified the Istanbul Convention. This in turn could diminish the incentive for other countries to join, or demotivate states parties to stay.



7. Conclusions

Conclusion 1

The Istanbul Convention is a founding but complex document resting on a fragile consensus.

The Istanbul Convention is a seminal legal treaty. It establishes standards in an area that touches upon some of the most profound and intimate manifestations of people's lives – gender relations and families, which are also profoundly socially codified. By its comprehensive character and by establishing a logical interconnection between gender inequality, violence against women, gender-based violence and domestic violence, in addition to detailing the specific elements of this violence, the Istanbul Convention represents a transformative effort. This evaluation found that the initial assumption about an emerging consensus among the Council of Europe member states about these issues have not entirely materialised. The Istanbul Convention embodies a human rights-based consensus among different views on combating VAWDV. Now, while some of its aspects, such as domestic violence, are increasingly consensual, divergences about gender equality remain strong and disinformation threatens the understanding of the Istanbul Convention.

The ambitious social transformation which might be seen through the implementation of the Istanbul Convention is highly dependent upon the political contexts of countries where the Council of Europe advocates for change in line with the spirit of the Istanbul Convention, whether they have signed, ratified, or not. These contexts also often define the modalities and prioritisation of the implementation of the Istanbul Convention. The evaluation found that the countries' choice to promptly sign and ratify the convention was often correlated with the notion of geopolitical choice (e.g. South-East Europe) or the existence of strong national consensus. In contrast, hesitancy to sign and ratify, or backtracking on previous commitments, have often dovetailed with countries' foreign policy choices or the existence of a sensitive national debate on gender equality. The vision for such social transformations has continuously been challenged both through legitimate, national political debates and through more controversial streams of mis- and disinformation concerning the Istanbul Convention. Widespread ratification of the Istanbul Convention, which represents one of the core assumptions of the theory of change on VAWDV, therefore remains largely beyond the control of the Organisation.

Conclusion 2

The Istanbul Convention's holistic approach to VAWDV requires continuous learning and co-ordination, both within the Council of Europe and in the countries that implement it.

In these conditions, aligning monitoring efforts for advancing the Istanbul Convention and its standards and co-operation projects, co-ordinating among the various entities of Council of Europe, and collaborating with other international organisations with similar and/or overlapping mandates (e.g. the EU, UN Women,

the OSCE) become paramount. Efforts to advance the Istanbul Convention standards (including political dialogue, promotion of the Istanbul Convention, and recommendations to ratify it by competent bodies) complemented with co-operation projects have sometimes been successful. For instance, this constellation led to ratification (or commitment to ratify) and to progress in implementing the Istanbul Convention in countries such as Albania, Georgia, Tunisia, Ukraine and several EU member states. But they have remained fragmented and under-resourced and the results are uneven, depending on the countries. Collaboration with other international actors remains quite limited and can be best characterised as a complementarity of disparate efforts. Besides, the potential for synergies with other Council of Europe programmes and standards is not yet used: the officials working on the Istanbul Convention and those working on local self-governance, for instance, could co-ordinate and co-operate much more to issue guidance that can inspire policy making, planning and budgeting at the national and local levels. In turn, co-operation programmes focused on VAWDV and on local self-governance could co-operate more in order to reinforce synergistic implementation of the standards and of guidance issued by the Council of Europe. Within the Council of Europe, there is a need for better co-ordination between the practitioners and the various actors working on promotion of the Istanbul Convention and urging for ratification. Finally, stronger coherence can and should be attained between the mechanisms and guidelines of monitoring by the GREVIO and Committee of the Parties, particularly as regards the perceived prioritisation of findings.

The Istanbul Convention is also a complex document that distinguishes three substantive pillars (protection, prosecution, prevention) and a fourth, co-ordinating pillar, which expectedly leads to a holistic, unified approach among the various actors in charge of protection, prosecution and prevention. This poses other particular, substantive challenges to the Council of Europe and the dedicated bodies (GREVIO and the Committee of the Parties): in contrast with more “classical” standards documents, the implementation of the Istanbul Convention is particularly dependent on changes in practices and mindsets – beyond the amendment of legislation, regulations, policies and institutional frameworks. Instead of a linear process, the states parties often undergo an iterative process of learning about VAWDV as a complex phenomenon requiring complex responses.

Conclusion 3

This continuous learning process is long and demanding, but there is gradual progress linked to the Istanbul Convention, its monitoring, and related co-operation programmes.

This process is particularly challenging for several reasons:

- (a) the quantity and quality of the data concerning the VAWDV are at this stage often poor;
- (b) these data change over time as a result of the adoption and implementation of anti-VAWDV measures (e.g. awareness about domestic violence leads to higher reporting, while low registered rates do not necessarily mean low or decreasing cases);
- (c) decision makers and practitioners often lack guidance to use data for the planning of policies and practical measures;
- (d) resources allocated by states to the implementation of these measures are not sufficient to produce measurable change at the impact level (especially in protection and prevention);
- (e) the Organisation’s resources are not sufficient to accompany the states parties in the iterative process of learning.

In most of the countries studied, the evaluation found that where it is signed and ratified, the Istanbul Convention and its monitoring mechanisms contribute to significant transformation of the legislative and regulatory frameworks and the development of institutional frameworks. Co-operation projects contribute to these changes modestly where the Istanbul Convention is not signed and/or ratified. In states parties to the convention, co-operation programmes have a stronger multiplier effect on the progress made by implementing the Istanbul Convention and recommendations of the monitoring bodies. In most countries, profound changes are taking place in terms of recognition of the issue, access to law enforcement and to justice and short-term protection of victims. These advances have had an impact on the lives of at least some rights holders – as a minimum, by creating better awareness about their plight and specific needs among law-enforcement and legal professionals, as well as the wider public. The judgments of the European Court of Human Rights have played a particular role in galvanising attention to the most egregious cases. However, national political processes

still condition the extent to which national frameworks have progressed and which elements of the Istanbul Convention the countries prioritise. Conversely, the targeting of Council of Europe assistance resources (to particular priorities or countries) is also highly dependent on the political priorities of donors.

The evaluation showed that the Istanbul Convention's transformative approach has not yet superseded the traditional primacy of legislative efforts over changes of practices and mindsets – and resources are still allocated by countries, donors and the Council of Europe to normative efforts first, transformative processes second. Therefore, the transformative promise of the Istanbul Convention materialises only to a limited extent. This trend goes hand in hand with the sequence and proportion in which protection, prosecution and prevention are addressed. The law-enforcement aspects of protection, which largely depend on the normative framework, are addressed first by states. Although other, more comprehensive forms of protection, such as housing, social and economic protection and medical, legal, and psychological assistance are progressively receiving more attention, they remain largely addressed by CSOs which, in most countries, face significant financial challenges and struggle to attain sustainability. Effective prosecution remains the exception, as shown by sentencing data. Meanwhile, deeper understanding of the importance and implication of prevention remains an outstanding issue.

Many key stakeholders still lack the holistic approach of the Istanbul Convention: the interdependency between its pillars (prevention, protection, prosecution, integrated approach) is not well understood and the interdependency between various forms of VAWDV is not widely acknowledged. Several cases showed, however, that the normative and political acceptance of some elements of VAWDV (e.g. domestic violence) can be transformed and consolidated into an emerging consensus concerning other principles of the Istanbul Convention (e.g. the role of children as co-victims or the long-term policies of prevention).

Conclusion 4

The sub-programme on VAWDV needs to sharpen its focus, building on the Council of Europe's legal innovation trademark.

The sub-programme remains a great example of the Council of Europe's work, at the beacon of the Organisation's innovative, rights-based mission. It is representative of the Organisation's pioneering work and directly responds to a dire need. It has made significant advances in articulating the rights and needs of the rights holders in an area that had remained largely in the blind spot of wider society and political actors. In this sense, the value of this process and its impact cannot be underestimated. Several studied cases made considerable and commendable efforts to reduce the existing gaps both in public understanding, and, crucially, in regulatory, legislative and, to some extent, procedural areas. Further implementation of the Istanbul Convention has the potential for even deeper positive changes, like prosecution and conviction of perpetrators, comprehensive support to survivors, and empowered women. But it is a long-term process requiring national actors – both state and non-state, as well as the rights holders – to be empowered and accompanied with the co-ordinated support of the Council of Europe and other international actors. While the Council of Europe as an organisation, and GREVIO as a monitoring body, draw considerable authority in the field, they and the Istanbul Convention secretariat are now considerably under-resourced. The evaluation has also shown that the Council of Europe may increase its impact by improving co-ordination, facilitating peer-to-peer dialogue between the states parties, setting better and more explicit standards for prioritising countries for efforts to advance ratification and prioritisation of thematic areas and exploring synergies both internally and externally.

As long as resources remain constrained, and while making every effort to increase these resources, the Council of Europe needs to continue to focus on areas where its potential is the highest. This has been done so far, but in a compartmentalised fashion – separating the four pillars of the Istanbul Convention, the types of counterparts, and the angles of intervention (capacity building, legislative and policy advice). Prioritising the transfer of standards can be done while better embracing the holistic vision of the Istanbul Convention. Without departing from the prioritisation that has taken place so far, this will sharpen the excellence of the areas in which the Council of Europe is already recognised as a leader.

The comparative advantage of the Council of Europe is increasingly linked to its authority as a continuous producer and guardian of soft standards that stem from the Istanbul Convention: guidelines and good practices tackling emerging issues; for example, future standards on the quality of protection services for victims and survivors including, for instance, the most vulnerable groups and children. Horizontal exchanges among leading experts are necessary for the Council of Europe to respond to the demands of countries, civil society and practitioners in this field. GREVIO and other dedicated Council of Europe bodies (such as the Committee

of the Parties, the Gender Equality Commission) are natural leaders in these exchanges and, to some extent, they are already fulfilling this role. However, there is a lack of platforms conducive to these exchanges. The platforms stemming from the Istanbul Convention and the Committee of the Parties are under-resourced. Others, such as regional venues organised through co-operation programmes, are limited to a few countries where donors are ready to invest. The Council of Europe needs to connect legislative innovation with co-operation and associated funding: horizontal, multicountry exchange should be a constant priority of co-operation programmes on VAWDV.

So far, the Council of Europe has interacted on VAWDV by priority with its core, historical partners who are at the heart of human rights work: the judiciary, line ministries, human rights institutions and, to some extent, members of parliament. It has done so mostly through training and events focused on the standards, where it excels. This focus should be retained, but there is an urgent need to more comprehensively include other agencies (law enforcement, social and health sectors, attorneys – especially those providing free legal aid, CSOs, and even the education sector), as much as possible in joint capacity building fostering case-based co-operation experiences. These capacity-building efforts should always address all four pillars of the Istanbul Convention as inseparable. Concomitantly, and not sequentially, the Council of Europe must continue to provide advice and expertise to law and policy makers so that the normative frameworks reflect the standards more and more. Finetuning policy, legislation and regulatory frameworks should constantly be linked to capacity building.

Finally, the Council of Europe needs every avenue to channel messages that counter disinformation about the Istanbul Convention: capacity building and advice to law and policy makers first, horizontal dialogue platforms second, and third, advice to partners who run prevention and awareness-raising work. For this, the Council of Europe needs to identify partners who already do this work, and support these partners with advice, expertise, and crafted messages grounded in the standards. These messages should remain anchored to the human rights agenda of the idea that the Istanbul Convention is an application and a translation of the European Convention on Human Rights to the area of VAWDV.

Service delivery for victims and survivors, on the other hand, is an area where other actors abound, often with more substantial funding and where the Council of Europe does not have comparative advantage.



8. Recommendations

Table 3 presents an overview of the recommendations in connection with their justification (related findings and expected benefits), and some suggestions (implementing entities, timeline, operational suggestions). The management response will concern only the recommendations themselves – all other aspects are for consideration only.

Table 3. Overview of recommendations and suggestions

No.	Priority	Text	Implementing entities	Timeline	Benefit	Related conclusion	Related findings
1.	high	The various administrative entities should reinvigorate internal consultation and co-ordination mechanisms, including at the technical level and in all administrative entities, in order to bring together the actors for advancing ratification and standards (political dialogue, promotion of the Istanbul Convention, recommendations to ratify emitted by various Council of Europe bodies), monitoring and co-operation in this field.	Gender Equality Commission, Private Office of the Secretary General and the Deputy Secretary General, Gender Equality Division, the co-operation project units, the secretariat of the monitoring bodies, PACE Equality and Non-Discrimination Committee, PACE general rapporteur on VAWDV, PACE Secretariat, Human Rights Commissioner, Office of the Directorate General of Programmes (ODGP)	From 2022	Stronger internal cohesion, recording and co-ordination of high-level efforts to promote the Istanbul Convention, coherence of co-operation activities, rapprochement and inclusion of VAWDV consideration in activities dedicated to other topics (e.g. local self-governance, anti-trafficking, cybercrime...).	1, 2	1, 3, 4, 13
<p>Points to consider: consultations would benefit from being as inclusive as possible. The perspectives of the Gender Equality Commission, Private Office of the Secretary General, GREVIO, Gender Equality Division, PACE Equality and Non-Discrimination Committee Secretariat, Human Rights Commissioner and ODGP would be particularly valuable.</p> <p>The meetings could restart on a semestrial basis and include all relevant entities (e.g. secretariats and co-operation divisions of other instruments as well as the Congress of Local and Regional Authorities and the Conference of International Non-Governmental Organisations) on an as-needed basis to discuss upcoming issues, needs for alignment of strategies and co-ordination of activities.</p>							
2.	high	The secretariat of the Istanbul Convention should provide clearer information to the public about the links between GREVIO findings and Committee of the Parties recommendations and, more generally, about the Committee of the Parties' role and function.	Secretariat of the Istanbul Convention	2022	Increased clarity for external stakeholders between GREVIO and Committee of the Parties monitoring improves credibility and accountability of both monitoring functions and, thus, its effectiveness.	1, 4	2, 5
<p>Points to consider: in consultation with GREVIO</p>							

No.	Priority	Text	Implementing entities	Timeline	Benefit	Related conclusion	Related findings
3.	medium	The bureau of the Committee of the Parties, supported by the secretariat, should actively engage and invite the signatory countries to observe committee sessions.	Bureau of the Committee of the Parties, supported by the secretariat and committee members	From upcoming session onwards	Incentive for signatory countries to ratify the Istanbul Convention. Preparedness of signatory countries for future implementation of the convention. Horizontal dialogue.	1, 3	1, 2, 4
Points to consider: N/A							
4.	high	The Gender Equality Division should develop a concept/strategy on whether and how to engage in guidelines on data collection about VAWDV, reflecting the expressed needs of Council of Europe member states in this area.	Secretariat of the Istanbul Convention, Gender Equality Division	2022	An important internal assumption on how to decrease VAWDV – that better data will lead to better policies – could be supported and realised without the need for the Council of Europe to become experts in an area already well covered by the EIGE, UN Women and the UNFPA.	2, 3	7
<p>Points to consider: consultations with the EIGE about VAWDV administrative data collection and data comparability.</p> <p>Using UN Women and UNFPA experience with prevalence and related attitudes survey data.</p> <p>Using Eurostat and FRA work on multicountry prevalence surveys.</p> <p>List and resolve administrative and contractual barriers to closer co-operation with other organisations. Co-operation can be agreed in several formats, ranging from more broad memorandums of understanding, regularly updated plans for complementary and/or joint activities, to co-operation agreements with or without budgetary commitments.</p>							
5.	medium	GREVIO should pay close attention in its second wave of monitoring to gaps in practices and the actual institutionalisation of integrated policies in all parts of a country and, at the same time, GREVIO should focus more on collecting and considering new and diverse practices that are emerging.	GREVIO, the secretariat of the Istanbul Convention	With second wave of monitoring	This will enable GREVIO to continue to lead and fertilise the discussion and sharing of promising and good practices including at various levels of governance.	1, 3, 4	5, 8, 9
Points to consider: visits in the next round should focus beyond the usual one-day visits on locations outside of the capitals.							

No.	Priority	Text	Implementing entities	Timeline	Benefit	Related conclusion	Related findings
6.	high	<p>The Gender Equality Division should consider updating the 2008 standards for protection services based on the Istanbul Convention and on GREVIO findings. This will also help highlight the generally very low funding of the sector across states parties.</p> <p>These updated standards should consider the special nature and needs of women affected by armed conflict and the specific vulnerabilities of refugees and internally displaced persons.</p>	Gender Equality Division	2022	To ensure more comparable and better quality services across countries and to provide guidance for funding discussions among governments and CSOs.	2, 4	9
<p>Points to consider: anticipate costs for translation in co-operation activities.</p> <p>Seek inputs from the secretariat of the Istanbul Convention and GREVIO experts.</p> <p>Seek closer partnerships with another organisation fully engaged in women, peace and security in addition to the particular needs of women refugees and internally displaced women and the link to VAWDV to share expertise and experience. For example, the OSCE Gender Section, the UN Refugee Agency (UNHCR), the Office of the High Commissioner for Human Rights or UN Women.</p>							
7.	high	The Gender Equality Division, supported and advised by the Gender Equality Commission, and the PACE Secretariat should co-operate on the facilitation of multicountry dialogue platforms on topical and emerging issues for states parties, signatory states, and others on a voluntary basis.	Gender Equality Division, PACE Secretariat (Equality and Non-Discrimination Committee)	Continuous	Supports states parties to ensure quality and their responses to emerging issues. Possible gains on the effectiveness of the VAWDV sub-programme line if practices are shared and common issues are discussed and supported through guidelines or toolkits by the Council of Europe.	1, 2	2, 3, 15
<p>Points to consider: the main audience should be governmental and CSO experts and states parties without Council of Europe co-operation activities, as they have very limited possibilities to exchange in emerging issues and the evolution of existing practices – while including countries that already benefit from co-operation activities.</p> <p>Ensure that the thematic focus to cover all forms of VAWDV is based on GREVIO's Horizontal Review.</p> <p>The Council of Europe might be able to use its role in the Norway/EEA grants country programmes to find support and extra funds for this.</p> <p>Anticipate the need to lobby to keep VAWDV on the agenda: the war in Ukraine will deeply affect the states' and the EU's ability to provide external funding (due to economic repercussions and defence/military support expenditures), and the prioritisation in the allocation of this funding.</p>							

No.	Priority	Text	Implementing entities	Timeline	Benefit	Related conclusion	Related findings
8.	high	The Organisation's co-operation activities should focus more on the nexus between the four main pillars of the Istanbul Convention, in particular on protection and prevention, with a clear vision of the social integration of victims and including joint training on referral systems between shelter, protection and social services.	Gender Equality Division	Continuous	Focusing on the nexus between the pillars allows better response to emerging needs of partners and increases the effectiveness of the Council of Europe's activities and co-operation activities.	2	8, 9, 10

Points to consider: subject to resource mobilisation and priorities of beneficiaries. See also conclusions on how to deal with constraints. Also see considerations under Recommendation 7.

Consider expanding existing training to a wider audience (prosecution, police, CSOs and governmental social services) and include co-operation processes and the social integration of victims.

9.	high	The Organisation should consider developing a strategy for countering disinformation and anti-gender narratives by combining factual, explanatory messages and positive examples of implementation to present a coherent and vivid depiction of how implementing the Istanbul Convention improves the lives of women, men, girls and boys. The strategy should include actively seeking human stories, articulating key messages and seeking champions for the Istanbul Convention on social media. Existing experiences of the Council of Europe itself and from CSOs and their advocacy work should be used and synergies created.	Gender Equality Division	Continuous	Focusing on the Council of Europe's own key messages and stories can complement the explanatory message when countering the massive disinformation and may create interest and support.	1, 4	1, 4
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Points to consider: once the strategic communication plan has been developed, it can initially be implemented with limited resources within ongoing programming and could be covered by voluntary contributions. Larger existing and future programmes/funding could include higher budgets for communication.

Consider creating a Council of Europe campaign like "HeForShe" – "WeFortheIstanbulConvention" or seek synergies with existing campaigns.

No.	Priority	Text	Implementing entities	Timeline	Benefit	Related conclusion	Related findings
10.	high	The Organisation should consider increasing funding for the secretariat from its core budget.	Private Office of the Secretary General and the Deputy Secretary General, Directorate of the Programme and Budget, Secretariat of the Committee of Ministers	Next Programme and Budget cycle	Remedy the lack of human and financial resources of the secretariat of the Istanbul Convention to reflect its tasks towards monitoring bodies. More efficient regular operations of GREVIO and the Committee of the Parties; sustainability and preservation of qualified and experienced human resources; ability to comprehensively fulfil mandate (including horizontal dialogue).	3	14
<p>Points to consider: consider the need for reviewing and possibly adapting the current standard questionnaire.</p> <p>In future horizontal or thematic reporting, work on providing comparable assessments on progress by the various states parties to the Istanbul Convention.</p> <p>GREVIO finalising its first wave of monitoring and starting into the next round in 2023, possible additional ratifications and the need for new baseline evaluations.</p> <p>Additional budget and staff to have more regular expert exchange between countries, with the Committee of the Parties, GREVIO and the Council of Europe.</p>							
11.	high	The Gender Equality Division and the secretariat of the Istanbul Convention should actively engage with other international organisations relevant to the topic, towards identification of synergies and complementarities, joint promotion of ratification and standards, and elaboration of possible memorandums of understanding.	The GED, the secretariat of the Istanbul Convention, supported by the GEC	2022-2023	The focus on finding synergies with other main actors will enable the Council of Europe to increase efficiency and to foster its role and niche. It will enable local and regional practical cooperation, which might also have positive effects on the willingness of donors to provide funds to the topic.	2, 3	11, 12, 13
<p>Points to consider: prioritise UN Women, the UNFPA, the OSCE, the FRA, the EIGE and international NGOs such as WAVE. The UNHCR and the International Organization for Migration should also be prioritised, in view of the vulnerability of women refugees from Ukraine.</p>							

Appendix 1 – Context and object of the evaluation

Violence against women and domestic violence in Council of Europe member states and beyond

Global and international standards on VAWDV are numerous. The Convention on the Elimination of all Forms of Discrimination against Women (1979) does not explicitly mention violence against women and girls, but the General Recommendations 12, 19, and 35 clarify that the convention includes violence against women and makes detailed recommendations to states. The World Conference on Human Rights (1993) recognised violence against women as a human rights violation and called for the appointment of a Special Rapporteur on violence against women in the Vienna Declaration and Programme of Action. The Declaration on the Elimination of Violence against Women (1993) was the first international instrument explicitly addressing violence against women, providing a framework for national and international action. The Beijing Platform for Action (1995) identifies specific actions for governments to take to prevent and respond to violence against women and girls. Ending violence is one of the 12 areas for priority action. The Council of Europe Convention on preventing and combating violence against women and domestic violence (2011) is the most far-reaching international treaty specifically designed to tackle violence against women and domestic violence. It was ratified by most of the Council of Europe member states.⁶⁴

In this respect, the Council of Europe is currently facing two key challenges: (i) fighting the misinformation and unsubstantiated assertions that are being disseminated concerning the Istanbul Convention and (ii) building on the efforts achieved so far by countries/entities, including those that have signed and/or ratified, and those which have not yet signed nor ratified the Istanbul Convention, but benefit from co-operation activities with the Council of Europe with the view to combating violence against women.⁶⁵

Definitions:

The Istanbul Convention defines violence against women and girls as “a violation of human rights and a form of discrimination against women and shall mean 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, or arbitrary deprivation of liberty, whether occurring in public or in private life”.

Violence against women includes domestic violence which is defined as: “all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim”.

The Council of Europe Istanbul Convention VAW definition is gender based as it encompasses “violence which is directed against a person because of that person’s gender or one that disproportionately affects persons of a particular gender”.⁶⁶

64. Chart of signatures and ratifications of Treaty 210, Council of Europe Convention on preventing and combating violence against women and domestic violence, Status as of 19/05/2021, available at <https://www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=210>.

65. For instance, the recent vote of the Parliament of Liechtenstein to ratify the Istanbul Convention may catalyse ratification among signatories. In addition, the documented examples on how the Istanbul Convention is delivering on its promises and allowing parties to fight violence against women much more effectively than on their own, without a multi-lateral mechanism to support and guide them, could also galvanise change in policies, laws and practices.

66. Council of Europe Convention on preventing and combating violence against women and domestic violence, available at www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=210.

In its 20th meeting,⁶⁷ GREVIO also concluded that the “Istanbul Convention applies to online and offline forms of violence against women and girls alike and that these forms of violence should be viewed as a continuum and the expression of the same phenomenon, namely gender-based violence.” Gender-based violence against women means violence that is directed against a woman because she is a woman and/or affects women disproportionately.

The Istanbul Convention follows the definitions of the mentioned UN documents and refers to VAW as a phenomenon which may materialise in various forms, and encompasses any act of physical, sexual or psychological nature. In addition, it innovatively adds acts causing economic harm or suffering to women to the definition of VAW and encompasses not only the acts actually perpetrated but also threats of such acts, as well as coercion. The Istanbul Convention gives detailed definitions of certain, particular forms of violence, which is of a particular importance since the Istanbul Convention’s aim to prevent and prosecute VAW can be carried out effectively only if it is properly defined and differentiated for the purposes of criminalisation. Most importantly, the Convention makes a distinction between violence that occurs within a family/domestic unit in intimate/partner/spousal relationships and other forms of violence where this such context is not required as a defining feature.

Essential commitments under the Istanbul Convention

The Istanbul Convention obliges the state parties to the following:

Prevention - States run awareness-raising campaigns, train professionals, include issues such as gender equality in teaching materials, set up treatment programmes for perpetrators of domestic violence and for sex offenders, work closely with NGOs, and involve the media and the private sector in eradicating gender stereotypes and promoting mutual respect.

Protection - The police have the power to remove a perpetrator of domestic violence from their home, and state parties are ensuring people’s access to adequate available services: like accessible shelters and a state-wide 24/7, free telephone helplines, and accessible referral centres for rape-crisis and sexual violence.

Prosecution - States parties must criminalise psychological and physical violence, sexual violence and rape, stalking, female genital mutilation, forced marriage, forced abortion and forced sterilisation. States parties have to ensure the effective investigation of any allegation of violence against women, including cases of domestic violence. In addition, judicial proceedings should be run in a manner that respects the rights of victims at all stages of the proceedings and that avoids secondary victimisation.

Integrated policies - States parties must implement comprehensive and co-ordinated policies involving government agencies, NGOs, and national, regional and local parliaments and authorities. The aim is for policies to prevent and combat violence against women, including domestic violence, to be carried out at all levels of government and by all relevant agencies and institutions.

Conceptually, the Istanbul Convention, and the Council of Europe as an organisation, follow a gender transformative approach, which is fully in line with the CEDAW and the United Nations Sustainable Development Goal 5. This approach recognises that VAWDV cannot be eliminated in isolation, but only as a part of a greater effort towards gender equality and the empowerment of women, which addresses the root causes of gender-based inequalities and works to transform harmful gender roles, norms, and power relations. Following this approach, the Council of Europe Gender Equality Strategy aims “to achieve the effective realisation of gender equality and to empower women and men in the Council of Europe member states”.

Initial observations on the prevalence of VAWDV

The Istanbul Convention has led to an increase in the criminalisation of different forms of violence against women in Europe and beyond. Legislative developments have also been matched by policy initiatives that set out to tackle violence against women in practice – both its causes and its consequences.

Even though in many countries the Istanbul Convention has been put in place on paper - the actual aim of protecting women from VAWDV is still far from being achieved.

67. Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) Strasbourg, 5 March 2020, GREVIO/Inf(2020)LD20, List of decisions adopted at the 20th meeting (Strasbourg 4 – 5 March 2020), available at <https://rm.coe.int/list-of-decisions-of-the-20th-meeting/pdfa/16809e33c8>.

The EU/FRA (2014)⁶⁸ and the OSCE-led surveys (2018)⁶⁹ jointly covering nearly all Council of Europe member states (except 4: Armenia, Azerbaijan and Georgia) on VAWDV came to the following key conclusions:

VAWDV is very prevalent: Seventy per cent of women in the OSCE-led survey disclosed that they have experienced some form of violence since the age of 15, and 31% of women say they experienced some form of violence in the 12 months prior to the survey.

Table 4. Prevalence of VAW in Europe

Types of violence	EU average, %	OSCE-led survey average, %
Any intimate partner or non-partner physical and/or sexual violence (lifetime/since the age of 15)	33	31
Intimate partner physical and/or sexual violence	22	23
Non-partner physical and/or sexual violence since the age 15	22	19
Sexual harassment since the age of 15	55	45
Stalking since the age of 15	18	10

Source: EU/FRA 2014 Survey and OSCE 2018 Survey

The most prevalent form of violence is psychological violence with 60% prevalence in the OSCE-led survey and an EU average of 41% in the EU/FRA survey (ranging from 33%-60% in the different EU member states). It is still not criminalised in all state parties to the Istanbul Convention and even more importantly not recognised by large parts of society as “real” violence.

Impact of attitudes and norms on women’s experiences of violence: The OSCE-led survey illustrated that women who agree with statements on female subservience, spousal obedience, victim blaming and on silence surrounding violence are more likely to say they have experienced sexual harassment, non-partner physical and/or sexual violence, and intimate partner physical and/or sexual violence.

Women do not report violence to the police or seek help. For example, in the OSCE-led survey, 81% of victims of current partner violence, 65% of victims of previous partner violence and 53% of victims of non-partner violence did not contact the police or any other organisation about their most serious incident.

The GREVIO reports also show that no state party, even the ones where gender equality is most advanced, has fully implemented the Istanbul Convention yet (see Sweden report 2017).

Situation/typology of countries among Council of Europe member states

Out of 46 member states of the Council of Europe, 35 have ratified the Istanbul Convention, 10 have signed it – plus the European Union – and it is used as a basis for action by many countries outside Europe. One member states have not signed it (Azerbaijan).

Among the countries that have ratified the Convention, many signed in 2011 or 2012, and ratified it shortly afterwards. A few countries took more time - up to 7 years, like Germany, Greece, North Macedonia, Luxemburg and Iceland.

Among the countries that ratified, there is often a tension between the normative framework and the practice, mostly due to:

- ▶ The difficulty in ensuring co-operation and co-ordination across the ministries, which proves difficult, but it is central to the Istanbul Convention. The GREVIO monitoring reports identify many gaps in implementation: a recent example is the difficulty in gathering forensic evidence.
- ▶ The lack of a genuine gender approach: in some countries, the very concept is not understood, or not yet well accepted within the society. In others the reflection has gone so far as to reach a gender-neutral

68. EU/FRA 2014, Violence against Women: An EY Wide Survey Main Results, available at <https://fra.europa.eu/en/publication/2014/violence-against-women-eu-wide-survey-main-results-report>

69. OSCE 2019, OSCE – led Survey on Violence Against Women, available at <https://www.osce.org/VAWSsurvey/publications>.

approach, which - according to inception interviews - differs from the gender-transformative approach of the Istanbul Convention.

- ▶ Lack of means – especially sustainable provisions in national budgets - to implement the national legislation. The actions stemming from the Istanbul Convention are then often funded by international donors or CSOs. In times of economic crisis, gender equality is one of the first budget positions to be redirected.

Ten member states of the Council of Europe signed the Istanbul Convention but did not ratify it yet. The preliminary interviews showed that they can be categorised in two types: those which are genuinely working on aligning fully before ratifying it; and where the political will is lacking and/or the public debate is driven by a push-back against the Istanbul Convention.

In several countries that did not ratify, issues which are alien to the Istanbul Convention misdirect the debate from the real issues at hand: for example, the President or government may be in favour, but the ratification can be hostage of the local political situation.

Finally, initial document review and inception interviews point to a group of countries where ratification is not even considered, let alone debated. Additionally, countries that did ratify the Istanbul Convention, are currently questioning the very language of the Convention, arguing that this terminology does not exist in their national legislation. Finally, there is Turkey, where in March 2021 a Presidential Decree announced withdrawal from the Istanbul Convention.

Appendix 2 – List of Council of Europe projects

Id	Project Name ⁷⁰	Country/ Entity	Period	Donor	Budget (Total Allocation)	Budget (Total expenditure)
148	Combating violence against women, domestic violence and violence against children in the South Mediterranean Region	Multilateral - Jordan, Morocco, Tunisia	01/10/2015-31/12/2017	VC (AP level funding, Estonia, Monaco and Turkey)	145 893	725 824
163	Reinforcing the fight against violence against women and domestic violence	Kosovo*	01/10/2016-30/04/2018	VC (Turkey)	50 000	33 254
215	Violence against Women	Multilateral	01/01/2016-31/12/2019	VC (14 Countries)	1 167 289	641 627
322	Prevention and combating violence against women and domestic violence	Ukraine	01/01/2013-28/08/2016	VC (Sweden)	1 300 092	
1868	The Istanbul Convention: a tool to advance in fighting violence against women and domestic violence	Ukraine	01/09/2018-31/12/2020	VC (Council of Europe, Sweden)	400 000	
1940	Preventing and combating violence against women and domestic violence	Georgia	01/02/2018-31/12/2019	VC (AP level funding, Council of Europe, Turkey)	313 757	306 754
1967	Co-operation in the implementation of the Russian Federation National Action Strategy for Women (2017-2022)	Russian Federation	03/11/2018-02/05/2020	EU-JP	556 000	519 549
1994	Preventing and Combating Violence against Women and Domestic Violence	Armenia	19/03/2018-31/12/2018	VC (AP level funding, France)	203 000	186 047
2068	Reinforcing the fight against violence against women and domestic violence (phase II)	Kosovo*	10/12/2018-30/06/2021	VC (Council of Europe, Norway)	400 000	
2073	PGG II: 18. Women's Access to Justice: delivering on the Istanbul Convention and other European gender equality standards in the Eastern Partnership countries	Regional -Eastern Partnership	01/01/2019-31/12/2021	EU-JP	1 048 000	
2193	Raising Bosnia and Herzegovina's institutional capacity to prevent and combat violence against women and domestic violence	Bosnia and Herzegovina	01/02/2019-31/07/2019	VC (Germany)	50 000	42 382

70. List of Council of Europe projects in the field of Violence against women and domestic violence (2016-2020)

Id	Project Name ⁷⁰	Country/ Entity	Period	Donor	Budget (Total Allocation)	Budget (Total expenditure)
2227	The Path towards Armenia's Ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence	Armenia	01/03/2019-31/12/2021	VC (AP level funding, Sweden)	800 000	
2244	SP III C4 - Equality, Human Dignity and Children's rights	Regional - Southern Neighbourhood	29/02/2020-01/03/2018	EU-JP	280 547	
2296	Combating violence against women, domestic violence, and violence against children	Tunisia	01/03/2019-31/12/2021	VC (AP level funding, Cyprus, Monaco, Turkey)	137 625	
2306	Combating violence against women, domestic violence, and violence against children	Morocco	01/02/2019-31/12/2021	VC (AP level funding, Cyprus, Monaco)	245 344	
2337	Combating violence against women	Palestinian National Authority	01/01/2019-31/12/2019	VC (Turkey)	40 000	9 637
2410	HFII: HF 31 - Fostering a comprehensive institutional response to violence against women and domestic violence	Turkey	24/11/2019-30/06/2021	EU-JP	800 000	
2573	Ending violence against women: multi-country programme	Multilateral	01/01/2020-31/12/2021	VC (Belgium, France, Ireland, Luxembourg, Finland)	598 578	
2612	PGG 2: Raising awareness of the Istanbul Convention and other gender equality standards	Azerbaijan	01/07/2020-31/12/2021	EU-JP	500 000	
2610	Promoting and integrated approach to end violence against women	Georgia	01/01/2020-21/12/2022	VC (AP level funding)	800 000	
2655	SPIV - Equality, children's rights and fight against human trafficking in the southern Mediterranean	Regional	01/03/2020-28/02/2022	EU-JP	470 000	
1960	PGG Strengthening Access to Justice for Women Victims of Violence	Regional	01/01/2015-31/11/2018	EU-JP	878 402	
2692	Awareness-raising activities on the Istanbul Convention	Republic of Moldova	13/01/2020-30/11/2020	VC Action plan level funding	50 000	
1328	Combating violence against vulnerable groups (women and children)	Ukraine	01/03/2017-28/02/2018	VC Action plan level funding and Council of Europe	326 748	

Appendix 3 – Terms of Reference

Link to the Terms of Reference: <https://rm.coe.int/dio-eva2022-tor-violence-against-women-and-domestic-violence/1680a64ea5>

Appendix 4 – Qualitative Comparative Analysis

Link to the QCA results: <https://rm.coe.int/dio-eva2022-vawdv-qca-results-proofread/1680a64ea6>

Appendix 5 – Evaluation matrix

Sub-questions	Indicators	Data collection methods	Data sources	Data analysis
5. Evaluation Question – Relevance and coherence: To what extent is the sub-programme relevant?				
1a. To what extent is the work of the Organisation in the field of VAWDV comprehensive? Are there any gaps?	<ul style="list-style-type: none"> – Extent of coverage of issues identified in Court judgments, GREVIO reports and Committee of the Parties’ recommendations by Council of Europe’s co-operation work – Extent of alignment of work with Council of Europe-internal strategic consensus 	Document review	Council of Europe publications and programming documents; General literature; Court judgments, GREVIO reports, Committee of the Parties’ reports	Content analysis (qualitative)
		Semi-structured Interviews	Council of Europe staff; GREVIO/committee of the Parties’ members	Content analysis (qualitative)
		Observation of events	Observation of conferences or meetings of the Committee of the parties/GREVIO	Content analysis (qualitative)
1b. To what extent is the work of the Organisation in line with the needs and priorities of beneficiary states?	<ul style="list-style-type: none"> – Level of satisfaction of stakeholders regarding Council of Europe’s choice of issues – Examples of needs and priorities met 	Document review	Publications by other international organisations /CSOs, GREVIO reports, Council of Europe programming documents and reports/evaluations; Existing surveys in case study countries/entities	Content analysis (qualitative)
		Semi-structured Interviews	Council of Europe staff; Members of the GREVIO and Committee of the Parties	Content analysis (qualitative)

Sub-questions	Indicators	Data collection methods	Data sources	Data analysis
6. Evaluation Question - Effectiveness: To what extent is the sub-programme effective?				
2.a. What factors tend to lead to ratification of the Istanbul Convention?	– Model resulting from QCA	Document review (documents prior to ratification/ up to now in case of non-ratification)	PACE and Human Rights Commissioner reports; Secretary-General Statements; CSO/NHRIs reports; Other international organisations publications, reports and agreements with countries/entities	QCA
		Semi-structured interviews (remote)	Contact persons in selected countries/entities (referred by GREVIO Secretariat and GREVIO/Committee of the Parties members)	QCA
2b. To what extent, if any, through which mechanisms and under which conditions has the work of the Organisation contributed to changes in the legislation, policy, practice and horizontal co-ordination in case study countries/entities?	<ul style="list-style-type: none"> – Trends in adoption of new and compliant legislation/ regulations after signature, ratification, and co-operation programmes (especially as identified in GREVIO monitoring reports and shadow reports) – References to GREVIO and other Council of Europe reports on VAWDV in national policy documents and/ or stakeholder opinion on implementation of GREVIO recommendations through policy documents. – Increased availability and use (in policy documents and knowledge products) of data on VAWDV – Expert assessment of and stakeholder perceptions on the evolution of institutional setups and their co-ordination after signature, ratification and co-operation programmes – Availability and funding of protection of and support to survivors 	Document review	Council of Europe documents; External documents, such as, official publications, press and academic articles and reports of international organisations and civil society; Existing surveys in case study countries/entities, existing surveys in case study countries/entities	Contribution analysis
		Expert assessment	Brief by national subject matter experts	Contribution analysis
		Semi-structured Interviews (missions if feasible)	Council of Europe staff; National co-operation partners (including NHRIs); Experts; Civil society representatives; Representatives of donors and other international organisations	Quantitative and qualitative content analysis, Contribution analysis

Sub-questions	Indicators	Data collection methods	Data sources	Data analysis
7. Evaluation Question - Impact: To what extent did the sub-programme have an impact?				
3a. To what extent, if any, through which mechanisms and under which conditions has the work of the Organisation contributed to a decrease in VAWDV and to changes in the situation of victims in the case study countries/entities?	<ul style="list-style-type: none"> – Evidence of and stakeholders’ perceptions on the following changes in case study countries/entities (as far as possible by different groups of society and in particular also for vulnerable groups), for instance: – Sexual violence and harassment of women in public space has decreased and/or is better reported; – And/or, victims of domestic violence including the most vulnerable/underserved (such as the elderly, and men and boys, victims of VAWDV) access protection such as shelter and housing, counselling, healthcare and legal aid; – And/or evolution of the trends in prosecuting perpetrators and evolution of sentencing policy for VAWDV offenders; – And/or societal vision on VAWDV, as witnessed by stakeholders/experts in media coverage, social media activity, outreach of awareness campaigns 	Document review	Council of Europe documents; External documents, such as, official publications, press and academic articles and reports of international organisations and civil society. Existing surveys and statistical data in case study countries/entities	Contribution analysis
		Semi-structured Interviews	Council of Europe staff; Members of GREVIO and Committee of the Parties; National co-operation partners (including NHRIs); Experts; Civil society representatives; Representatives of donors and other international organisations; Survivors of VAW/DV to the extent possible	Contribution analysis
		Expert assessment	Brief by national subject matter experts	Content Analysis (qualitative)
3b. To what extent, if any, has the work of the Council of Europe under the sub-programme led to intended or unintended synergies and/or to self-initiatives of stakeholders outside of the scope of the Organisation’s intervention?	<p>Examples of:</p> <ul style="list-style-type: none"> – Synergies between Council of Europe and other international organisations and/or civil society organisations, or among Council of Europe programmes within and around VAWDV – Reference to Istanbul Convention/to GREVIO or Committee of the Parties’ recommendations in publications by CSOs and other international organisations 	Document review;	Council of Europe documents; External documents, such as, official publications, academic articles and reports of international organisations and civil society, Existing surveys in case study countries/entities	Content analysis (qualitative), contribution analysis
		Semi-structured Interviews	Council of Europe staff; National co-operation partners (including NHRIs); Experts; Civil society representatives; Representatives of donors and other international organisations	Content analysis (qualitative), contribution analysis

Sub-questions	Indicators	Data collection methods	Data sources	Data analysis
8. Evaluation Question – Added value: To what extent does the sub-programme add value?				
4a. To what extent, if any, through which mechanisms and under which conditions has the Council of Europe achieved the production of quality immediate outcomes?	<ul style="list-style-type: none"> – Level of satisfaction on baseline and monitoring reports, advocacy/ advice products, research publications and tools/ guidelines published – Level of satisfaction on dialogue platforms and peer-to-peer networks. – Level of satisfaction on programming and implementation 	Document review	Council of Europe documents; External documents, such as, official publications, press and academic articles and reports of international organisations and civil society	Content analysis (qualitative)
		Semi-structured Interviews	Council of Europe staff; Members of GREVIO and Committee of the Parties; National co-operation partners; Experts; Civil society representatives	Quantitative and qualitative content analysis Contribution analysis
		Observation of events	Observation of conferences or meetings of the Committee of the Parties/GREVIO	Content analysis (qualitative)
4b. To what extent does the work of the Council of Europe complement and/or duplicate the work of other organisations? What are the comparative advantages and disadvantages of the Council of Europe in comparison with other organisations?	<ul style="list-style-type: none"> – Perception of Council of Europe's strengths and weaknesses by stakeholders – Examples of duplication if any – Examples of usage by other organisations, of: – Standards – GREVIO assessments – Research reports and other studies 	Document review	Council of Europe documents; External documents, such as, official publications, press and academic articles and reports of international organisations and civil society	Content analysis (qualitative)
		Semi-structured Interviews	Council of Europe staff; Experts; Representatives of other international organisations; National co-operation partners; Representatives of donors	Content analysis (qualitative)
		Observation of events	Observation of conferences or meetings of the Committee of the Parties/GREVIO	Content analysis (qualitative)

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[Resolution CM/Res\(2014\)43 on rules on the election procedure of the members of the Group of Experts on Action against Violence against Women and Domestic Violence \(GREVIO\)](#)

[Rules of Procedure of GREVIO – Group of Experts on Action against Violence against Women and Domestic Violence](#)

[Rules of Procedure of the Committee of the Parties](#)

Recommendations of the Council of Europe Parliamentary Assembly

Recommendation 1450 (2000) on Violence against women in Europe, Recommendation 1582 (2002) on Domestic violence against women.

Recommendation 1723 (2005) on Forced marriages and child marriages.

Recommendation 1759 (2006) on Parliaments united in combating domestic violence against women.

Recommendation 1777 (2007) on Sexual assaults linked to “date-rape drugs”,

Recommendation 1817 (2007) on Parliaments united in combating domestic violence against women: mid-term assessment of the Campaign,

Recommendation 1847 (2008) on Combating violence against women: towards a Council of Europe convention,

Recommendation 1873 (2009) on Sexual violence against women in armed conflict,

Recommendation 1868 (2009) on Action to combat gender-based human rights violations, including abduction of women and girls,

Recommendation 1861 (2009) on Femicides,

Recommendation 1881 (2009) on the urgent need to combat so-called ‘honour crimes’,

Recommendation 1887 (2009) on Rape of women, including marital rape,

Recommendation 1891 (2009) on Migrant women: at particular risk from domestic violence

Recommendation 1905 (2010) on Children who witness domestic violence,

Recommendation 260(2009) Combating domestic violence against women

Resolution 279(2009) Combating domestic violence against women of the Congress of Local and Regional Authorities of the Council of Europe.

Resolution 2306 (2019) on obstetrical and gynaecological violence.

Resolution 2135 (2016) on female genital mutilation in Europe.

Resolution 2084 (2015) Promoting best practices in tackling violence against women.

Resolution 1861 (2012) Promoting the Council of Europe Convention on preventing and combating violence against women and domestic violence.

[CONF/PLE\(2020\)REC2](#): Recommendation in support of the Istanbul Convention adopted on 15 October 2020.

[CONF/PLE\(2017\)DEC1](#). Support for the letter of the Council of Europe Secretary General on the proposed legislation which would decriminalise certain domestic violence in the Russian Federation.

[CONF/PLE\(2014\)REC1](#). Recommendation adopted on 26 June 2014 on “Gender based violence as a political weapon”.

European Court of Human Right

[European Court of Human Rights List of relevant judgments.](#)

Thematic factsheet on [Violence against Women](#) (2021). European Court of Human Rights.

Thematic factsheet on [Domestic Violence](#) (2020). European Court of Human Rights.

[European Court of Human Rights List of relevant judgments.](#)

Thematic factsheet on [Violence against Women](#) (2021). European Court of Human Rights.

Thematic factsheet on [Domestic Violence](#) (2020). European Court of Human Rights.

European Court of Human Rights case on VAWDV Albania: [Tërshana v. Albania](#) (Application no. 48756/14, final on 4 August 2020) <https://hudoc.echr.coe.int/fre#%7B%22tabview%22:%5B%22document%22%5D%2C%22itemid%22:%5B%22001-203825%22%5D%7D>

European Court of Human Rights case on VAWDV Austria: [Kurt v. Austria](#) (application no. 62903/15, final on 15 June 2021) [KURT v. AUSTRIA](#) (coe.int)

European Court of Human Rights case on VAWDV Georgia: [Tkhelidze v. Georgia](#) (application no. 33056/17, final on 8 July 2021) [TKHELIDZE v. GEORGIA](#) (coe.int)

International standards

Committee on the elimination of discrimination against women (1989): [General recommendation No. 12 on violence against women](#)

Committee on the elimination of discrimination against women (1992): [General recommendation No. 19 on violence against women](#)

[Convention on Consent to Marriage, minimum age for marriage and Registration of marriages](#) (1962)

[Convention on the Elimination of all forms of discrimination against women](#) (1979)

[Declaration on the Elimination of Violence against Women](#) (1993)

[Declaration on the Protection of Women and Children in Emergency and Armed Conflict](#) (1974)

[Beijing Declaration and Platform for Action 1995](#)

[Optional Protocol to the Convention on the Elimination of Discrimination against Women](#) (2000)

United Nations World Conference on Human Rights: [Vienna declaration and Programme of Action](#) (1993)

[UNICEF Strategic Plan, 2018–2021](#) | UNICEF

Sustainable Development Goals: [Goal 5](#) | Department of Economic and Social Affairs (un.org)

Regional instruments

[A Women's Charter](#) (2010) - Declaration by the European Commission on the occasion of the 2010 International Women's Day

[Directive 2012/29/EU](#) of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime

[Conclusions on the Eradication of Violence Against Women in the European Union](#) (2010)

[European Parliament resolution on the elimination of violence against women](#) (2009)

[Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa](#)

[Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, Convention on Belem do Para](#) (1994)

[Regulation \(EU\) No 606/2013](#) of 12 June 2013 on mutual recognition of protection measures in civil matters

Collection of documents on Istanbul Convention articles

- [Article 10 of the Istanbul Convention – Establishing national coordinating bodies \(2016\)](#)
- [Article 11 of the Istanbul Convention – Ensuring data collection and research \(2016\)](#)
- [Article 12 of the Istanbul Convention - Prevention of violence against women \(2014\)](#)
- [Article 13 of the Istanbul Convention-Albanian-Serbian - Raising awareness of violence against women \(2014\)](#)
- [Article 16 of the Istanbul Convention - Domestic and sexual violence perpetrator programmes \(2015\)](#)
- [Article 17 of the Istanbul Convention-Ukrainian-Albanian-Serbian - Encouraging the participation of the private sector and the media in the prevention of violence against women and domestic violence \(2016\)](#)
- [Article 52 of the Istanbul Convention- Emergency barring orders in situations of domestic violence \(2017\)](#)
- [Articles 60 and 61 of the Istanbul Convention – Gender-Based asylum claims and non-refoulement \(2019\)](#)
- [A global tool to prevent and combat violence against women \(2014\)](#)
- [Draft Recommendation of support for the Istanbul Convention, Conference of INGOs \(CONF/PLE\(2020\)REC2\), 2020](#)
- [Handbook for parliamentarians on the Council of Europe Istanbul Convention \(2019\)](#)
- [HELP online course on Violence against Women and Domestic Violence \(2017\)](#)
- [Istanbul Convention – A tool to end female genital mutilation” - Council of Europe / Amnesty International - Guide \(2014\)](#)
- [Questions and answers on the Istanbul Convention \(2018\)](#)
- [Safe from fear, safe from violence - Stalking](#)
- [Thematic Factsheet: The Istanbul Convention: An instrument to promote greater equality between women and men \(2013\)](#)
- [12 steps to comply with the Council of Europe Convention on preventing and combatting violence against women and domestic violence \(2013\)](#)

Studies, research, and reports

- [Administrative Data Collection expert report on violence against women and domestic violence in Bosnia and Herzegovina - Annex to Bosnia and Herzegovina Data Collection report \(2019\)](#)
- [Analytical study on the effective implementation of Recommendation Rec\(2002\) 5 on the protection of women against violence in Council of Europe member states \(2007\)](#)
- [Combating violence against women: Stocktaking study on the measures and actions taken in Council of Europe member states \(2006\)](#)
- [Declaration of the Committee of Ministers on the need to intensify the efforts to prevent and combat female genital mutilation and forced marriage in Europe \(2017\)](#)
- [Enhancing the professional capacity of the Bulgarian Police to deal with cases of domestic violence and violence against women \(2016\)](#)
- [Implementing a comprehensive and co-ordinated approach - An assessment of Poland’s response to prevent and combat gender-based violence \(2016\)](#)
- [Improving the effectiveness of law-enforcement and justice officers in combating violence against women and domestic violence \(2016\)](#)
- [Istanbul Convention: a tool to advance in fighting violence against women and domestic violence in Ukraine \(2019\)](#)
- [Multilateralism 2020, Annual report of the Secretary General of the Council of Europe](#)
- [Overview of Studies on the Costs of Violence against Women and domestic Violence \(2012\)](#)
- [Preventing and Combating Domestic Violence against Women : A learning resource for training law enforcement and justice officers \(2016\)](#)

Study on mapping support services for victims of violence against women in line with the Istanbul convention standards (2019)

Study by the Inter-Parliamentary Union and the Parliamentary Assembly of the Council of Europe on sexism, harassment and violence against women in parliaments in Europe, 2018

Study on Improving the management of violence experienced by women who use psychoactive substances, by the Council of Europe Pompidou Group - Cooperation Group to Combat Drug Abuse and Illicit Trafficking in Drugs (2016)

Training of Trainers Manual : Effective Multi-agency Cooperation for Preventing and Combatting Domestic Violence (2015)

Reports on Cooperation Activities

Kosovo*:

<https://rm.coe.int/mapping-support-services-for-victims-of-vaw-in-kosovo-eng/1680a24d01>

<https://rm.coe.int/needs-assessment-report-shelters-of-vaw/16809fe04c>

Armenia:

<https://rm.coe.int/eur-justice-eng/168093c14a>

Republic of Moldova:

<https://rm.coe.int/good-practices-in-the-progress-of-ratification-en/16809feffc>

Turkey:

<https://rm.coe.int/trk-2021-assessing-and-managing-risks-in-cases-of-vaw-and-domestic-vio/1680a2a7cb>

Ukraine:

Combatting Violence against Women in Ukraine (COVAW) (coe.int)

<https://rm.coe.int/ukr-2020-brochure-ic-myths-and-facts-en-25112020/1680a07ee8>

<https://rm.coe.int/ukr-2020-brochure-ic-system-of-assistance-en-25112020/1680a07eea>

Russian Federation:

<https://www.coe.int/en/web/genderequality/-/preventing-and-combating-violence-against-women-in-the-russian-federation-a-new-publication-is-available>

Georgia:

<https://rm.coe.int/sexual-violence-research-eng/1680a17b78>

Appendix 7 – Overview of interviews

The list of interviewees has been anonymised in line with the Council of Europe data protection rules.

Number of persons interviewed for the following categories:	No.
Council of Europe officials (Council of Europe Staff)	23
Members of GREVIO and Committee of the Parties	25
State officials (civil servants, elected persons in all countries)	54
Civil society actors (national and international CSOs, media if any)	36
Others (international organisations and bilateral embassies)	14
Survivors	6
Total interviewees	158

Appendix 8 – Interview templates

Template 1 for inception interview and data collection interview within the overall evaluation universe:

Interviewee(s)

Function(s)

Date of the meeting

Interviewer(s)

Location

In confidence/shareable In Confidence

Introduction

Thank you very much for your time.

- ▶ My name is and I work for the consultancy company Camille Massey Unlimited, which has been contracted by the Directorate of Internal Oversight of the Council of Europe to conduct this independent evaluation.
- ▶ This year the Directorate's work programme includes an evaluation of the sub-programme Violence against women and domestic violence.
- ▶ The purpose of the evaluation is to help the Council of Europe optimise its activities and interventions in this area.
- ▶ We will be looking at the activities conducted under the sub-programme starting from 2014 for standard-setting and monitoring and from 2016 for co-operation activities.
- ▶ We are currently preparing the data collection for the evaluation, deciding on the specific evaluation questions and methodology; we might ask you for another meeting at a later stage;
- ▶ We want to make the evaluation useful for decision-makers and key stakeholders and are therefore trying to identify their information needs;
- ▶ I would like to hear your thoughts and opinions on the topic, including questions you feel should be addressed in this assessment.
- ▶ All interviews which we conduct are confidential; you will not be quoted at any point afterwards. Your name will be included in the list of people interviewed in an appendix to the report, unless you prefer that it is not included (please indicate your preference now). The data will be collected and analysed by the evaluation team.
- ▶ The data will be used exclusively for the purpose of the evaluation, treated in accordance with the Council of Europe data protection rules and will be deleted after five years or at any time sooner, at your request
- ▶ Purpose of the interview: to understand how the standard setting, the monitoring of the standard setting and the accompanying projects have made a change in terms of policies, legislation and practice and how to optimise this work. Not an evaluation of anyone's individual performance. Not a control, not an audit, but a learning exercise.
- ▶ Request authorisation to take notes on the computer.

1. What is your role in the standard setting (Istanbul Convention), the monitoring of the standards (GREVIO) and the co-operation and partnerships on the Elimination of violence against women and Domestic violence (VAWDV)?
2. What have been the main challenges of your work in relation to the VAWDV sub-programme? How has the COVID-19 pandemic affected this work?
3. What have been the key achievements? For instance, what changes have you observed in terms of legislation, policy, practices and trust among the stakeholders active in the area of VAWDV?
4. According to you, what are the key factors that tend to make positive changes happen in this line of work? What was the contribution of the Council of Europe?
(Interviewers will prompt: ratification, monitoring cycles, strong CSOs, sustained political support, EU conditionalities, Council of Europe co-operation work, other organisation's co-operation work, any other)
5. What should be the follow up, the next stage?
6. How have you co-operated with the Council of Europe and other organisations/institutions on this topic?
7. What would you like to learn from this evaluation? In particular, what could be improved in your area if work? Which country/entity co-operation activities should be included as a case study (total of 5) and why?
8. Is there any documentation you would recommend to us, or persons who should be interviewed?
9. Any additional comments/ideas?

Template 2 for data collection interview with public officials and representatives of CSOs, academia and other international organisations in case study countries/entities:

Interviewee(s)

Function(s)

Date of the meeting

Interviewer(s)

Location

In Confidence

Introduction - see template 1.

1. What is your role with regard to combating violence against women and domestic violence (VAWDV) in [name of country/entity]?
2. What have been the key achievements or drawbacks in this field over the past ten years? For instance, what changes have you observed in terms of legislation, policy, practices, and trust among the stakeholders active in the area of VAWDV? To what extent would you say these are co-ordinated? How has the COVID-19 pandemic affected this work?
3. What led to the signature and ratification respectively back then (as applicable)? How have the signature and ratification of the Istanbul Convention respectively (as applicable) influenced the changes you described before?
4. What changes have the co-operation projects on the ground with the Council of Europe brought about?
5. According to you, what are the other key factors that tend to make positive changes happen in this line of work?
(Interviewers will prompt: monitoring cycles, strong CSOs, sustained political support, EU conditionalities, other organisation's co-operation work, any other)
6. What should be the follow up, the next stage?
7. How have you co-operated with other organisations/institutions?
8. Is there any documentation you would recommend to us, or persons who should be interviewed?
9. Any additional comments/ideas?

Template 3 for data collection interview with survivors:

Interviewee -survivor

Date of the meeting

Interviewer(s)

Location

In Confidence

Aims:

- ▶ To understand the support received and identify gaps in service provision. To also identify any specific barriers for different groups including women from minority ethnic groups or women living with a disability, and support needs for these groups.
- ▶ For women who have accessed support (formal or informal), to understand how they accessed support, and the impact that this had on them. These may be used to help develop 'positive' examples.

Introduction

Thank you very much for your time.

- ▶ My name is and I work for the consultancy company Camille Massey Unlimited, which has been contracted by the Council of Europe to conduct this independent evaluation [plus basic information on interviewer's background]
- ▶ The purpose of the evaluation is to help the Council of Europe optimise its activities in helping the government preventing violence against women and that women who have experienced it get better protection and help.
- ▶ I would like to hear your thoughts and opinions on the support and the help you have experienced, including questions you feel should be addressed in this assessment.
- ▶ Please remember that your participation is voluntary, you can end the interview at any time, you do not need to give me a reason why, just let me know and I will stop the interview. You can also skip any questions that you do not want to answer or ask me to move on at any time. You are also more than welcome to take a break at any point. All these decisions are yours, and they will be of no consequence to you: it is my job to respect them.
- ▶ There will be no consequences for you, even if you might raise critical opinions. Your opinion will help to improve the situation for other women.
- ▶ Explain that you are there as a researcher, and you cannot provide them with advice.
- ▶ All interviews which we conduct are confidential; you will not be quoted at any point afterwards.

The data will be used exclusively for the purpose of the evaluation, treated in accordance with the Council of Europe data protection rules and will be deleted after five years or at any time sooner, at your request.

- ▶ Purpose of the interview: **to understand how you have been able to use the support provided.**
- ▶ Request authorisation to take notes on the computer.

1. BACKGROUND (5 MINUTES)

To begin with, please could you tell me a little bit about yourself?

- ▶ How old are you?
 - Do you have a partner?
 - Do you have children? How old are they?
- ▶ What do you do on a day-to-day basis?
 - Are you working? Studying? Looking after your children?

- What kind of things do you do around the house?
- ▶ What's your current occupation or role(s) in your local area (village/ town)?
- ▶ Who do you spend the most time with? Family? Friends?

2. Your experiences with support and Protection (30 Minutes)

I would like to understand more about your life and the major events that took place in your life. Since our study is about the violence against women, we are interested in understanding any experiences you have had, in the moment you did seek help as long as you are comfortable sharing them with me.

A) When did you seek help from someone when the violence happened to you?

- ▶ What kind of help? PROBE: Family member? Friend? Service provider?
 - What prompted you to seek help? Did anyone encourage you?
 - What support did they give you? How helpful did you find it?
 - What impact did this support have for you?
- ▶ With how many different institutions (state or CSOs) did you deal with during your recovery path?
 - Did these different Institutions give you clear information or did they give you different/conflicting information?
 - How did they treat you?

B) What prevented you from seeking help before?

- ▶ Were you worried about what other people would think?
- ▶ Were you scared? What were you afraid of?
- ▶ Were you able to access any health services?
- ▶ Were you able to access any official assistance – like legal services, women's support services or other protection services?
- ▶ What other challenges did you face?

C) Could you tell me about any keyways in which your life changed as a result of this violence?

Is there anything that we have not discussed and that you would like to talk about that happened during this episode of your life?

Thank you for sharing this with me.

Take time here to reflect on any positive achievements or repeat the positive aspects of their lives that they have mentioned throughout the interview.

We are nearly done. Thank you for sharing so much information. It is very helpful for our study. Before we finish, I would just like to know about what kind of recommendations you would give to the government or an organisation to help women in your local area.

3) Referrals and closing – Allow at least 20 minutes for this section

If you were to recommend something to the government for women who experience gender-based violence, what would it be? And what about international organisations like the Council of Europe, is there anything that you think they could do?

- ▶ Are there any services that you think would be useful for specific groups of women?
 - For example, is there anything that you think young women need the most in this local area? When you were younger, what would you have liked to see in your local area in terms of resources for girls?
 - And for older women what kind of services do you think should be provided?
 - For women from a minority group ethnic group: and what about for women who are from a minority ethnic group? Should there be any specific support to help them?
 - For women who have a disability or long-term condition: and what about women who have a disability/ long-term health condition? What kind of specific support should be provided for them?

- ▶ How would you encourage women like you to access support?
- ▶ Who would need to be involved in order for these services/resources to be successful?
- ▶ Is there anything you would like to add or say about our study?

Is there anything you would like to ask me?

This report presents the results of the evaluation of the Council of Europe's work under its sub-programme on violence against women and domestic violence (VAWDV) from 2016 to 2020. This sub-programme encapsulates all Council of Europe work on this issue, ranging from standard setting (the Istanbul Convention), the monitoring of States' obligations, and cooperation work with public authorities and civil society actors towards the implementation of the relevant standards. The convention's holistic approach to VAWDV requires continuous learning and coordination, both within the Council of Europe and in the countries which implement it. This continuous learning process is long and demanding, but there is gradual progress linked to the Convention, its monitoring, and related cooperation programmes. In order to further optimise its work, the sub-programme needs to sharpen its focus, building on the Council of Europe's legal innovation trademark, to expand its synergies with other international organisations and international civil society organisations, and rally further supporters.

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The Council of Europe is the continent's leading human rights organisation. It comprises 46 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.