



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

also known as the
**ISTANBUL
CONVENTION**

**MYTHS
AND FACTS**

ISTANBUL CONVENTION

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Why do we need the Istanbul Convention?

Common myths and misconceptions

The following factsheet outlines some of the common myths and misconceptions which have circulated around the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). This should be used by CSOs when developing their communications/advocacy campaign to promote the values, aims and main provisions of the convention. This list is not exhaustive and CSOs are encouraged to think of other myths that they have encountered regarding the Istanbul Convention and think about how to address these. In order to further emphasise the true aims of the convention, each fact debunking a myth should be adapted to the national context, and suggestions are included in *italics*. These facts can accompany the main messages which are meant to be shared on the different channels of communication or can be used as an internal script by CSOs when talking to decision-makers, to highlight the aims and importance of the Istanbul Convention.

MYTH

The Istanbul Convention is a foreign document imposed by Europe.

FACT

The Istanbul Convention was agreed by the Foreign Ministers from the 47 Council of Europe member states (now 46) following long discussions: every country was involved.

Since Armenia's accession to the Council of Europe in 2001 it has been actively involved in the activities of the statutory organs, as well as of a number of expert committees of intergovernmental cooperation including the Gender Equality Committee. Armenia participated in the development of the Istanbul Convention and signed it in 2018, without any external pressure, making it the 45th member state of the Council of Europe to sign the convention.

MYTH

The Istanbul Convention introduces the concept of 'gender' in national legislation

FACT

The Istanbul Convention helps us understand that there are many factors at play when men use violence against women. These have to do with how men and women are expected to act - what is considered acceptable for men, and what is acceptable for women. These attitudes determine our response to violence and impact the way we consider violence against women and girls. The term 'gender' defines these notions, and that's why it is used in the Istanbul Convention. It doesn't mean that national legislation and policies need to define it, but they must be designed with gender in mind.

The term “gender” is not anything new or inconsistent with Armenian legislation. National legislation defines “gender” as “the acquired, socially fixed behaviour of people of different sexes, a social perspective on the relationship between men and women, which is expressed in all spheres of public life, including politics, economy, law, ideology, culture, education, science, and health care.”

Similarly, the term 'gender' in the Istanbul Convention refers to the socially constructed roles and behaviours that a society considers appropriate for men and women. The convention underscores that violence against women is rooted in gender inequality and that stereotypical gender roles are harmful and can result in a tolerance of violence against women.

MYTH

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

FACT

The Istanbul Convention aims to keep families safe by keeping women and children safe from domestic violence, just as it aims to keep women and girls safe when they are not within their families. What a family looks like is irrelevant

1. The Law on Equal Rights and Equal Opportunities for Women and Men:
<https://www.arlis.am/DocumentView.aspx?DocID=83841>.

to the convention. What matters under the convention is that domestic violence and other forms of violence are prevented, that women and their children are protected and supported and that perpetrators are held accountable, by involving everyone in the process, so that in the end everyone is safe. The Istanbul Convention aims to end all forms of discrimination against women. It promotes equality between women and men, giving women agency over their own lives and power to make their own choices and decisions. It does this by relying on a comprehensive framework that (1) covers policies and measures to protect and assist all victims, (2) promotes international co-operation and (3) supports co-operation between law enforcement and organisations involved in ending violence to women.

The Istanbul Convention is not aimed at destroying the traditional family in Armenia. In fact, it does not define the notion of family, nor does it seek to regulate family life or make suggestions about family structure. It seeks to break the silence about violence within families, which has caused suffering for victims, including children. The real threat to families is the violence itself, not measures that intend to protect and support its victims.

MYTH

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

FACT

The Istanbul Convention does not seek to eliminate differences between women and men and does not imply that women and men are or should be the same. It does say that women and men have equal rights. It is a tool specifically designed to uphold women's rights to safety.

The Republic of Armenia Law on Equal Rights and Equal Opportunities for Women and Men, adopted in 2013, which is firmly grounded in a number of United Nations, Council of Europe and European Union documents and which aims to ensure equal rights and opportunities for women and men in politics, public administration, labour and employment, entrepreneurship, health care, and education, among other fields, aligns with the aims of the convention.

MYTH

The convention contradicts national religious traditions and religion.

FACT

The convention does not deal with religion or beliefs. It does say that culture, customs, religion, tradition or so-called "honour" should not be used to justify any act of violence, for example, female genital mutilation or forced marriage. The Istanbul Convention has been ratified by a number of countries with strong religious traditions including Serbia, Greece, Cyprus, Montenegro, Georgia, Spain, San Marino, and Italy.

The Constitution of the Republic of Armenia underlines the separation of church and state. By law, everyone in society is guaranteed the right to express their religious beliefs, just like everyone in society has a right to safety and protection.

MYTH

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

FACT

The Istanbul Convention makes sure that, where it is implemented, this is done without any discrimination based on the gender identity of a person, or on the person's sexual orientation. To be offered protection from violence, it should not matter whom you love. Many states which do not recognise same-sex marriage as Armenia have already ratified the convention, such as Albania, Bosnia and Herzegovina, Georgia, Poland, Romania, and Serbia.

The Republic of Armenia Family Code states that marriage is the union between a man and woman. Ratifying the convention will not pave the way for same sex marriage to be introduced into national law. The convention does not set new standards or requirements for sexual orientation, including the legal recognition of same-sex couples.

MYTH

The convention protects only women and gives them privileges.

FACT

The Istanbul Convention is focused on women and girls, as it covers forms of violence from which only women suffer (forced abortion, female genital

mutilation) or which women face much more often than men (sexual violence and rape, stalking, sexual harassment, domestic violence, forced marriage, forced sterilisation). However, the convention encourages the application of its provisions to benefit all victims of domestic violence, including men and children.

Statistical data in the Republic of Armenia confirm that domestic violence is largely experienced by women. In a 2021 nation-wide study, nearly a third of women (31.8%) reported having been subjected to psychological violence by an intimate partner, one out of seven (14.8%) reported physical violence, one out of fifteen (6.6%) reported sexual violence, and nearly a third (29.2%) reported economic violence.²

MYTH

The convention encourages states to intervene in the educational process.

FACT

The Istanbul Convention considers education an important aspect of the prevention of violence against women and domestic violence, because attitudes, convictions and behavioural patterns are shaped very early on in life. Teaching that boys and girls are equal and that they should have equal opportunities could contribute to eradicating future behavioural patterns leading to violence. However, it leaves it up to states to decide when and how to address issues of women's equality with men, mutual respect and non-violence, and when and how to bring up in formal or non-formal education settings the different forms of violence against women. Equipping children to call out violence and coercion of women and girls when they see it - as peers, as by-standers, and as family members - is the first step in building a generation free from violence.

Existing government programs in the Republic of Armenia aimed at teaching girls and boys about the importance of equality and non-violence align with the aims of the convention. The Armenian government introduced the Healthy Lifestyles course for public schools as early as 2008. This course tells children about gender relations, gender stereotypes, gender equality, and violence prevention. The government has expanded this education program.

MYTH

There is already national legislation to prevent violence against women and domestic violence, so the Istanbul Convention is not needed.

2. National Statistical Service of Armenia, Survey on Domestic Violence Against Women, 2022
<https://armstat.am/en/?nid=82&id=2487>

FACT

A country that adopts the Istanbul Convention proves its commitment to stopping violence by joining a system governed by international law. It goes much further than changing laws – it means joining efforts to raise awareness; gathering data and research; providing funding for victims' services; closing gaps in support services; ensuring access to justice; training professionals; and other important elements to stop violence. The convention helps governments to get the response right in relation to all forms of violence – and for all women and girls, no matter who they are and where they are from. It is a comprehensive checklist of measures tried and tested in other countries. It makes it clear that violence against women and domestic violence can no longer be considered a private matter, and that states must take a stand and adopt measures to prevent violence, protect victims and punish perpetrators.

By ratifying the convention, the Republic of Armenia would send a strong signal to the international community about its engagement in ending all forms of violence against women. Ratifying the convention will also help to cover areas in national legislation and practice that need improvement, ensure the regular exchange of practices and approaches for better implementation, and provide external experts to give guidance and recommendations on better prevention of violence, protection of victims and prosecution of perpetrators. The Law on the Prevention of Domestic Violence, the Protection of Persons Subjected to Domestic Violence and the Restoration of Harmony in the Family³, adopted in 2017, is an important step forward but the law is not enough to fulfil the comprehensive requirements of the convention.

For more information, please see *The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention): Questions and Answers at <https://rm.coe.int/istanbul-convention-questions-and-answers/16808f0b80>*

3. The Law on prevention of violence within the family, protection of victims of violence within the family and restoration of peace in the family: <https://www.arlis.am/documentview.aspx?docID=118672>

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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.

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