

GENDER EQUALITY AND VIOLENCE AGAINST WOMEN

GOOD TO KNOW

- Violence against women takes many forms such as physical, psychological and sexual violence, domestic violence, rape, sexual harassment and sexual assault, stalking, physical and psychological violence, female genital mutilation, forced child marriage, forced sterilization, crimes in the name of honour and forced abortion. Women overwhelmingly experience these forms of violence disproportionately.
- There is a continuum of violence where women are likely to experience multiple forms of violence throughout their lives.
- The historical unequal relationship between women and men has led to the domination of men over women. This extreme power imbalance is one of the major root causes of violence against women. The driving motivation behind these forms of violence is power and control over a woman – her body, her mind, her economic situation, her sexuality or her reproductive choices and decision-making power.
- Violence against women is a social mechanism to keep women in a subordinate position to men.
- Domestic Violence (also known as Intimate Partner Violence) has a huge cost on public finances.

DEFINITIONS

- “Violence against women” is a violation of human rights and a form of discrimination against women. It includes 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 ([Article 3\(a\) of the Istanbul Convention](#)).
- “Gender-based violence against women” means violence that is directed against a woman because she is a woman or that affects women disproportionately” ([Article 3\(d\) of the Istanbul Convention](#)).

WHAT DOES THE COUNCIL OF EUROPE DO ABOUT IT?

- The Council of Europe developed the Convention on preventing and combating violence against women and domestic violence, known as Istanbul Convention, which sets out legally binding standards to prevent violence against women, protect and support its victims, and prosecute all perpetrators by way of comprehensive and co-ordinated policies. The Convention entered into force in August 2014. The European Union also signed the Istanbul Convention and is preparing its ratification. Ratification is essential for countries to implement its commitments to combat violence against women and domestic violence.
- Its implementation is monitored by the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) and the Committee of the Parties.
- Human Rights Education for Legal Professionals – HELP online course on Violence against Women
- Committee of Ministers (2002), Recommendation Rec(2002)5 on the protection of women against violence
- Gender Equality Commission – GEC (2014), Analytical study of the results of the 4th round of monitoring the implementation of Recommendation Rec(2002)5 on the protection of women against violence in Council of Europe member states
- Committee of Ministers (2017), 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
- Council of Europe Pompidou Group – Co-operation Group to Combat Drug Abuse and Illicit Trafficking in Drugs (2015), Study “Improving the management of violence experienced by women who use psychoactive substances”
- Council of Europe’s Equality Division (2012-2014), Overview of Studies on the costs of violence against women and domestic violence
- The Council of Europe Convention on Action against Trafficking in Human Beings

GENDER EQUALITY ASPECTS

Women are the majority of victims and survivors of violence against women. Some forms of violence are also experienced by men and boys, for example forced marriage, domestic violence, stalking and sexual violence, including rape. In such cases, the gender, gender stereotypes and gender power play a crucial role. Most perpetrators of such violence against men are other men. Domestic violence perpetrated by a woman against her male partner is significantly less frequent (in statistical terms) and is rarely life-threatening. The Istanbul Convention acknowledges the fact that men and boys may also be affected by domestic violence but clearly recognises that women experience such violence disproportionately.

DO NOT FORGET

- Most female victims of homicide are killed by former or current partners/spouses or members of the family. Most male victims of homicide are killed by men.
- When news reports refer to a “family tragedy” they usually mean that an abusive husband has killed his wife (and children) – and in many cases she will have tried to get help from the authorities.
- Attitudes regarding acceptable behaviour, roles, dress style and life choices for women are deeply engrained in all societies. These are called “social norms”. They heavily influence the responses of professionals such as law enforcement, social workers, child protection and the judiciary to victims of gender-based violence, making it harder for women to receive the help and support they need to be safe. This widespread inaction or inappropriate action by state officials makes violence against women a human rights violation and a discrimination issue.
- The levels of reporting of gender-based violence are very low due to the lack of adequate response from, and trust, in the legal and judicial systems, and ways in which society views and treats victims and survivors, which results in high levels of impunity of perpetrators.

EXAMPLES

AWARENESS RAISING

► Campaign against sexual violence among young people

The Council of Europe partnered with the Ministry of Labour, Social Affairs and Family of a member state with the aim of enhancing the capacity of national authorities and professionals in addressing violence against women and domestic violence and raise awareness among the general public. This is in line with Article 13 of the Istanbul Convention, which requires signatories to conduct regular awareness-raising campaigns or programmes and ensure the wide dissemination among the general public of information on services available to victims. Heightened awareness is a first step in changing attitudes and behaviours that condone and perpetrate the various forms of violence.

The Ministry of Labour, Social Affairs and Family with the support of the Council of Europe expertise focused the campaign on the prevention of sexual violence among young people. Sexual violence is considered to be pervasive but hidden, especially among young women in the country. There is very limited public conversation on sexuality, sexual consent, prevention of sexual violence in universities, etc. The campaign was aimed at increasing awareness in the public to prevent sexual violence.

The Council of Europe provided advice on campaign objectives and expected results, campaign strategy and main message(s), topics/themes, target audience, choice of language and images, communication channels and the framework for monitoring and evaluating campaign effectiveness. Guidance was grounded on a human rights and gender-based understanding of violence, the principle of non-discrimination and equality between women and men, and it built on existing knowledge and best practices in the field of campaigning.

► The gender dimension in this project

The initial slogan conceived for the campaign targeting perpetrators was: “*you broke something fragile*”. This type of messaging reinforces the stereotypes of women as weak and not in charge of their own bodies and sexuality. The Government and the Council of Europe therefore changed the slogan to “*because I say no*”.

The choice of a communication company to run the visuals of the campaign provides another example. The lack of gender awareness among the professionals working in the campaign was an important obstacle to the campaign development process. The Council of Europe guidance on messaging was particularly needed. It was suggested that future public procurement notices for this type of work conclude a criterion on gender issues that need to be complied with by the winning company.

LEGAL ANALYSIS

► Gap analysis of the criminal law of a member state in light of the standards of the Istanbul Convention

The Council of Europe co-operated with the Government to support their efforts to draft a law on preventing and combating domestic violence. A Council of Europe expert supported the work of the national working group drafting the legislation and provided guidance on the requirements of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). The Council of Europe shared good practices from other member states. Complementary to this support, the Council of Europe experts provided a gap analysis of the criminal legislation of the member state which, at the time, did not criminalise domestic violence.

► The gender dimension in this project

The gap analysis focused exclusively on the Criminal Code and on the substantive definitions of crimes therein. However, in carrying out this exercise the practices of judges and prosecutors brought to light some procedural standards that affect the way domestic violence was combatted, such as alternative dispute resolution mechanisms (ADR) within the criminal justice system affected prosecutions of crime. Judges and prosecutors acknowledged to actively intervene in cases of intimate partnership violence to make the victim reconcile with the perpetrator. The justification for these decisions was based on their perception of family values and women's traditional role in family and society. As a result, judges and prosecutors considered a neutral and gender-blind mechanism, such as ADR appropriate for what they considered “private matters” and not crimes.

CAPACITY BUILDING

► Police training of trainers in a member state

The Council of Europe partnered with the Ministry of Justice and the Ministry of Interior to enhance the capacity of police officers to provide assistance and protection to victims of domestic violence and other forms of violence against women. The Council of Europe trained 50 police trainers through “Train the Trainer” sessions, including the police regional co-ordinators on domestic violence, to build a pool of trainers capable of delivering training to effectively handle cases of domestic violence and other forms of violence against women.

► The gender dimension in this project

In the delivery of the training there was a tendency among police officers to “shield” themselves in the criminal code, stating that in Bulgaria there is no specific crime of domestic violence and therefore their role was suggested as limited. Even when this is true, preventive action can be undertaken by the police within their overall responsibility to protect victims and survivors or potential victims. The underlying nature of this inaction is the conception of domestic violence as insignificant for police work, not amounting for a crime and usually referred to as only a “family quarrel”.



GOT INTERESTED?

Council of Europe

- Council of Europe and German Institute for Human Rights (2016), Implementing Article 10 of the Council of Europe Convention on preventing and combating violence against women and domestic violence – establishing national co-ordinating bodies – Analytical report of common challenges and lessons learned from bodies set up under different international human rights treaties
- Ensuring data collection and research on violence against women and domestic violence (2016): Article 11 of the Istanbul Convention
- Preventing violence against women (2014): Article 12 of the Istanbul Convention
- Raising awareness of violence against women (2014) : Article 13 of the Istanbul Convention
- Domestic and sexual violence perpetrator programmes (2015): Article 16 of the Istanbul Convention
- Emergency barring orders in situations of domestic violence (2017): Article 52 of the Istanbul Convention
- Council of Europe Factsheets on the Istanbul Convention and its monitoring mechanism
- Council of Europe Publications on the Istanbul Convention
- Case of Opuz v. Turkey, European Court of Human Rights
- Council of Europe and Amnesty International (2014), The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. A tool to end female genital mutilation.
- The Istanbul Convention and the CEDAW framework: A comparison of measures to prevent and combat violence against women
- European Court of Human Rights Factsheet on Domestic violence
- European Court of Human Rights Factsheet on Violence against women
- Safe From Fear Safe From Violence (2013), The CSW 57 Agreed conclusions on the elimination and prevention of all forms of violence against women and girls uphold the holistic response of the Istanbul Convention and its progressive understanding of violence against women and States responsibilities

Other

- United Nations Committee on the Elimination of Discrimination against Women – CEDAW (2017), General recommendation No.35 on gender-based violence against women, updating general recommendation No.19
- WAVE- Women against Violence Europe (2015), WAVE Report 2015. On the role of specialist women's support services in Europe
- European Women's Lobby (2013) “Action Kit”: Act against rape! Use the Istanbul Convention!