

SECOND GENERAL REPORT ON GREVIO'S ACTIVITIES



GREVIO
Group of Experts on
Action against Violence
against Women and
Domestic Violence

covering the period from
June 2019 to December 2020

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

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Foreword by the President of GREVIO

It is an honour for me as the President of GREVIO to introduce the second general report on the activities of GREVIO. I have been a member of GREVIO since its inception, having acted as both Second and First Vice-President prior to my current role. My presidency covers the period being reported on, having taken over the mantle from Professor Acar in June 2019, whom I warmly thank for her excellent work. GREVIO membership has changed since the first activity report, so I also take this opportunity to thank the other former members of GREVIO for all their work and dedication to the monitoring of the implementation of the Istanbul Convention and warmly welcome the new members.



@Artemisia: 100 Remarkable Women, a project by @Network of Young Women Leaders, photography by @Steven Levi Vella

My term as President has sadly coincided with a marked increase in violence against women and domestic violence globally, as we have watched the Covid-19 pandemic unfold. This report presents GREVIO's work against the backdrop of and within the constraints of a pandemic, while demonstrating GREVIO's firm commitment to furthering the implementation of the Istanbul Convention at all times.

Following on from the first general report on our activities, this report covers the period from June 2019 to December 2020. Having already previously established itself as a fully functioning and respected monitoring body, during the time period covered by this report GREVIO carried on with its monitoring and evaluation procedure and succeeded in issuing nine baseline reports. These were widely welcomed and were reported in both national and international media, as well as regularly cited in the case law of the European Court of Human Rights, in the work of the Committee of Ministers of the Council of Europe and by other international bodies.

As can be seen from the report, GREVIO also engaged in a number of other activities, notwithstanding the challenges encountered because of the Covid-19 pandemic. Its visibility greatly increased not only through its continuous monitoring work but also through dialogue and the sharing of information on the aims and purposes of the Istanbul Convention. GREVIO members, together with the Secretariat, actively participated in over 150 events on violence against women, around half of which were through online platforms. Many focused on the impact of the Covid-19 pandemic on women's specialist services and the protection and support of women and girls from violence, but other more specific issues were also covered, such as violence against women with disabilities, sexual violence, female genital mutilation, data collection, intersectional discrimination of women experiencing violence and much more.

Addressing the pandemic of violence against women within the pandemic, GREVIO was also engaged and visible generally through interviews with the international media and the issuing of statements, including in co-operation with other women's rights monitoring bodies, in order to raise states' awareness of the need to uphold the standards of the Istanbul Convention at all times.

This is particularly important as regards the provision of support and protection to women victims of violence as required by the Istanbul Convention. Hence, this report also includes a special section on specialist support services as a lifeline for victims of violence against women, before, during and after the pandemic, covering setbacks and challenges as well as examples of good practice. The pandemic has served to bring to light pre-existing gaps already identified by GREVIO in the area of specialist services, impacting significantly on women's and girls' ability to access specialist support services for the different forms of violence they may experience. Picking up from the trends and challenges in the implementation of the Istanbul Convention showcased in GREVIO's first activity report, this report includes a more contextualised overview of GREVIO's findings in the area of service provision, based on its 17 evaluation reports issued to date. It shows that without significant investment and a sense of urgency, specialist support services for women victims of violence will remain unavailable to many. The importance of this cannot be overemphasised.

Aiming at deepening the understanding of the Istanbul Convention, GREVIO engaged in various thematic discussions as well as exchanges of views with other entities. One such discussion focused on violence against women in its digital dimension and was followed by the setting up of a Working Group on a General Recommendation on this issue, which is preparing the groundwork for GREVIO's first general recommendation as per Article 69 of the Istanbul Convention. Once more here we find that although this area had already been identified as one of importance before Covid-19, the pandemic further highlighted its relevance. One of our exchange of views, with the European Court of Human Rights, led to the setting up of another GREVIO working group on third-party interventions before the Court, and in January 2020 GREVIO submitted, for the first time, written observations in connection with the case of *Kurt v. Austria*.

We have continued our close collaboration with state entities and the Committee of the Parties, which is demonstrated by its recommendations adopted on the basis of GREVIO's findings, as well as with NGOs. It is good to note that in a number of states parties NGOs and civil society organisations, sometimes with the support of international network NGOs, are uniting to submit a holistic report to GREVIO on the full set of provisions of the Istanbul Convention. We keep on emphasising the issue of intersectionality, making sure that, wherever possible, we engage with NGOs that represent women with disabilities, Roma women, minority women, women in prostitution, migrant women and lesbian women, among others, during our evaluations.

In relation to the convention itself, the number of states parties has not increased over the period covered by this report, and therefore there is still a total of 34 who have ratified the Istanbul Convention and 12 signatures not followed by ratifications. It saddens me to have to repeat what GREVIO's first President, Professor Acar, stated in GREVIO's first activity report, that notwithstanding strong support and significant

progress, strong opposition to basic premises of the Istanbul Convention persists in some member states of the Council of Europe. Often based on misinterpretations of the aims and purposes of this treaty, it has resulted in statements made and official positions taken against this convention. This sort of misinformation clearly results in the hampering of the protection of women and girls from gender-based violence and the safeguarding of women's human rights, with too many victims left to fall between the cracks. GREVIO as a whole has been active in bringing discussions around the Istanbul Convention back to the basic principles of this important treaty and the progress it stands for in the protection of women's right to live free from violence. This message is now being heard outside of the Council of Europe region and is echoed in the interest expressed by some non-Council of Europe countries in adhering to the convention's standards.

Building on the achievements of the first four years of its mandate, the past year and a half have seen a further consolidation of GREVIO's monitoring of the Istanbul Convention. As mentioned above, GREVIO has set off on roads not yet travelled through its third-party intervention before the European Court of Human Rights and its endeavour to issue a general recommendation on the digital dimension of violence against women. Adding its voice to that of other international and regional women's rights monitoring mechanisms in calling for the full protection of women and girls from all forms of violence during the pandemic, it has made clear the relevance of legally binding standards in this area. This is thanks to the commitment and effort put in by the GREVIO members and Secretariat, as well as the support that we have received from the states parties and the Council of Europe more widely.

As we continue to chart our journey through sometimes calm and sometimes stormy seas, we can but keep steady in our resolve to prevent and combat all forms of violence against women and girls. And this we are committed to do.

Marceline Naudi
President of GREVIO



Activities

Introduction

1. GREVIO, the Group of Experts on Action against Violence against Women and Domestic Violence, is the independent body set up under Article 66 of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention; CETS No. 210) that is responsible for the monitoring of that convention. GREVIO is composed of 15 independent and impartial experts of high moral character with expertise in the area of violence against women. Their term of office is four years, renewable once. At the European level, GREVIO is currently the only independent panel of experts monitoring the implementation of binding international legal provisions in the area of violence against women.
2. GREVIO launched its first evaluation procedure in spring 2016, after adopting a questionnaire on legislative and other measures giving effect to the Istanbul Convention in its entirety. Working on a country-by-country basis, GREVIO carries out a first (baseline) evaluation of each country that has ratified the convention. GREVIO initiates this procedure by addressing its questionnaire to the state party concerned, inviting the authorities to respond by way of a comprehensive report. GREVIO also collects additional information from various other sources including non-governmental organisations (NGOs), other members of civil society, national human rights institutions, Council of Europe bodies (Parliamentary Assembly, Human Rights Commissioner and other pertinent bodies) and other international treaty bodies. GREVIO then carries out an evaluation visit and subsequently draws up its draft evaluation report. The draft report is discussed in a meeting and, following its approval by GREVIO, it is sent to the relevant national authorities for comments. Following the receipt and consideration of these comments, GREVIO

draws up a final report for adoption. GREVIO's baseline evaluation report is made public on the Istanbul Convention website, together with any final comments received from the party concerned. The Committee of the Parties, composed of the representatives of the parties to the convention and the second tier in the monitoring of the convention, subsequently receives GREVIO's reports and may adopt, on the basis of GREVIO's conclusions, recommendations addressed to the party (for a workflow of the monitoring mechanism of the convention, see Appendix 6).

GREVIO meetings

3. During the reporting period, GREVIO held in total five meetings, which ranged in duration from two to three days. Three meetings lasting two days were hosted at the seat of the Council of Europe in Strasbourg, France, while two meetings were held virtually for the first time in order to enable GREVIO to continue its work within the constraints resulting from the outbreak of the Covid-19 pandemic. During these meetings GREVIO considered draft evaluation reports and adopted a total of nine baseline evaluation reports in respect of Andorra, Belgium, Finland, France, Italy, Malta, the Netherlands, Serbia and Spain. Moreover, during its plenaries, GREVIO discussed issues arising from the state reports submitted by Andorra, Belgium, Bosnia and Herzegovina, Malta, Poland, San Marino, Slovenia and Spain. It also adopted at its 20th meeting GREVIO's first general report on GREVIO's activities, covering the work undertaken during the mandate of the first 10 members of GREVIO, from 1 September 2015 to 31 May 2019.

a) Procedural issues

4. During its meetings, GREVIO discussed a number of procedural issues. At its 18th meeting in Strasbourg, following the expiry of the Bureau of GREVIO on 31 May 2019, it elected Marceline Naudi as President, Iris Luarasi as First Vice-President and Simona Lanzoni as Second Vice-President for a mandate of two years. At the same meeting, GREVIO welcomed four newly elected members of GREVIO, notably, Marie-Claude Hofner (Switzerland), Ivo Holc (Slovenia), Maria-Andriani Kostopoulou (Greece) and Aşkın Asan (Turkey) and provided orientation on the main principles guiding GREVIO's work.

5. GREVIO also held a thematic discussion on the approach to take vis-à-vis reservations when evaluating states parties during its 19th meeting. In line with Article 79, paragraph 3, of the convention, it agreed to request an explanation from a party that has made a reservation on the grounds that justify the continuance of such a reservation, in conjunction with the launch of a new baseline evaluation procedure by GREVIO in that country. It decided that GREVIO will review the information provided by the party on the reasons for upholding the reservation and assess the situation in the area covered by the reserved article/provision in the context of the country assessment. If after such a review, GREVIO identifies an inadequate response to violence against women in terms of a significant lack of protection, prevention or prosecution as a result of the reservation, GREVIO may invite the party under evaluation to consider revoking the reservation.

b) Substantive issues and thematic discussions

6. *With a view to bringing to the fore the specific vulnerabilities of particular groups of women, such as women in prostitution, GREVIO engaged, at its 19th meeting, in a thematic discussion on the topic of women in prostitution.* In delineating the scope of application of the Istanbul Convention in relation to women in prostitution, it noted that the convention as such does not define prostitution as a form of violence against women. Instead, it focuses on the support and protection of women and girls who engage in prostitution for any instances of gender-based violence they may experience. It also seeks to ensure the prosecution of any criminal offences perpetrated against them, in particular sexual violence, and aims to close gaps in criminal law that have previously existed (see, for example, Article 36.1c). GREVIO agreed that prostitution should be considered as an important risk factor in exposure to violence against women. Hence, evaluation procedures should thus systematically address the situation of women in prostitution, including their specific risk of multiple and intersectional discrimination, their challenges in accessing general and specialist support services, including access to shelters. Due regard shall also be given to the need to examine the situation of women in prostitution by collecting data and supporting research on the forms of violence they face, specific vulnerability factors, their help-seeking and help-receiving experiences, and their access to justice.

7. *In view of the increased relevance of violence against women perpetrated online and through technology, GREVIO held a thematic discussion on this dimension of violence against women at its 20th meeting.* The aim of this discussion was to explore how the Istanbul Convention covers different forms of violence against women perpetrated online and/or with the use of technology and to review the different manifestations and the terminology in use to describe its different manifestations. The timely nature of this thematic debate was further demonstrated by the spike in online violence against women and girls during the first phase of global restrictions of movement and lockdowns in spring 2020 resulting from the Covid-19 pandemic.

8. From the discussion, it emerged clearly 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. Given the continuum between the two, online and offline violence against women give rise to similar challenges, whether in the area of awareness raising, data collection, protection or criminal investigation. Like any other form of violence against women, online violence against women is often overlooked because of the lack of awareness and gendered understanding of violence. Victims' experiences are often considered as isolated "incidents" rather than patterns of violent behaviour, and victims are blamed for the violence they suffer. Thus, a comprehensive response to online and technology-facilitated violence against women requires following a holistic approach covering all forms of violence foreseen in the Istanbul Convention and promoting the co-ordinated and multi-agency approach advocated by the convention across its four main pillars of prevention, protection, prosecution and integrated policies.

9. The exchange prepared the ground for GREVIO's decision, taken at its 21st meeting, to prepare its very first general recommendation in accordance with Article 69 of the Istanbul Convention, in order to spell out, in an interpretation of the Istanbul Convention, the extent to which it covers digital manifestations of violence against women, including such violence perpetrated in the context of domestic violence (see section 4.b of this report on Working Group on a General Recommendation on the Digital Dimension of Violence against Women for more details).

10. *GREVIO also held a thematic discussion on sexual violence* at its 20th meeting in which it addressed the importance of ensuring that forensic examinations of victims of rape are carried out by a professional of their choice and, more generally, that service provision is premised on a victim-centred approach and the empowerment of victims. Moreover, with the participation of external experts, GREVIO held a discussion on the different approaches taken by states parties to the Istanbul Convention, as well as other countries such as the United Kingdom, in the criminalisation of rape and all non-consensual sexual acts. GREVIO stressed the importance of the offence of rape being criminalised on the basis of lack of consent, in line with Article 36 of the convention and stated that it is immaterial whether this is done through one or more offences, provided that the relevant sanctions are sufficient and proportionate. It also highlighted that the court practice at the national level, however, needs to be closely scrutinised to ensure effective implementation.

11. *Following the outbreak of the Covid-19 pandemic and the subsequent rise in different forms of violence against women and the challenges experienced globally in offering support and protection to victims, GREVIO held a thematic debate on the pandemic's impact on the implementation of the Istanbul Convention* at its 21st meeting. The unprecedented confinement measures introduced around the world, including in most if not all states parties to the Istanbul Convention, caused GREVIO and other experts to fear an increase in violence against women. The emerging research and data confirm this trend, not only in relation to domestic violence but also online harassment and stalking, forced sexting and non-consensual sharing of private images – including against women in leadership roles, politicians and human rights defenders. At the same time, women's access to support services and protection was reduced, although many interesting initiatives to ensure service provision and outreach activities by law-enforcement agencies were witnessed.

12. In view of the lasting nature of the pandemic, GREVIO's monitoring work must therefore consider the significant impact that the pandemic has had on women and on the incidence of violence perpetrated against them. The aim of the exchange was therefore to collect views on how the effects of the pandemic may be reflected in GREVIO's evaluation reports. GREVIO agreed that future reports should consider the impact of the Covid-19 pandemic on the implementation of the convention, particularly in the realm of access to specialist support services and measures of protection, child visitation and custody, funding and data collection, while keeping in line with the current structure of GREVIO baseline evaluation



reports. The Covid-19 pandemic has in fact further accentuated and aggravated the lack of data collection on violence against women, the lack of consideration for the situation of children exposed to domestic violence and the volatile situation of specialist support service providers for women victims of violence and those they serve, among other aspects. GREVIO members expressed their desire to closely study the impact of the pandemic in these and other areas of relevance to the Istanbul Convention.

13. GREVIO's meetings were also an occasion to invite representatives of relevant Council of Europe structures and other international organisations for exchanges of views on issues of relevance to GREVIO's mandate. At its 18th meeting, GREVIO held an extremely fruitful exchange of views with a delegation of judges from the European Court of Human Rights ("the Court"), led by its President at the time, judge Linos-Alexandre Sicilianos. Stating their common interest in ensuring access to justice for women victims of gender-based violence, GREVIO expressed its interest in pursuing co-operation and the exchange of views with the Court, possibly by engaging in third-party interventions.

14. During the reporting period, GREVIO received a number of communications from victims of violence against women, lawyers and civil society organisations concerning issues covered by the Istanbul Convention, which were discussed at GREVIO's meetings. GREVIO treats such communications as confidential. The convention does not provide for an individual complaints' procedure, but according to Rule 61 of the rules of procedure for evaluating implementation of the convention, the Executive Secretary brings to the attention of GREVIO any relevant communication addressed to it. These communications allow GREVIO to widen its knowledge base and to consider the issues raised therein in the context of future evaluations. An increasing number of communications concern issues addressed in GREVIO baseline evaluation reports, possibly indicating a need for more robust implementation of GREVIO's findings.

Evaluation visits and procedures

15. During the reporting period, GREVIO carried out baseline evaluation visits to seven states parties, notably, Spain, Belgium, Slovenia, Andorra, Malta, Poland and San Marino. Their duration varied from two to eight days depending on the size of the state party under review. GREVIO also initiated first baseline evaluation procedures in relation to Bosnia and Herzegovina, Estonia, Georgia, Germany, Norway and Romania, all of which will be evaluated in the course of 2021. State reports have already been received for most of these, as has information submitted by national NGOs. GREVIO's evaluations are organised on the basis of a provisional timetable for the first baseline evaluation procedure covering the period 2016-2023 (see Appendix 2) that can and has been amended to adapt to specific constraints, including those resulting from the Covid-19 pandemic.

16. GREVIO's evaluation visits in the period under review were an indispensable means with which to accurately comprehend the normative framework in place and its implementation in practice, ultimately allowing GREVIO to carry out a thorough assessment of the situation on the ground. More specifically, the evaluation visits were an invaluable opportunity to exchange directly with state and non-state actors around gaps and challenges in protecting women and combating violence against women and domestic violence and to visit services provided to victims such as domestic violence shelters, counselling services, rape crisis centres and other types of specialist services. Specialist shelters for victims of domestic violence were visited during most evaluation visits.

17. As regards more specifically specialist support services for victims of sexual violence, GREVIO visited one such service in Brussels, Belgium (the CPVS), offering victims of sexual violence immediate medical care, psychological support, a forensic examination and the possibility to file a complaint, as well as the possibility to be heard by a police officer seconded to the CPVS premises, in line with the one-stop-shop approach advocated by the Istanbul Convention. In Belgium, Malta and San Marino, GREVIO delegations also visited public hospitals and spoke to doctors and nurses who receive and treat victims of gender-based violence, *inter alia*, to gain a better understanding of whether specific protocols are in place for the treatment of victims and the level of training of the relevant professionals. GREVIO also visited facilities for the reception of asylum seekers and refugees in Belgium, Malta, Slovenia and Spain in order to assess, for example, whether gender-sensitive reception procedures are in place to ensure the safety of women, including women victims of gender-based violence. Moreover, exchanges with representatives of civil society active in the field of violence against women (NGOs, lawyers, academics, journalists) and other relevant interlocutors, such as ombudsman institutions and/or national human rights institutions, formed a significant part of the country visit programmes. NGOs and civil society are, in fact, important partners in monitoring the implementation of the convention and may give their input and share their concerns at any time during the evaluation procedure, including prior to the evaluation visit. In this respect, in a growing number of states parties, NGOs and civil society organisations are uniting to submit a consolidated report to GREVIO on the full set of

provisions of the convention. In addition, international network NGOs are increasingly encouraging and assisting national member NGOs to submit reports to GREVIO.

18. On-site evaluation visits are also invaluable as they offer the authorities the opportunity to engage in critical thinking processes with GREVIO in the area of violence against women. Indeed, evaluation visits frequently trigger progress in the implementation of the convention as showcased, by way of example, by Andorra, Malta and Spain's fast-tracking of reforms in the area of violence against women following GREVIO's evaluation visit. In Andorra, following GREVIO's evaluation visit and with a view to enabling more rigorous monitoring and evaluation of the actions undertaken and increasing the impact of policies to combat violence against women, the national co-ordinating body on 22 June 2020 appointed a contact person for each ministry concerned, in charge of drawing up action plans structuring the interventions of each ministry. Moreover, to address shortcomings identified by GREVIO, the Andorran Police Force has started collecting data on gender-based violence against women in addition to data already collected on domestic violence. In Malta, following GREVIO's evaluation visit, the Maltese authorities acknowledged police officers' insufficient training in the area of violence against women and set up on 1 October 2020 a dedicated specialist unit for cases of domestic violence staffed by trained police officers. Finally, the Spanish authorities informed GREVIO of numerous actions taken following GREVIO's evaluation visit, including an amendment to the Royal Decree 253/2006, regulating the composition and functions of the national co-ordinating body to ensure the consultation and participation of civil society organisations representing certain groups such as rural women and Roma women, among others; and the adoption of an Organic Law to amend the Criminal Code to eradicate the forced or non-consensual sterilisation of legally incapacitated persons with disabilities.

Working groups

19. Under Rule 46 of GREVIO's rules of procedure, GREVIO can set up a working group to carry out its duties. In the period under review, GREVIO, for the first time, exercised this right and set up two working groups: one working group on third-party interventions before the European Court of Human Rights and one on a general recommendation on the digital dimension of violence against women, respectively at its 19th meeting (from 14 to 15 November 2019) and at its 21st (from 25 to 26 June 2020).

a) Working Group on third-party interventions before the European Court of Human Rights (GREVIO-GT-TPI)

20. GREVIO adopted the terms of reference for the Working Group on Third-party Interventions before the European Court of Human Rights (GREVIO-GT-TPI) at its 19th meeting, valid until 31 December 2020 and renewable. Under the authority of GREVIO, the working group is instructed to prepare third-party

interventions on behalf of GREVIO before the Court. To this end, it seeks regular information about applications lodged before the Court that relate to cases of violence against women and domestic violence and/or to any issue of relevance falling within the Istanbul Convention. Moreover, it assesses whether GREVIO should request the right to submit written observations in the related proceedings taking into account (a) the relevance of the case for the purposes of developing case law that supports and/or reinforces the standards of the Istanbul Convention; (b) the ability of the third-party intervention to assist the Court in reaching its decision and to have a bearing on the outcome of the case; (c) whether or not consolidated and standardised case law of the Court would apply to the case at hand. It then prepares the reasoned request to submit written observations and where the request is granted, prepares draft written observations for approval by GREVIO in its composition. The working group ensures that the draft written comments provide an objective presentation of the applicable standards of the Istanbul Convention as they have been interpreted by GREVIO during its monitoring work, as well as, where appropriate, of other relevant international instruments and policy documents dealing with women's rights and violence against women, without commenting on the facts or merits of the case. Lastly, it follows-up on the cases in which GREVIO intervened, assesses the impact of GREVIO's interventions and regularly reports back to GREVIO in relation thereto.

21. The working group is composed of two members of GREVIO, appointed by GREVIO from among members who have an in-depth knowledge and professional experience in the field of human rights litigation and/or other relevant experience in a legal profession, and is assisted by the Secretariat.

22. Endorsing the work prepared by the Working Group on Third-party Interventions before the European Court of Human Rights (GREVIO-GT-TPI), on 21 January 2020, GREVIO submitted, for the first time since its inception, written observations to the European Court of Human Rights in connection with the case of *Kurt v. Austria* (application No. 62903/15). This case concerns the murder of an eight-year-old boy by his father after previous allegations by the mother of domestic violence. In its submission GREVIO addressed, *inter alia*, the importance of applying a gendered understanding of domestic violence in order to ensure the effective investigation, prosecution and protection of victims. GREVIO stressed the need for the competent national authorities entrusted with the prevention, prosecution and the protection of victims, to take into account the specific nature and dynamics of domestic violence and the risks for children in this context. It drew the Court's attention, in particular, to the heightened risk of harm to children in the context of separation and, subsequently, to the need for effective risk assessment and the availability of emergency barring and protection orders not only for victims but for their children where necessary. In this connection, it drew the Court's attention to the fact that shortcomings in protecting child victims and witnesses from their abusive parent through the issue and implementation of emergency barring orders/protection orders have been frequently commented on in GREVIO evaluation reports.

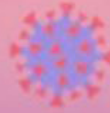
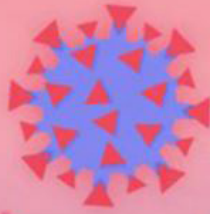


b) Working Group on a General Recommendation on the Digital Dimension of Violence against Women

23. Article 69 of the Istanbul Convention confers upon GREVIO the ability and power to adopt, where appropriate, general recommendations on the implementation of the convention. As indicated in paragraph 359 of the Explanatory Report to the Istanbul Convention, general recommendations have a common meaning for all parties and concern articles or themes that are included in the convention and are not country-specific. Although these general recommendations are not legally binding, they serve as an important reference for parties by developing a greater understanding of the different themes in the convention and by offering clear guidance that can contribute to an effective implementation of the provisions contained in the Istanbul Convention.

24. Following a thematic discussion on online violence and with the aim of providing states parties with guidance in this area, GREVIO decided at its 21st meeting to embark on the exercise of adopting a general recommendation on the digital dimension of violence against women and adopted the Terms of Reference of the Working Group on a General Recommendation on the Digital Dimension of Violence against Women (GT-DD-VAW). The working group is composed of three members of GREVIO and three deputy members, appointed by GREVIO from among members who have an in-depth knowledge and professional experience in the field of online and technology-facilitated violence against women and/or communication and media. The working group is expected to complete its work on the general recommendation around autumn 2021 and submit it thereafter to GREVIO with a view to its adoption by December 2021.

25. The general recommendation aims to develop a more in-depth understanding of online and technology-facilitated violence against women and provide more guidance to states in this area. More specifically, it aims to identify the main challenges facing policy makers and public authorities in Council of Europe member states regarding the prevention of online and technology-facilitated violence against women; to take



UNLOCK WOMEN'S VOICES

stock of existing international human rights, legal co-operation and other relevant standards that apply in this field; to explore the synergies and complementarities between the Istanbul Convention and other relevant international legal instruments for the purposes of tackling online and technology-facilitated violence against women; and to clarify the concepts and terminology to be used by GREVIO in addressing this issue and analyse how the various manifestations of such violence correspond to the definitions and the different forms of violence against women that are set out in the Istanbul Convention. Lastly, it is to provide guidance to states for the effective criminalisation and investigation of online and technology-facilitated violence while strengthening safeguards to protect victims and ensure their access to effective legal remedies and mechanisms of support in the framework of a comprehensive approach based on the main pillars of the Istanbul Convention: prevention, protection, prosecution and comprehensive policies.

GREVIO's engagement during the Covid-19 pandemic

26. Committed to upholding the implementation of the Istanbul Convention at all times, including in times of health crisis, GREVIO continued to exercise its mandate with minimal disruptions to its monitoring work, while strictly observing health regulations and recommendations. Notwithstanding the constraints imposed by the pandemic, GREVIO carried out five out of the seven programmed evaluation visits. Committed to continuing the monitoring process as far as possible within these constraints, it adapted its provisional timetable, which is available on the website of the Istanbul Convention.¹

27. GREVIO's engagement and visibility during the Covid-19 pandemic also encompassed the issuing of statements, including in co-operation with other monitoring bodies, in order to raise states' awareness of the pandemic of violence against women within the Covid-19 pandemic. On 24 March 2020, the President of GREVIO published a statement calling on parties to the convention to uphold its standards during the Covid-19 pandemic as "restrictions on movement offer abusers additional power and control over the women and girls they live with". She stressed how never before has the need been greater to ensure support services are available and that women and girls are informed of where to find help. She further stated that many national administrations have risen to the challenges posed by the pandemic to women victims of violence and have worked towards innovative solutions and

¹ See www.coe.int/en/web/istanbul-convention/timetable

called on all parties to follow in these footsteps. On 14 July 2020, GREVIO joined the Platform of Independent Mechanisms on the Elimination of Discrimination and Violence against Women (EDVAW Platform), consisting of seven United Nations and regional expert mechanisms, in jointly calling upon all states and relevant stakeholders worldwide to take urgent steps to combat the global pandemic of gender-based violence against women with particular focus on domestic violence. The statement calls on states, in particular, to ensure “peace at home” during the lockdowns related to the Covid-19 pandemic and to integrate the elimination of discrimination and gender-based violence against women in the Covid-19 recovery phase and beyond. The declaration underlines that as countries imposed lockdowns to fight the Covid-19 pandemic, the world saw dramatic increases in cases of domestic violence, including violence by intimate partners, sexual violence and femicide, requiring that states take urgent steps to combat this pandemic within a pandemic.

28. GREVIO and the standards of the Istanbul Convention played an important role during a webinar organised on 20 May 2020 by the Council of Europe, entitled “Violence against women and girls before, during and after Covid-19: the shadow pandemic that must be addressed”. This important event was moderated by GREVIO President Marceline Naudi, with key speakers such as Michele Nicoletti, the former President of the Parliamentary Assembly of the Council of Europe, who was commissioned by the Council of Europe to co-ordinate a feasibility study on the Council of Europe Academic Networks, Marina Calloni, Co-ordinate of the Italian Academic Network on the Istanbul Convention, Dubravka Šimonović, United Nations Special Rapporteur on Violence against Women, Nina Nordström, Chair of the Committee of the Parties to the Istanbul Convention, Sara de Vido, Associate Professor, University Ca’ Foscari, Venice, and Adriane van der Wilk, expert on online and technology-facilitated violence against women. The webinar addressed, among other things, the increasing inequalities and discrimination resulting from the Covid-19 crisis. The synthesis report of the webinar notes that the restrictive measures taken in response to the pandemic have given rise to intersectional effects, exacerbating existing forms of discrimination on the basis of gender, social condition, ethnicity, geographical location, age and disability, among others. It evokes states’ obligations during the Covid-19 pandemic and provides an overview of the negative impact that the pandemic has had on service provision, while recalling, at the same time, some positive institutional responses during the crisis such as the decision of certain states to designate some services and measures of protection as priorities. It further addresses the prevalence of violence against women during the Covid-19, the structural inequalities affecting women and stresses the importance of data collection to measure and address the phenomenon. The report on the webinar also highlights the rise of online and technology-facilitated violence against women, coupled with the limited opportunities for victims to get immediate help and to report, and the limited institutional response with regard to this type of violence.²

2. See “Violence against women and girls before, during and after Covid-19: the shadow pandemic that must be addressed”, Synthesis report of the Council of Europe webinar on the Istanbul Convention held on 20 May 2020, Cristina Oddone: Expert on gender-based violence and research associate at the University of Strasbourg, France, available at: www.coe.int/en/web/istanbul-convention/webinar.

29. The webinar and its synthesis report identified some priority issues for the future, including the application of a gender-sensitive approach to the adoption of extraordinary emergency measures, with a specific focus on violence against women; the need to reinforce data collection and research on the impact of the pandemic on violence against women; the need to increase public funding for support services for violence against women and its prevention; the importance of investing in a co-ordinated response at the international level, as well as at the national, regional and local levels; ensuring service provision and institutional responses; applying a specific focus on online and technology-facilitated violence against women; and advancing the implementation and ratification of the Istanbul Convention.

HUDOC-GREVIO database

30. An important keyword search database accessible to the public called HUDOC-GREVIO has been set up to enable users to search through various filters, including filters by articles and keywords (forms of violence, target groups, etc.) and retrieve information from the following documents in English and French:



- ▶ GREVIO baseline evaluation reports and the respective final government comments;
- ▶ recommendations issued by the Committee of the Parties;
- ▶ GREVIO activity reports.

31. Since the database's launch in March 2020, it has received over 72 000 hits, with a peak during the first wave of the Covid-19 pandemic from March to May 2020.

Membership and Bureau

32. GREVIO's mandate and composition requirements are set out in Article 66, paragraphs 1 and 2, of the Istanbul Convention and expounded in the Resolution of the Committee of Ministers on rules on the election procedure of the members of GREVIO (hereafter referred to as Resolution CM/Res(2014)43). Article 66 provides that GREVIO shall have between 10 and 15 members, depending on the number of parties to the convention, and shall take into account a gender and geographical balance, as well as multidisciplinary expertise in the area of human rights, gender equality, violence against women and domestic violence or in the assistance to and protection of victims. GREVIO members should therefore be nationals of different states parties to the convention, be nominated by the states parties and elected for a four-year term, renewable once.

33. The first 10 GREVIO members were elected on 4 May 2015 for a term of four years. The ratification of the Istanbul Convention by Germany on 12 October 2017 brought the total number of ratifications to 25, therefore triggering the procedure to fill the remaining five seats of GREVIO. The Committee of the Parties subsequently elected, at its fifth meeting on 24 May 2018, five additional members. Their mandate of four years started on 1 September 2018.

34. On 31 May 2019, at its 18th meeting in Strasbourg, following the expiry of the mandate of the former Bureau of GREVIO, GREVIO elected Marceline Naudi as President, Iris Luarasi as First Vice-President and Simona Lanzoni as Second Vice-President for a mandate of two years. During the reporting period the Bureau held seven meetings. During the 18th meeting, GREVIO also welcomed four newly elected members of GREVIO, notably, Marie-Claude Hofner (Switzerland), Ivo Holc (Slovenia), Maria-Andriani Kostopoulou (Greece) and Aşkın Asan (Turkey) and provided orientation on the main principles guiding GREVIO's work.



Signatures and ratifications of the Istanbul Convention

Signatures and developments regarding the application of the Istanbul Convention

35. As of December 2020, there was a total of 34 accessions to the Istanbul Convention (34 states parties) and 12 signatures not followed by ratifications. Since the ratification by Ireland in March 2019, no other Council of Europe member state has ratified the convention.

36. A very positive development is the decision taken by the Committee of Ministers of the Council of Europe on 22 April 2020 to invite Kazakhstan and Tunisia to accede to the Istanbul Convention as the first non-member states, in line with Article 76 of the Convention.³ This step came following the expression of interest by the respective authorities, which were the first non-member states of the Council of Europe to do so.

37. In another positive development, the National Assembly of Kosovo*⁴ adopted, on 25 September 2020, an amendment to the constitution that gives direct effect to the Istanbul Convention.

3. Article 76 provides that the Committee of Ministers of the Council of Europe may, after consultation with the parties to the convention and obtaining their unanimous consent, invite any non-member state of the Council of Europe, which has not participated in the drawing up of the convention, to accede to this convention by a decision taken by the majority provided for in Article 20.d of the Statute of the Council of Europe, and by unanimous vote of the representatives of the parties entitled to sit on the Committee of Ministers.

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

Challenges in securing support for the Istanbul Convention

38. GREVIO has firmly established itself at the national level and international level as a reputable monitoring committee in the area of violence against women. As is discussed in the section on co-operation with other Council of Europe bodies and institutions, its reports are regularly cited in the context of the Court's case law, as well as in the work of the Committee of Ministers and by other international bodies. GREVIO's baseline evaluation reports also receive wide press coverage at the national and international level and are discussed by national parliaments to redouble their impact on policies and legislation.

39. While the implementation of the convention and GREVIO's monitoring work has garnered strong support and brought significant progress in the fight against violence against women among states parties, strong opposition to basic premises of the Istanbul Convention persists in some member states of the Council of Europe.⁵ Much of this opposition is based on false assumptions or deliberate misinterpretations of the Istanbul Convention about its possible legal and social implications. In some cases, this has led to official positions taken by national parliaments to refrain from taking steps towards ratifying the convention. Public statements have also been made by government officials of states parties to the convention, evoking the possibility of withdrawing from it.

40. Many initiatives have been taken in the last few years in the Council of Europe and in its member states to demonstrate the unfoundedness of these misconceptions and concerns, including around the term "gender".⁶ Among these is the Opinion on the Constitutional Implications of the Ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence by Armenia issued by the Venice Commission of the Council of Europe. Under the Armenian Constitution, the assessment of the compatibility of the treaty with the Armenian Constitution is the task of the Constitutional Court of Armenia. The opinion issued by the Venice Commission at its 120th Session on 11 and 12 October 2019 aims to assist the Constitutional Court in its task by providing an external legal analysis of the convention and by contributing to the public debate on the ratification of the convention.⁷ The opinion concludes that no provisions of the convention can be considered contradictory to the Constitution of Armenia. Its assessment offers

5. See the 1st General Report on GREVIO's Activities, covering the period from June 2015 to May 2019, April 2020, pp. 35-38.

6. See the 1st General Report on GREVIO's Activities, covering the period from June 2015 to May 2019, April 2020, p. 35-38 and the following documents addressing some of the concerns put forward: European Commission for Democracy through Law (Venice Commission), Armenia Opinion on the Constitutional Implications of the Ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) adopted by the Venice Commission at its 120th plenary session (Venice, 11-12 October 2019), which contains useful clarifications on most of the legal concerns expressed; and the brochure "Questions and Answers on the Istanbul Convention", available in 24 languages.

7. See European Commission for Democracy through Law (Venice Commission), Armenia Opinion on the Constitutional Implications of the Ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) adopted by the Venice Commission at its 120th plenary session (Venice, 11-12 October 2019).

useful clarifications of the legal concerns raised in discussion that emerged in other member states of the Council of Europe.

41. GREVIO's approach has been to demonstrate in concrete terms, through its monitoring work and constant dialogue with state and non-state authorities, how the convention prevents violence against women, increases victims' protection, enhances the prosecution of perpetrators and, ultimately, saves victims' lives. It is through dialogue and discussion that the purposes and the added value of the convention can best be underscored.

Reservations

42. The possibility for states parties to enter reservations to the convention is strictly regulated under its Article 78. To promote uniformity in states parties' implementation of their obligations, the convention aims to encourage them to consider withdrawing and/or reviewing their reservations. Besides foreseeing the possibility for states parties to withdraw their reservations at any time by a declaration addressed to the Secretary General of the Council of Europe (Article 78, paragraph 4), Article 79 subjects reservations to a limited period of validity (five years from the entry into force of the convention in respect of the party concerned) and to a system of compulsory renewal (Article 79, paragraphs 1 and 2). Moreover, the convention provides that any state party that makes a reservation is under the duty to provide GREVIO with an explanation on the grounds justifying its continuance, before its renewal or upon request (Article 79, paragraph 3). At its 19th meeting, GREVIO decided that it would review the information provided by the party on the reasons for upholding the reservation and assess the situation in the area covered by the reserved article/provision in the context of the country assessment. If after such a review, GREVIO identifies an inadequate response to violence against women in terms of a significant lack of protection, prevention or prosecution as a result of the reservation, GREVIO may invite the party under evaluation to consider revoking the reservation.

43. Andorra, for example, entered a reservation to Article 30, paragraph 2 (compensation), which establishes the subsidiary responsibility of the state to provide compensation in situations where the victim has suffered serious bodily injury or damage to health. In the absence of a mechanism for the provision of subsidiary state compensation, the reservation was renewed in 2020. In analysing the reasons therefore, GREVIO noted with interest that the Andorran authorities had initiated a study of the laws to be amended in order to lift the reservation. GREVIO strongly encouraged the Andorran authorities to ensure that women victims of violence have access to effective compensation systems and suggested a review of the effectiveness of the current compensation system, along with a review of "the impact of the reservation to Article 30, paragraph 2, of the Istanbul Convention, and make any necessary amendments, while ensuring that they include measures for the victim's safety to be duly taken into account".⁸

8. GREVIO's baseline evaluation report on Andorra, paragraph 145, p. 45.

International Day for the Elimination of Violence against Women

25 November

#IstanbulConvention

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Communication

Publication of reports

a) GREVIO baseline evaluation reports

44. In accordance with Article 68, paragraph 11, of the Istanbul Convention, GREVIO reports and conclusions are made public as from their adoption, together with any comments by the party concerned. A total of nine GREVIO baseline evaluation reports were published during the reporting period, four of which were during the Covid-19 pandemic, and are available on the Istanbul Convention's website, together with the comments of the respective national authorities. These include the baseline reports on Finland, France, Italy, the Netherlands, Serbia, Belgium, Andorra, Malta and Spain (in order of publication). A press release is issued whenever a report is published. On this occasion, interviews may be given by GREVIO members and the Secretariat in order to provide information on the report and evaluation process.

45. According to the sample processed by the Council of Europe Media Monitoring and Analysis Unit, the activities of GREVIO, and in particular its country evaluation reports, were frequently reported in the news in 2019 and 2020. Most reports received national coverage, while some were also examined in the regional and international press. By way of example, the GREVIO report on Belgium, published on 21 November 2020, attracted the attention of French- and German-speaking media (Metrotime, RTBF, Le Vif, La Libre Belgique, Agence Belga, L'Avenir, Metro, La Dernière Heure, RTL.be, DPA, GrenzEcho.net). The media underlined, *inter alia*, that better collaboration in the area of violence against women was needed between the different governments in Belgium. The GREVIO baseline evaluation report on Malta, published on 23 November 2020, emphasised that the country had taken several positive legal and policy measures, which demonstrated firm actions to combat violence against women (Times of Malta, The Malta Independent, Malta

Today). The national media reported that the legal system still, however, showed signs of “insensitivity” towards victims, leading to repeat victimisation, and low levels of prosecutions and convictions. The articles also highlighted the lack of training among Malta’s judiciary in handling domestic violence cases. The GREVIO baseline evaluation report on Spain, published on 25 November 2020, was reported on by national and international media (El Punt Avui, Agenparl, Cadena Ser, El Diario, EFE, EurActiv, El País), which highlighted and acknowledged the commitment of the Spanish authorities to combat violence against women and the progress achieved, in particular in fighting intimate partner violence, but called for more attention to be paid to other forms of gender-based violence. Finally, the GREVIO baseline evaluation report on Andorra, published on 30 November 2020, received very strong coverage, particularly in the Catalan and Spanish-speaking media (EFE, La Vanguardia, Cadena SER, Clarin, Europa Press, Aldia, La República, Diari d’Andorra, Altaveu, Diari Bondia, ARA, ANA, Andorra Difusio, Cope, La Gaceta Judicial, El Periodic d’Andorra, Forum.ad, Radio Valira).

b) First general report on GREVIO’s activities

46. Accounting for its first four years of monitoring work (May 2015-May 2019), GREVIO published its first general activity report on 6 April 2020. The report is the first to offer insights into the trends and challenges in the implementation of the Istanbul Convention that stem from GREVIO’s first eight monitoring reports made public between 2015 and 2019 (Albania, Austria, Denmark, Monaco, Montenegro, Portugal, Sweden and Turkey) and are confirmed by findings emerging from final draft reports adopted as of May 2019 for Finland, France, Italy, the Netherlands and Serbia. Drawing on these reports, it points to certain persisting challenges, such as the insufficient number of specialist support services for victims of violence against women and, more particularly, services that address sexual violence and other forms of violence against women; the tendency of many criminal justice systems to maintain definitions of rape requiring evidence of use of violence, rather than reflecting a consent-based approach; the “gender-neutral” approach of legal provisions and policy documents that address domestic violence in some countries with no recognition of the disproportionate exposure of women to such violence.

47. Explaining its mandate, composition and working methods, the report demonstrates how, as an independent monitoring body, GREVIO has joined the ranks of other global and regional women’s rights monitoring bodies and mandates and has become an important voice in the area of preventing and combating violence against women and domestic violence. The first activity report received substantive media coverage, including by Politico, ARTE TV, DW, Le Monde du Droit, ANSA, Irish Independent, Cyprus News Agency, Offsite News, MTI, Nepszava and Index.hu.

c) Gender-based asylum claims and *non-refoulement*: Articles 60 and 61 of the Istanbul Convention

48. As part of a series of publications that examine different areas of the Istanbul Convention and the related articles, the Council of Europe issued a publication delving into the obligations stemming from Articles 60 and 61, addressing in depth the

obligations arising in relation to gender-based asylum claims and *non-refoulement*.⁹ GREVIO draws from this and other publications in the same series and refers, in some of its reports, to the considerations made.

Communication around International Day on the Elimination of Violence against Women

49. The United Nations designated 25 November as the International Day for the Elimination of Violence against Women to raise awareness about all forms of violence against women. It is also the starting date of the 16 Days of Activism against Gender-based Violence: a time to galvanise action to end violence against women and girls around the world, which runs until 10 December, Human Rights Day.

50. In 2019, on the occasion of the International Day on the Elimination of Violence against Women, GREVIO, together with the Platform of independent United Nations and regional expert mechanisms on violence against women and women's rights released a joint call to act against rape and to ensure that the absence of consent is central to the definition of rape in criminal law. In 2020, during the 16 Days of Activism against Gender-based Violence, GREVIO published its baseline evaluation reports on Malta, Spain and Andorra and ensured its dissemination, along with specific infographics for those countries, through social media. Visibility material on key aspects of the Istanbul Convention were also shared on social media, notably on forced marriage, rape, the need for specialist support services such as domestic violence shelters, and much more. GREVIO's work to end violence against women was featured on a dedicated website that offered information on action taken by the Council of Europe to prevent and combat violence against women.

51. On 23 November 2020, the President of GREVIO endorsed the statement made by Dubravka Šimonović, United Nations Special Rapporteur on violence against women, its causes and consequences, ahead of International Day for the Elimination of Violence against Women. Highlighting the pandemic nature of gender-related killings (femicide) and gender-based violence against women, the special rapporteur called on states worldwide to take urgent steps to prevent such killings of women as well as all acts of gender-based violence against women, through the establishment of national multidisciplinary prevention bodies or femicide watches/observatories on violence against women. These bodies should be mandated to collect comparable and disaggregated data on gender-related killings of women and conduct an analysis of such cases to determine shortcomings, while recommending preventive measures – a call which echoes many of GREVIO's baseline evaluation reports issued to date.

52. On 10 December 2020, on the last day of the 16 days of Activism against Gender-based Violence, GREVIO called for continued action to end all forms of violence against women by ratifying or implementing the Istanbul Convention, restating its commitment to keeping up its monitoring of the implementation of

9. Gender-based asylum claims and *non-refoulement*: Articles 60 and 61 of the Istanbul Convention, a collection of papers on the Council of Europe Convention on preventing and combating violence against women and domestic violence.

the convention's standards to protect the right of women and girls to live free from violence and stressing that rigorous implementation of the convention saves lives.

Participation in events

53. In the period under review, GREVIO experts and the Secretariat participated in a wide and diverse array of events and webinars organised by Council of Europe bodies, UN Women, the Inter-American Court of Human Rights and other intergovernmental organisations, NGOs and academic institutions. Between June and December 2019, GREVIO members and members of the GREVIO Secretariat participated in 54 events including, by way of example, on the issue of violence against women who are subject to multiple discrimination, on cyberviolence and on the backlash against the Istanbul Convention. During 2020, GREVIO experts and members of its Secretariat actively took part in 100 events, 75 of which took place through online platforms because of the Covid-19 pandemic. Indeed, as a result of the pandemic, GREVIO responded to significantly increased demand for its participation by taking part in a large number of online events. These events addressed a wide range of topics, including violence against women with disabilities, sexual violence, female genital mutilation, data collection, the intersectional discrimination against women experiencing violence, the impact of Covid-19 on women's specialist services and much more.

54. Moreover, the GREVIO President was part of a high-level delegation of the Council of Europe visiting Armenia in November 2019 in order to present the opinion drawn up by the Venice Commission on the constitutional implications of the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, and to help dispel misinformation about the convention and draw attention to its core aims.

HELP online course on violence against women

55. The Council of Europe Programme on Human Rights Education for Legal Professionals (HELP) aims to enhance the capacity of judges, lawyers and prosecutors, in all 47 Council of Europe member states and beyond, to apply the European human rights standards in their daily work by providing online courses on human rights. The HELP course on violence against women, which focuses in detail on the standards of the Istanbul Convention, was published in November 2017 and lasts approximately 12 hours. It has been adapted into several national versions. During the Covid-19 pandemic, it has been one of the most demanded courses by HELP users. Legal professionals in Spain, for example, have been encouraged to take it during the pandemic as part of their continuous training.



Focus Section: specialist support services as a lifeline for victims of violence against women – before, during and after the pandemic

Overview of specialised support services and their role

56. Specialist support services play a key role in the convention in securing the protection of victims from further violence, supporting and assisting them in overcoming the multiple consequences of such violence and rebuilding their lives. They aim to ensure the complex task of empowering victims through assistance catered to their specific needs, including the needs of women who are subject to multiple discrimination and/or women in rural areas. Their approach, therefore, must always be victim-centred and based on a gendered understanding of violence against women. The convention recognises that service provision is thus best ensured by women's organisations and by support services provided, for example, by local authorities with specialist and experienced staff and with in-depth knowledge of gender-based violence against women.

57. More specifically, under Article 22 of the convention, states parties are under the obligation to provide short and long-term specialist services to victims of any form of violence covered by the Istanbul Convention in adequate geographical distribution.

This includes shelter and safe accommodation, immediate medical support, the collection of forensic medical evidence in cases of rape and sexual assault, short and long-term psychological counselling, trauma care, legal counselling, advocacy and outreach services. It also encompasses telephone helplines to direct victims to the right type of service and specific services for children as victims or witnesses. The convention distinguishes between general support services provided under Article 20 of the convention, which are not exclusively designed for victims only but serve the public at large, and specialist support services, underlining that they are complementary. Article 18 of the convention sets out a number of general principles to be respected in the provision of both general and specialist protective and supportive services. These include, *inter alia*, the need for services to act in a concerted and co-ordinated manner with the involvement of all the agencies concerned, taking into account the relationship between victims, offenders, children and their wider social environment and based on a gendered understanding of violence against women. It also clarifies that such services should, as far as possible and with a view to avoiding secondary victimisation, aim at the empowerment of women and allow for a range of protection and support services to be located on the same premises.

58. GREVIO's first general activity report outlined some non-exhaustive examples of shortcomings in the area of specialist support services that have been identified by GREVIO in the context of its baseline evaluations.¹⁰ These included insufficient and volatile funding and limited geographical reach – particularly in rural areas – leading to the exclusion of segments of the population. The limited number of specialist support services that address different forms of sexual violence and the significant shortcomings in relation to telephone helplines have also been highlighted. Building on the trends and challenges identified in GREVIO's first activity report, this report provides a comprehensive picture of the overall level of states parties' compliance with the convention's standards in the area of specialist support services (see section 3 below).

Setbacks and challenges arising from/ during the Covid-19 pandemic

59. The GREVIO baseline evaluation reports published to date do not yet reflect the direct and indirect effects of the Covid-19 pandemic on women and girls and on gender-based violence perpetrated against them in states parties. This dimension is being addressed, however, in the ongoing GREVIO evaluations and baseline evaluation reports that will be published in the course of 2021. This notwithstanding, it is clear that restrictions on movement and the social isolation measures adopted by governments as a result of the Covid-19 pandemic have by and large led to an exponential increase in gender-based violence, including domestic violence and acts of sexual violence and rape, as well as an increase in gender-related killings of women.¹¹

10. See the First general report on GREVIO's activities, covering the period from June 2015 to May 2019, April 2020, paragraph 50, p. 27.

11. See Joint statement by the Special Rapporteur and the EDVAW Platform of women's rights mechanisms on Covid-19 and the increase in violence and discrimination against women, Covid-19 and increase in gender based violence and discrimination against women.



have strived to quickly adapt to the challenges posed by the pandemic and ensure the continuation, as far as possible, of the provision of services to victims. Moreover, the Covid-19 pandemic has spurred in certain countries some positive and/or creative solutions in the area of specialist support services and/or provision of information. By way of example, during the pandemic, some countries formally qualified emergency services and measures of protection for victims of violence against women as fundamental priorities during the Covid-19 crisis.¹⁴ Innovative ways of providing information to victims about services and assistance have also been deployed by a number of states, such as SMS helplines, the use of code words at pharmacies and an increase in support services offered online.¹⁵ Although GREVIO has not yet had the opportunity to assess them in the context of an evaluation, these measures demonstrate goodwill on the part of states parties to address the surge in violence against women, which GREVIO welcomes.

61. Overall, however, the pandemic has shed light on pre-existing gaps already identified by GREVIO in the area of specialist services, magnifying them and/or giving rise to new shortcomings. From submissions by Council of Europe member states in response to a call for information by the Gender Equality Commission and the Committee of the Parties to the Istanbul Convention,¹⁶ it emerges that, with regard

12. Ibid.

13. See UN Policy Brief: The Impact of Covid-19 on Women, 9 April 2020, p. 17.

14. See "Violence against women and girls before, during and after Covid-19: the shadow pandemic that must be addressed", Synthesis report of the Council of Europe webinar on the Istanbul Convention held on 20 May 2020, Cristina Oddone: Expert on gender-based violence and research associate at the University of Strasbourg, France, p. 5, available at: www.coe.int/en/web/istanbul-convention/webinar.

15. Both France and Spain introduced a scheme allowing victims to use a code word in pharmacies or other stores to obtain advice and information on where to find help.

16. Available at www.coe.int/en/web/genderequality/promoting-and-protecting-women-s-rights.

to access to shelters, insufficient funding has been made available to ensure that all victims are offered safe refuge throughout the pandemic. Also of particular concern has been the paucity of accommodation catered to the needs of women or children with disabilities. An increase in the number of callouts to helplines has also been reported during the pandemic, in parallel with the deployment of novel online tools that allow victims to seek help discreetly. Such a surge in the number of requests for help has not, however, been matched by an increment in human resources that would allow civil society organisations that manage those helplines to effectively take the calls and help victims. Moreover, the new online solutions are not readily available to all women, including elderly women or women with certain disabilities. Access to specialist health service provision has also been raised as a concern, particularly for victims of rape and sexual violence, exacerbating specific barriers that already existed for this group of victims before the pandemic. Mental health services have equally been negatively affected. More generally throughout the pandemic, civil society has pointed to insufficient funding for all the different types of specialist support services. Finally, access to health services for women, particularly sexual and reproductive health services, has also been negatively affected, thus impacting on maternal health and child health.

Trends and challenges in service provision identified by GREVIO in the course of its evaluation procedures

a) Shortcomings and challenges

62. This section reviews the 17 baseline GREVIO baseline evaluation reports that have been published up to December 2020 and aims to provide a panoramic view of the shortcomings and challenges that GREVIO has identified in the area of specialist support services in states parties. While the review addresses the reality of states prior to the impact of the Covid-19 pandemic, the shortcomings identified are much the same as those identified, and rightly much decried, during the Covid-19 pandemic, albeit less pronounced.

63. **As regards specialist support services** and the implementation by states parties of Article 22 of the convention, a recurring shortcoming that has been noted by GREVIO is that most countries have developed a wider and stronger network of specialist support services that assist victims of domestic violence, while specialist support services for victims of other forms of violence such as sexual violence, female genital mutilation, forced marriage, forced abortion and sterilisation or sexual harassment are, if at all, available in a much lower number. Consequently, many GREVIO baseline evaluation reports¹⁷ have consistently addressed the need to set up specialist support services for other forms of violence other than domestic violence – this is particularly true in the most recent evaluation reports published

17. See GREVIO's baseline evaluation reports on Austria, paragraph 107, p. 33; Portugal, paragraph 137, p. 42; France, paragraph 149, p. 44; Serbia, paragraph 125, p. 33; Belgium, paragraph 125, p. 39; Malta, paragraph 114, p. 38; Spain, paragraph 160, p. 44; and, Andorra, paragraph 116, p. 37.

by GREVIO.¹⁸ In the same vein and with a view to filling, on a needs basis, the gaps in service provision, GREVIO has urged/strongly encouraged Austria,¹⁹ Spain²⁰ and Portugal²¹ to carry out a comprehensive mapping of existing specialist support services for all forms of violence against women other than domestic violence. In its report on Italy, it welcomed the mapping that had been done but suggested that any further mapping exercises take into account the methodology developed by the Council of Europe to chart the various support services available for women who are victims of the different forms of violence by taking into account key principles of service provision as set out in Article 18 of the convention.²²

64. In view of the growing incidence of digital manifestations of violence against women, including in the context of domestic violence, the availability of specialist support services for women victims of online violence could usefully be included in any future mapping exercises. While GREVIO is increasingly expanding its attention on the level of support and protection from violence against women experienced in the digital sphere, it has to date witnessed very few dedicated support services that comprehensively address the complex issues involved.

65. Nonetheless, even when it comes to specialist support services for victims of domestic violence, inadequacies have also been identified in terms of the number and/or distribution of such specialist services²³ and the types of specialist services made available to victims of domestic violence to achieve their empowerment. In this last respect, the offer of long-term counselling in the area of psychological counselling and trauma care was found to be scarce in several states parties reviewed, including in Denmark²⁴ and Sweden.²⁵

66. In states such as Austria,²⁶ Portugal,²⁷ Sweden,²⁸ Italy²⁹ and Belgium,³⁰ GREVIO baseline evaluation reports have also consistently identified shortcomings in the provision of specialist support services catered to the needs of specific groups of victims such as children and women at the intersection of discrimination, notably,

18. Notably, the GREVIO baseline evaluation reports on Serbia, paragraph 125, p. 33; Belgium, paragraph 125, p. 39; Malta, paragraph 114, p. 38; Spain, paragraph 159, p. 44; and Andorra, paragraph 116a, p. 37.

19. See GREVIO's baseline evaluation report on Austria, paragraph 107, p. 33.

20. See GREVIO's baseline evaluation report on Spain, paragraph 160, p. 44.

21. See GREVIO's baseline evaluation report on Spain, paragraph 137, p. 40.

22. See GREVIO's baseline evaluation report on Italy, paragraph 149, p. 51. See also Mapping support services for victims of violence against women in line with the Istanbul Convention standards, methodology and tools, Prof Liz Kelly, Roddick Chair on Violence Against Women, London Metropolitan University, Strasbourg, December 2018.

23. See GREVIO's baseline evaluation reports on Albania, paragraph 106, p. 40; Denmark, paragraph 118, p. 34; Turkey, paragraphs 167-168, pp. 60-61; Montenegro, paragraph 125, p. 35; Finland, paragraph 111, p. 33; France, paragraph 149, p. 44; Italy, paragraph 151, p. 52; Belgium, paragraph 125, p. 39; and Malta, paragraph 114, p. 38.

24. See GREVIO's baseline evaluation report on Denmark, paragraph 119, p. 34.

25. See GREVIO's baseline evaluation report on Sweden, paragraph 137, p. 37.

26. See GREVIO's baseline evaluation report on Austria, paragraph 107, p. 33.

27. See GREVIO's baseline evaluation report on Portugal, paragraph 136, p. 41.

28. See GREVIO's baseline evaluation report on Sweden, paragraph 136, p. 37.

29. See GREVIO's baseline evaluation report on Italy, paragraph 151, p. 51.

30. See GREVIO's baseline evaluation report on Belgium, paragraph 125, p. 39.

women with mental health issues, victims with a history of substance abuse, women with intellectual or physical disabilities, irregular migrant women and women from ethnic minorities, in particular Roma women and Sami women.

67. In the GREVIO baseline evaluation reports of Turkey,³¹ Monaco³² and Andorra³³ GREVIO highlighted that the provision of both general and specialist services takes place through state-run institutions. GREVIO has noted in this respect in its baseline evaluation report on Turkey that while this is not contrary to the requirements of the convention, there are inherent limitations to such an approach because good practice and research shows that both state and civil society organisations are needed to provide support to victims. Certain victims will in fact hesitate to report their experiences of violence to state-run agencies and many women are more likely to disclose their experiences to independent women's NGOs acting in absolute confidentiality. What is more, unlike Monaco and Andorra, the GREVIO report on Turkey highlights that all public institutions (including those providing specialist support services) are under a legal obligation to report violence or the risk thereof to law-enforcement agencies and courts. Because this obligation may dissuade women victims from seeking support from specialist services and receiving the needed protection, GREVIO strongly encouraged the Turkish authorities to develop, within and/or in addition to state-run services, alternative, low-threshold specialist support services acting in the interest of victims and giving them the choice to decide whether or not to press charges against the perpetrator.

68. Article 18, paragraph 3, of the Istanbul Convention provides a number of aims and principles that specialist support services should pursue and be based on. Measures taken should be based on a gendered understanding of violence against women and focus on women's safety and human rights, taking into account the relationship between victims, perpetrators, children and their wider environment to address their needs holistically. It also requires specialist support services to aim at the empowerment and economic independence of women victims of violence and to avoid their secondary victimisation. A way to avoid this is to offer services under the same premises, or on a "one-stop-shop" basis if possible.

69. **As regards the need for the principle of a gendered understanding of violence against women and a focus on women's safety and human rights to underpin specialist support services,** GREVIO noted in its baseline evaluation reports on Monaco,³⁴ Turkey³⁵ and, to a certain extent, Belgium³⁶ that the governmental specialist support services' structures are often based on a family mediation approach. This approach places a great emphasis on keeping families together and mediation in the resolution of conflicts, which may fail to take account of the unequal relationship between victims and perpetrators and may run counter to protecting victims and prioritising women's needs and safety.

31. See GREVIO's baseline evaluation report on Turkey, paragraphs 150-153, p. 56 and 165-168, pp. 60-61.

32. See GREVIO's baseline evaluation report on Monaco, paragraphs 71-76, p. 23.

33. See GREVIO's baseline evaluation report on Andorra, paragraphs 112-116, p. 36-37.

34. See GREVIO's baseline evaluation report on Monaco, paragraphs 65-70, p. 22.

35. See GREVIO's baseline evaluation report on Turkey, paragraphs 145-146, p. 55, paragraph 153, p. 56.

36. See GREVIO's baseline evaluation report on Belgium, paragraph 108, p. 35 and paragraph 172, p. 50.



GREVIO noted in its baseline evaluation report on the Netherlands³⁷ that policies governing support services generally lacked a gendered understanding of violence against women and that this is reflected in the terminology used by such policies, which uses “persons directly involved” to designate both victims and perpetrators. As a result, many of the programmes and measures implemented to combat domestic violence, including service provision, are gender-neutral and fail to recognise or address the persisting challenges to the safety of women and children who predominantly suffer domestic violence at the hands of male perpetrators. Additionally, further to the merging of domestic violence and child-protection services, no women-specific services exist. Similarly, in its GREVIO baseline evaluation report on Portugal, GREVIO noted that, despite the fact that the majority of support services for domestic violence victims are run by civil society organisations, they are mostly managed by organisations with a gender-neutral and assistance-based approach, intervening also in other social areas. GREVIO thus strongly encouraged the authorities to ensure that the provision of protection and support services by both private and public entities is based on a gendered understanding of violence against women.³⁸ GREVIO has consistently identified the provision of training to relevant stakeholders, including a component on the recognition of gendered dynamics and the impact and consequences of violence on victims, as a necessary pathway to ensure service provision based on a gendered understanding.

70. As regards the aim of avoiding secondary victimisation and ensuring women’s empowerment and economic independence, including through the setting up of one-stop-shop services provided under Article 18, paragraph 3, of the convention, GREVIO has addressed findings on the obligation to ensure service provision that avoids secondary victimisation and ensures victims’ empowerment and economic independence to most states that have been

37. See GREVIO’s baseline evaluation report on the Netherlands, paragraphs 119-125, pp. 30-31.

38. See GREVIO’s baseline evaluation report on Portugal, paragraphs 120-122, p. 38.

evaluated, including Albania, Turkey, Montenegro, the Netherlands, Belgium, Malta and Spain. By way of example, gaps were identified by GREVIO in its baseline evaluations on the Netherlands in this respect, with disempowering and revictimising interventions having been noted. These included examples of instances in which victims had been expected by support services to accommodate perpetrators' behaviour, change their own behaviour or otherwise risk losing access to her child for "non-co-operation".³⁹ In Montenegro,⁴⁰ the GREVIO baseline evaluation report noted many examples of secondary victimisation such as the tendency to downplay the violence and suggest reconciliation and the insistence on mediation in divorce proceedings between victim and perpetrator.

71. One way to reduce secondary victimisation is by setting up one-stop-shop services. Only a few states have set in motion initiatives that go in this direction. In its GREVIO baseline evaluation report on Sweden,⁴¹ GREVIO notes that there have been some examples of local municipalities that have rearranged their response to domestic violence so as to offer services to victims through a number of agencies, including law-enforcement agencies, in a co-ordinated manner and under the same roof, significantly reducing the risk of secondary victimisation. However, this endeavour has not been replicated and extended. On the other hand, the GREVIO baseline evaluation report on Belgium noted that the state had established "Family Justice Centres", which act as a one-stop shop for case co-ordination, co-support and consultation, following a referral from a professional.⁴² GREVIO, however, observed in this report that their focus on child abuse and domestic violence, the lack of recognition of the gendered nature of violence against women and the potential for tending towards alternative dispute resolution, may question this model's ability to contribute towards women's empowerment and the avoidance of secondary victimisation. In its baseline evaluation report on Andorra, GREVIO welcomed that the government-run body providing specialist support services to victims of gender-based violence operated on a "one-stop-shop" basis, with the caveat, however, that the expertise offered did not cover all forms of violence against women, and that its resources needed to be increased in order to perform all its tasks effectively and sustainably.⁴³

72. **As regards the requirement for access to services to not be made subject to the victim's willingness to press charges or testify against the perpetrator, provided under Article 18, paragraph 4, of the Istanbul Convention,** problems have been identified in this respect in various states, including in Turkey and Spain. For example, in some parts of Spain, women's access to domestic violence shelters will depend on official recognition of her as a victim of intimate partner violence, with women's access barred to such shelters where protection orders are denied.⁴⁴ In Turkey, ŞÖNİMS (specialist support services for victims of violence) and all public institutions providing support to victims are under a legal obligation to

39. See GREVIO's baseline evaluation report on the Netherlands, paragraphs 123-126, p. 31.

40. See GREVIO's baseline evaluation report on Montenegro, paragraph 105, p. 31, and paragraph 124, p. 34.

41. See GREVIO's baseline evaluation report on Sweden, paragraphs 114-116, p. 33.

42. See GREVIO's baseline evaluation report on Belgium, paragraphs 108-109, p. 31.

43. See GREVIO's baseline evaluation report on Andorra, paragraph 116, p. 33.

44. See GREVIO's baseline evaluation report on Spain, paragraph 135, p. 40.

report violence, or the risk thereof, to law-enforcement agencies and courts, and professionals failing to comply with the duty to report violence incur criminal liability. Although reporting is not a prerequisite to access services in ŞÖNİMs and women's shelters, it is very common for the ŞÖNİMs to report cases of violence to law-enforcement agencies. This practice rooted within ŞÖNİMs may determine women's decisions to seek support from these services, affecting their rights to receive protection and support regardless of their willingness to press charges. For this reason, GREVIO strongly encouraged the authorities to develop, within and/or in addition to state-run services, alternative, low-threshold specialist support services acting in the interest of victims and giving them the choice to decide whether or not to press charges against the perpetrator.⁴⁵ Similar situations of mandatory reporting of instances of violence against women imposed by the law on professionals/civil servants with the potential to affect victims' help-seeking behaviour have been noted in Montenegro, Italy, Serbia, the Netherlands, Malta, Spain and Andorra. GREVIO's understanding and approach has developed and further refined itself over time. Earlier reports have encouraged/strongly encouraged the respective authorities to ensure that the duty to report is tempered by full and sensitive information being provided to the victim to allow her to make an informed decision herself and maintain autonomy, while also ensuring the safety of all, especially minors. More recent reports, such as those on Andorra⁴⁶ and Malta⁴⁷, while reiterating the latter finding, have specified that:

to this end the authorities should review the obligation for professionals to report cases of violence against women and their children, other than in situations in which there are reasonable grounds to believe that a serious act of violence covered by the scope of the convention has been committed and further serious acts are to be expected; and that this may well require making the obligation to report contingent upon the prior consent of the victim, unless the victim is a child or is unable to protect her/himself due to disabilities.

73. GREVIO has noted in this respect that while the imposition of reporting obligations on professionals does not run counter to Article 28 of the Istanbul Convention, blanket reporting obligations may raise issues around the provision of victim-centred and gender-sensitive support services.

74. **Funding for specialist support services and/or NGOs that provide such services** is addressed in GREVIO baseline reports in the analysis under Articles 8 and 9 of the convention. Article 8 aims to ensure adequate financial and human resources for the implementation of policies, measures and programmes, including those implemented by NGOs. It thus requires states parties to finance NGOs that provide specialist support services at national, regional and local level on a long-term basis and in a way that ensures the sustainability of services. Article 9 emphasises the important contribution that NGOs and civil society make to preventing and combating all forms of violence covered by the scope of this convention, as they provide the overwhelming majority of the relevant support services and are strongly anchored in a gendered understanding of violence against women. It thus requires

45. See GREVIO's baseline evaluation report on Turkey, paragraph 150, p. 56 and paragraph 153, p. 56.

46. See GREVIO's baseline evaluation report on Andorra, paragraph 146, p. 45.

47. See GREVIO's baseline evaluation report on Malta, paragraph 140, p. 44.

states parties to recognise and support their work, including financially, tap into their expertise and involve them as partners in multi-agency co-operation or in the implementation of comprehensive government policies.

75. In most countries reviewed, including Austria,⁴⁸ Denmark,⁴⁹ Malta,⁵⁰ the Netherlands,⁵¹ Portugal,⁵² Montenegro,⁵³ Serbia⁵⁴ and France,⁵⁵ GREVIO noted that while specialist support services for women victims of violence received some form of public funding, including for staff costs, it was widely considered to be insufficient to ensure an adequate and sustainable level of funding for their work. In addition, GREVIO found that in Austria and Andorra⁵⁶ the legal basis and the criteria for the allocation of funding to NGOs were not clear, leading to an inadequate level of funding over the long term and non-uniform service provision. Similarly, GREVIO observed the absence of a transparent and accountable procedure under which specialist NGOs can access sustainable and long-term funding in Malta,⁵⁷ and, accordingly, GREVIO called on the state authorities to put in place dedicated, transparent and accountable public procedures under which NGOs that provide specialist support services to victims of all forms of violence against women and their children can compete for and request sustainable and long-term funding on an equal footing. In Italy⁵⁸ and Spain,⁵⁹ GREVIO noted instead that while public tendering procedures were in place for the funding of NGOs providing specialist support, they tended to favour the lowest bidder, sometimes resulting in public contracts being attributed to private companies not specialised in support services for victims of violence. This was of particular concern in Italy where a lack of appropriate financial mechanisms to secure long-term funding for women's specialist services was observed. In its GREVIO baseline evaluation report on Serbia, GREVIO noted that where public tenders for specialist services took place, GREVIO noted that it was not necessarily the established women's specialist support services with decades of experience that won them, with contracts being awarded to newer/other players in the field for reasons that were unclear.⁶⁰

76. GREVIO has consistently stated that funding processes should be harmonised in order to provide an adequate and guaranteed level of funding for all specialist support services, and that access to public funding should be based on criteria in line with the standards of the Istanbul Convention, including the valorisation of extensive victim-centred expertise in the area of violence against women. Despite this consistency in the assessment offered by GREVIO, the issue of access

48. See GREVIO's baseline evaluation report on Austria, paragraph 24, p. 16.

49. See GREVIO's baseline evaluation report on Denmark, paragraph 26, p. 17.

50. See GREVIO's baseline evaluation report on Malta paragraph 31, p. 18.

51. See GREVIO's baseline evaluation report on the Netherlands, paragraph 46, p. 18.

52. See GREVIO's baseline evaluation report on Portugal, paragraph 45, p. 20.

53. See GREVIO's baseline evaluation report on Montenegro, paragraph 43, p. 18.

54. See GREVIO's baseline evaluation report on Serbia, paragraph 38, p. 17.

55. See GREVIO's baseline evaluation report on France, paragraph 47, p. 21.

56. See GREVIO's baseline evaluation report on Andorra, paragraph 47, p. 22.

57. See GREVIO's baseline evaluation report on Malta, paragraph 35, p. 19.

58. See GREVIO's baseline evaluation report on Italy, paragraph 51, p. 24.

59. See GREVIO's baseline evaluation report on Spain, paragraph 39, p. 20.

60. See GREVIO's baseline evaluation report on Serbia, paragraph 36, p. 16.

to public funding for NGOs providing crucial and widely recognised services such as national helplines remains topical.⁶¹

77. In its baseline evaluation reports on Albania,⁶² Montenegro⁶³ and Serbia,⁶⁴ despite the state's heavy reliance on the women's NGO sector to discharge its obligations to ensure specialist support services, GREVIO observed a dependency on international donors and therefore urged the authorities to establish suitable programmes and grants, and transparent procurement procedures, to ensure stable and sustainable funding levels.

78. **Shelters** are one category of specialist support services envisaged under Article 22 of the Istanbul Convention. Their purpose is to ensure immediate, round-the-clock access to safe accommodation for victims. Shelters do not only provide accommodation, but support women to face the multiple and interrelated problems they face, helping them to regain their self-esteem and the abilities and capacities that are necessary for their future independent life. Article 23 of the convention calls for shelters to be set up in sufficient numbers to provide appropriate temporary accommodation for all victims, and the recommendation is one family place per 10 000 head of population. However, the number of shelter places should depend on the actual need. Shelters for other forms of violence need to address the specific protection and support needs of victims and the number will depend on the need.

79. In many cases, GREVIO reports address Articles 22 and 23 jointly, and therefore shortcomings and trends mentioned above are also applicable to this section. Although Article 23 requires that shelters offer safe and secure accommodation to victims of all forms of violence, GREVIO reports have primarily focused on shelters for victims of domestic violence. Several GREVIO baseline evaluation reports, such as those on Italy⁶⁵ and France,⁶⁶ have highlighted difficulties in determining the number of shelters and beds that are effectively available for victims' safe accommodation, noting discrepancies in the information provided by state authorities and that provided by civil society. The baseline evaluation reports of Italy and France⁶⁷ have in fact noted that state authorities included in the figures generic emergency accommodation that does not specifically cater to the needs of victims of gender-based violence against women.

80. As regards compliance with the standards set of one family place per 10 000 head of population, with the exception of Malta and Austria, the latter being very close to the target, the rest of the states parties do not meet the convention's

61. In France, civil society expressed concerns about the public tendering procedure originally announced by the government in December 2020, but which was later withdrawn to provide a 24/7 telephone line for victims of violence against women. The concerns expressed concerned the competitive tendering procedure of a service of general interest created by women's organisations and funded through grants, as well as the criteria applied in the tendering procedure, which, according to women's NGOs, seemed to favour quantitative elements and did not appear to be aligned with the requirements of the Istanbul Convention.

62. See GREVIO's baseline evaluation report on Albania, paragraphs 31-32, p. 20.

63. See GREVIO's baseline evaluation report on Montenegro, paragraph 35, p. 17.

64. See GREVIO's baseline evaluation report on Serbia, paragraph 30, p. 15.

65. See GREVIO's baseline evaluation report on Italy, paragraphs 146-151, pp. 50-52.

66. See GREVIO's baseline evaluation report on France, paragraphs 154-156, pp. 45-46.

67. Ibid.

standard. The lack of available emergency accommodation for women and their children was particularly stressed in the baseline evaluation reports on France⁶⁸ and the Netherlands.⁶⁹ Indeed in France, a large proportion of the places that are available for victims of domestic violence are not women's shelters, but emergency accommodation created within other types of services (for instance, for the homeless), which do not provide adequate services to address women's needs and help them to recover from the violence experienced. GREVIO has noted in this connection that under no circumstances should the creation of new places in generalist structures be considered as a suitable measure to ensure safe accommodation for victims and their children. Accordingly, it has urged the French authorities, *inter alia*, to: recognise the principle that only accommodation in dedicated, single-sex and specialist structures can meet the requirements of the convention; and to increase the number and/or capacity of such facilities to meet the needs of all victims and ensure that women victims and their children in such facilities have access to adequate and appropriate living conditions, as well as support and empowerment services through multidisciplinary teams trained in the issue of violence against women. In its baseline evaluation report on the Netherlands, GREVIO has noted that the number of places available has increasingly dropped as a consequence of the new model for the allocation of resources for shelters that aims to match the distribution of shelter places with the demand. However, while some regions have been required to reduce their number of shelter places, those regions required to increase theirs did not, leading to an overall fall in the number of shelter places.

81. In GREVIO's baseline evaluation reports on Albania, Austria, Turkey, Portugal, Finland, France, Italy, Serbia, the Netherlands, Malta and Spain, barriers to accessing safe accommodation have been identified for victims belonging to vulnerable groups such as women with disabilities or older women. In its baseline evaluation reports on Austria, Albania, Turkey, Portugal, Finland, Malta and Spain, GREVIO has noted that women with mental health and substance abuse issues are not admitted to shelters because of a lack of expertise in the area among staff. Likewise, barriers to accessing shelters are experienced by women whose children include boys above a certain age, as noted in the GREVIO baseline evaluation reports of Austria, Belgium, Turkey and Portugal. Finally, GREVIO has observed the exclusion of migrant and asylum-seeking women from sheltered accommodation in its GREVIO baseline evaluation reports on Austria, Belgium, France, Serbia, Spain and, indirectly, in Malta. In some of these states parties, in fact, the ways in which shelters are funded *de facto* exclude the coverage of accommodation for this category of women.

82. Another trend that GREVIO has noted with concern in its baseline evaluation reports on Montenegro⁷⁰ and Malta⁷¹ is the imposition of mandatory referrals of victims to shelters by government bodies providing specialist support services. GREVIO has in fact noted that this might prevent some women from coming forward to seek help due to a possible lack of trust in the authorities. At the same time, mandatory

68. Ibid.

69. See GREVIO's baseline evaluation report on the Netherlands, paragraph 159, p. 36 and paragraph 165, p. 37.

70. See GREVIO's baseline evaluation report on Montenegro, paragraphs 40 and 43, p. 18.

71. See GREVIO's baseline evaluation report on Malta, paragraphs 37-38, p. 19.

referrals would stand in the way of self-referrals by victims themselves. GREVIO has accordingly strongly encouraged the authorities to remove mandatory referrals to domestic violence shelters, including by offering women victims of domestic violence the possibility to self-refer.

83. **With regard to telephone helplines**, under Article 24 of the Istanbul Convention states parties are required to set up state-wide telephone helplines, available 24 hours, seven days a week and free of charge, to ensure easy and confidential access to information and counselling by trained professionals on all forms of violence against women in all relevant languages.

84. While all states parties have set up a helpline that can, to various degrees, provide support and information to women victims of gender-based violence, many do not sufficiently comply with the requirements provided under Article 24 of the convention to be considered national helplines for victims of violence against women. In its baseline evaluation reports, GREVIO has noted that helplines need to be specifically aimed at women victims of violence against women and domestic violence and that the staff providing information and counselling need to be trained in this area. In its baseline evaluation reports on Turkey,⁷² Portugal,⁷³ the Netherlands⁷⁴ and Malta,⁷⁵ GREVIO noted that the states parties had made available various emergency and support helplines, but none of them were dedicated telephone helplines catered to the needs of women victims of violence, nor specialised in providing advice on the different forms of gender-related violence from qualified staff. Accordingly, GREVIO urged these four countries to set up a dedicated telephone helpline addressing women victims of different forms of violence within the scope of the Istanbul Convention and run by specialist staff trained in all these forms of violence.

85. In its baseline evaluation reports on Monaco, France and Belgium, GREVIO noted that while the states parties have dedicated helplines to address gender-based violence, they failed to provide round-the-clock services, seriously limiting victims' access to information and support. In Portugal and Andorra, while the national helplines are, in principle, accessible round the clock, after-office-working-hours callers are redirected to other emergency telephone services serviced by staff that are not sufficiently trained in violence against women.

86. GREVIO has also identified deficiencies in the scope of the national helplines in Monaco,⁷⁶ Albania,⁷⁷ Montenegro,⁷⁸ Finland,⁷⁹ Portugal,⁸⁰ Malta⁸¹ and Spain,⁸² where the existing helplines are limited to providing information and support solely to

72. See GREVIO's baseline evaluation report on Turkey, paragraph 181, p. 64.

73. See GREVIO's baseline evaluation report on Portugal, paragraph 141, p. 42.

74. See GREVIO's baseline evaluation report on the Netherlands, paragraph 166, p. 37.

75. See GREVIO's baseline evaluation report on Malta, paragraph 121, p. 39.

76. See GREVIO's baseline evaluation report on Monaco, paragraphs 82-85, pp. 24-25.

77. See GREVIO's baseline evaluation report on Albania, paragraph 107, p. 40.

78. See GREVIO's baseline evaluation report on Montenegro, paragraph 133, p. 36.

79. See GREVIO's baseline evaluation report on Finland, paragraph 119, p. 34.

80. See GREVIO's baseline evaluation report on Portugal, paragraph 140, p. 42.

81. See GREVIO's baseline evaluation report on Malta, paragraph 120, p. 39.

82. See GREVIO's baseline evaluation report on Spain, paragraph 166, p. 46.

victims of domestic violence. The national helpline set up recently in Albania⁸³ is designed to serve all victims of violence against women. However, in practice it is advertised as a domestic violence hotline. In Turkey,⁸⁴ the only nationwide specialist helpline devoted to domestic violence run by an NGO currently lacks the means to ensure 24/7 coverage. In Finland,⁸⁵ even though its national telephone helpline is in principle on all forms of violence against women and domestic violence, it appears to focus only on intimate partner violence and it is unclear to what extent it frames violence against women, including intimate partner violence, as gender-based violence. In Denmark,⁸⁶ a nationwide helpline provides information and support to victims of domestic violence, dating violence and honour-related violence, but does not cover rape and sexual violence, female genital mutilation, forced marriage and forced abortion and sterilisation. A specific helpline for victims of stalking exists, but is only available 16 hours per week.⁸⁷

87. In its baseline evaluation report on Serbia⁸⁸ and Malta, GREVIO has raised some concerns with regard to the practice of keeping records of the calls and the risks it poses in terms of ensuring due respect for the confidentiality and anonymity of all callers. In Malta, the victim's identity is disclosed to the police only where there is an imminent risk of harm. The data is kept as evidence in the event that the victim wishes to press charges and in order to identify patterns of abuse and risk factors. In Serbia, records of all calls are kept should they be requested upon the order of a court. GREVIO expressed concern in this respect and recalled the Istanbul Convention's requirement to ensure confidentiality or due regard for the anonymity of callers. It specified that this can be achieved in many ways and does not require a complete ban on the recording of any data of callers. It must, however, be ensured that the identity of callers is under no circumstances disclosed to helpline staff and that personal data, that is, any information relating to an identified or identifiable individual, is adequately protected against unauthorised access, alteration or dissemination.

88. **As regards support services for victims of sexual violence and rape**, under Article 25 of the Istanbul Convention, states parties are required to provide a set of holistic services to such victims, including immediate medical care and trauma support combined with forensic examinations and short and long-term psychological counselling and therapy to ensure the victim's recovery. Such services should be provided by trained and specialist staff in an appropriate manner to respond to the victims' needs, preferably within rape crisis or sexual violence referral centres established in sufficient number through the country to ensure their easy access. The recommendation is to set up one such centre per every 200 000 inhabitants.



83. See GREVIO's baseline evaluation report on Albania, paragraph 107, p. 40.

84. See GREVIO's baseline evaluation report on Turkey, paragraph 181, p. 64.

85. See GREVIO's baseline evaluation report on Finland, paragraph 120, pp. 34-35.

86. See GREVIO's baseline evaluation report on Denmark, paragraph 126, p. 35.

87. Ibid.

88. See GREVIO's baseline evaluation report on Serbia, paragraph 136, p. 35.

89. As has already been mentioned in this section, domestic violence is the form of violence that has been addressed the most in the different states parties that have been evaluated, to the detriment of other forms of violence, such as sexual violence. Except for Denmark, no other state party that has been evaluated by GREVIO complies with the standard of one rape crisis or sexual violence referral centre per 200 000 inhabitants. In Albania, Turkey and Montenegro, there are no rape crisis centres or sexual violence referral centres to address the needs of victims of sexual violence. In Austria, Portugal, Sweden, Finland, France, Italy, Serbia, Belgium, the Netherlands and Spain, there are rape crisis centres and/or sexual violence referral centres, but, in most cases, in insufficient numbers to ensure proper coverage and easy access by victims. GREVIO has consistently addressed the need to set up sufficient rape crisis centres or sexual violence referral centres for all these countries. While in Serbia the number of specialist services in the area of sexual violence has dramatically dropped due to insufficient funding, Finland has planned a roll-out of its sexual violence referral centre in Helsinki to other parts of the country.

90. Despite the absence and/or insufficient distribution of specialist support services in the area of sexual violence in most countries, nevertheless, medical care and forensic examinations are conducted in all states that have been evaluated, albeit with several limitations. In most of its baseline evaluation reports, including those on Monaco,⁸⁹ Turkey,⁹⁰ Montenegro,⁹¹ Italy,⁹² the Netherlands,⁹³ Serbia,⁹⁴ Malta⁹⁵ and Andorra,⁹⁶ however, insufficient training or lack of sensitivity of the professionals involved in providing medical care and conducting forensic examinations has been noted. Moreover, lack of standardised protocols and guidelines that set clear procedures in the provision of treatment and care to victims of sexual violence have been noted in the GREVIO baseline evaluation reports on the Netherlands,⁹⁷ Malta⁹⁸ and Spain.⁹⁹

91. Other limitations with regard to immediate medical care and forensic examinations have been identified in some countries. For example, in France, Malta and Spain the taking of forensic evidence is subject to the victim having filed a complaint. Evidence, thus, is not stored systematically for use in case the victims wish to report the crime at a later stage. In Belgium, in places other than the CPVS, not all victims have access, systematically and irrespective of whether they file a complaint, to a gynaecological examination that would make it possible to gather evidence of rape for the purposes of any future legal proceedings.¹⁰⁰ In the case of Serbia, outside of the Autonomous Province of Vojvodina where some specialist services that perform forensic examinations exist, victims rely on non-specialist examiners

89. See GREVIO's baseline evaluation report on Monaco, paragraph 87, p. 25.

90. See GREVIO's baseline evaluation report on Turkey, paragraph 186, p. 65.

91. See GREVIO's baseline evaluation report on Montenegro, paragraph 137, p. 37.

92. See GREVIO's baseline evaluation report on Italy, paragraph 158, p. 54.

93. See GREVIO's baseline evaluation report on the Netherlands, paragraph 174, p. 39.

94. See GREVIO's baseline evaluation report on Serbia, paragraph 143, p. 36.

95. See GREVIO's baseline evaluation report on Malta, paragraphs 130 and 131, p. 42.

96. See GREVIO's baseline evaluation report on Andorra, paragraph 128, p. 40.

97. See GREVIO's baseline evaluation report on the Netherlands, paragraph 170, p. 38.

98. See GREVIO's baseline evaluation report on Malta, paragraph 131, p. 42.

99. See GREVIO's baseline evaluation report on Spain, paragraph 175, p. 47.

100. See GREVIO's baseline evaluation report on Belgium, paragraph 131, p. 40.

for forensic evidence, and the certificates from forensic examiners are subject to a fee, adding a financial burden and an obstacle to women's access to justice.¹⁰¹ In the Netherlands, although the taking of forensic evidence is free of charge, medical health services are funded by insurance and therefore victims are usually required to pay a personal contribution. This represents a financial burden that not all women can afford and may therefore disincentivise women to seek support.¹⁰²

92. In its baseline evaluations on Sweden and Serbia, GREVIO noted that rape kits were made available within the few rape referral centres/specialist support services in place, and were likewise provided to general practitioners on duty in other hospital settings so that they are able to carry out the relevant forensic examinations. GREVIO stressed in this respect that professionals performing such examinations should be specialised, and that counselling and support services should be made available to compensate for the lack of specialist sexual violence referral centres.

93. Across the states parties that have been evaluated, GREVIO noted that long-term counselling was far less available than immediate medical and trauma care. GREVIO noted this specifically in its baseline evaluation report on Denmark,¹⁰³ highlighting the highly professional nature of the existing sexual violence referral centres, but noting the insufficient provision of long-term psychological counselling. Insufficient provision of long-term psychological counselling was also noted in Finland, Sweden, France and Serbia. Indeed, generally, more support services appear to be available to respond to recent episodes of sexual violence than past violence.¹⁰⁴ This runs counter to the nature and dynamics of this form of violence, in respect of which a great deal of stigma, shame and guilt are still associated and is one of the reasons why many victims do not immediately seek help but wait days, weeks, months and sometimes even years.

94. In its more recent baseline evaluation reports on Malta¹⁰⁵ and Andorra,¹⁰⁶ GREVIO has addressed victims' ability to access support services for victims of sexual violence, including when they wish to terminate their pregnancy. These reports noted that several European studies reveal that a significant proportion of women who decide to use emergency contraception or resort to an abortion, and all the more so in cases of successive abortions, have suffered sexual violence, often committed by a former or a current intimate partner.¹⁰⁷ Because in these countries recourse to abortion is penalised even in the event of rape, GREVIO noted that

101. See GREVIO's baseline evaluation report on Serbia, paragraph 142, p. 36.

102. See GREVIO's baseline evaluation report on the Netherlands, paragraph 170, p. 38.

103. See GREVIO's baseline evaluation report on Denmark, paragraph 125, p. 35.

104. See GREVIO's baseline evaluation report on Finland, paragraph 122, p. 35 and paragraph 126, p. 36.

105. See GREVIO's baseline evaluation report on Malta, paragraphs 127-130, pp. 41-42.

106. See GREVIO's baseline evaluation report on Andorra, paragraphs 124-128, pp. 39-40.

107. See, for example, Citernes A. et al. (2015), "IPV and repeat induced abortion in Italy: A cross sectional study", in *The European Journal of Contraception & Reproductive Health Care*, 20(5), 344-349; Öberg M. et al. (2014), "Prevalence of intimate partner violence among women seeking termination of pregnancy compared to women seeking contraceptive counseling", in *Acta Obstetrica et Gynecologica Scandinavica*, 93(1), 45-51; Pinton A. et al. (2017), "Existe-t-il un lien entre les violences conjugales et les interruptions volontaires de grossesses répétées?", in *Gynécologie, Obstétrique, Fertilité & Sénologie*, 45 (7-8), pp. 416-420; Lewis N. et al. (2018), "Use of emergency contraception among women with experience of domestic violence and abuse: a systematic review", in *BMC Women's Health*, 18 (156).

it is necessary to examine, within the limits of the scope of the convention, the impact of this context on the application of Article 25. Women victims of sexual violence, including in the context of domestic violence, face many risks relating to their sexual and reproductive health, such as sexually transmitted infections, unwanted pregnancies, stillbirths, obstetric complications and recourse to non-medical abortion practices. These harmful effects are amplified by attacks on the right to self-determination of these women when perpetrators control their ability to make autonomous choices on reproduction. Such control can have the effect of hampering their access to contraception and/or forcing them to carry an unwanted pregnancy to term or, conversely, requiring them to terminate a pregnancy. In these complex situations, women experience grave psychological suffering linked to sexual violence but also to coercion of their reproductive rights. GREVIO noted that because sexual violence has a direct impact on the sexual and reproductive health of victims, its consequences need to be addressed by support services so that victims' traumatisation can adequately be tended to and negative lifelong consequences can be prevented. GREVIO expressed concern about these obstacles to the self-determination of victims of rape, which affect all the more women with little financial and social autonomy. Taking into account that abortion very much remains a taboo in these countries, GREVIO also expressed its concern that fear of stigma and prosecution may discourage victims of sexual violence who wish to terminate their pregnancy from seeking the necessary support services, including psychological support. GREVIO therefore urged the authorities to take additional measures to guarantee all victims of sexual violence access to specialist support services for sexual violence, as well as longer-term psychological support, ensuring that the reproductive choices of women victims of rape do not constitute a barrier to their access.

b) Improvements and valuable practices

95. Building on the first general report on GREVIO's activities, this section aims to provide a non-exhaustive overview of the valuable practices and the improvements that have been described by GREVIO in its 17 baseline evaluation reports that have been published up to December 2020, in the area of specialised support services for women victims of violence.

96. **As regards funding for specialist support services**, in its baseline evaluation report on Italy, GREVIO noted that anti-violence centres and shelters use property seized from the mafia, using assets confiscated from organised crime, for the benefit of victims of violence. GREVIO observed that this represents a new way to fund specialist services run by NGOs and that GREVIO recognises the potential for its replication in other countries.¹⁰⁸ Moreover, in its baseline evaluation reports, GREVIO has observed that some states parties such as Albania have increased the funds allocated to support services/shelters assisting victims of violence against women and domestic violence.¹⁰⁹ Finally, in its baseline evaluation report on Finland, GREVIO observed that the authorities have significantly increased the

108. See GREVIO's baseline evaluation report on Italy, paragraph 150, p. 52.

109. See GREVIO's baseline evaluation report on Albania, paragraph 24, p. 18.

funding allocated to shelters to ensure higher levels of service provision, including in remote areas of the country. Furthermore, the legislation has been amended so that the funding of shelters is no longer dependent on municipalities' budgets – it is now made available by the central government, in advance, for a period of 12 months, irrespective of service use. GREVIO has noted that the new method of financing offers more funding stability by moving from per capita funding to a lump sum annual funding system.¹¹⁰

97. In a more general bid to improve institutional responses to and support for victims of intimate partner violence, the State Pact on Gender-based Violence adopted in Spain in 2019, reflecting political consensus across a wide range of stakeholders, sets out an array of measures accompanied by extensive funding to ensure its implementation across the regions.¹¹¹ While GREVIO identified several challenges in the implementation of this pact, its large-scale attempt at improving the level of service provision for victims of intimate partner violence across the country can serve as inspiration.

As regards shelters, further to the ratification of the Istanbul Convention by states parties, GREVIO has noted an increase in support structures for victims of violence against women and domestic violence, or the improvement of existing ones. By way of example, Portugal¹¹² has focused on providing extra support to specific vulnerable groups, by opening a new shelter for women victims of domestic violence that belong to the LGBTI community. Montenegro¹¹³ has addressed the existing shortage of shelters in the northern part of the country by funding an NGO-run and licensed domestic violence shelter in that area. GREVIO has further recorded a dramatic increase in shelters in Turkey¹¹⁴ for women victims of violence against women.



98. As regards support for victims of sexual violence, GREVIO remarked in its baseline evaluation report on Denmark that the authorities have developed a network of 10 highly specialised centres for victims of rape and sexual violence that provide assistance to women and girls over 15 years of age who have been victims of sexual violence, in the form of medical care and trauma support combined with forensic examinations. These allow victims to seek these services any time after the assault took place, including several years later. It further noted that the standard procedure for medical and forensic examination is carried out irrespective of whether the victim wants to report and that evidence is collected and stored for up to three months or longer if the victims request it, so that it can be used for future judicial proceedings, in compliance with the standards set by Article 25.

110. See GREVIO's baseline evaluation report on Finland, paragraphs 112-115, pp. 33-34.

111. See GREVIO's baseline evaluation report on Spain, paragraph 109, p. 35 and paragraph 139, p. 40.

112. See GREVIO's baseline evaluation report on Portugal, paragraph 133, p. 41.

113. See GREVIO's baseline evaluation report on Montenegro, paragraph 129, p. 35.

114. See GREVIO's baseline evaluation report on Turkey, paragraph 169, p. 61.

99. The GREVIO baseline evaluation report on Belgium indicates that three support centres for victims of sexual violence (CPVSs) have been set up in Belgium and there are plans to roll out CPVSs nationwide. They are based on a multidisciplinary collaborative model and holistic approach that offers immediate medical care, psychological support related to trauma they have suffered and a forensic examination to gather evidence for prosecution. After care, victims can, if they wish, file a complaint and be interviewed by a police officer.

100. The need for high-quality sexual violence referral centres is increasingly gaining recognition and support services have been established or increased in a number of countries, including in Portugal¹¹⁵ and Austria.¹¹⁶ Finland has set up a sexual violence referral centre in its capital and is launching a roll-out of the centre, accompanied by satellite support centres in each province, to fill the existing gap in service provision for victims of rape and sexual violence. In Turkey, GREVIO has commended the setting up of 31 Child Monitoring Centres (CMCs), which are hospital units specialising in assisting child victims of sexual abuse and/or forced marriage. The Turkish authorities are considering how to replicate the model of CMCs for the purpose of creating sexual violence referral centres or rape crisis centres for adult victims that match the requirements of Article 25 of the convention.

101. **As regards telephone helplines**, the Swedish national telephone helpline on violence against women (Kvinnofridslinjen) stands out for addressing all forms of violence against women, with well-trained and experienced social workers and nurses who refer callers to locally available specialist support services and where more than 50% of women in Sweden know of the existence of such a helpline. Also worthy of mention in terms of accessibility is the Spanish national helpline on intimate partner violence, which is available in 52 languages and is accessible for callers with disabilities through visual interpretation services, textphone and an online chat forum.

102. More generally, several countries such as Monaco, Albania, Montenegro, Finland and Serbia have set up national helplines in recent years, coinciding with the entry into force of the Istanbul Convention. Montenegro¹¹⁷ has introduced a single national helpline for women and children victims of domestic violence that is free of charge and available round the clock, albeit not addressed to all victims of violence against women. Albania,¹¹⁸ through an agreement between the government and a feminist NGO, also set up a women's helpline in 2016 devoted to violence against women, covering the entire territory and operating free of charge and 24/7. Finland¹¹⁹ introduced its Nollalinja helpline in 2016 in response to the entry into force of the convention and Monaco¹²⁰ has launched its anonymous, free-of-charge helpline for victims of domestic violence.

115. See GREVIO's baseline evaluation report on Portugal, paragraph 142, pp. 42-43.

116. See GREVIO's baseline evaluation report on Austria, paragraph 100, p. 100.

117. See GREVIO's baseline evaluation report on Montenegro, paragraph 132, p. 36.

118. See GREVIO's baseline evaluation report on Albania, paragraph 107, p. 40.

119. See GREVIO's baseline evaluation report on Finland, paragraph 118, p. 34.

120. See GREVIO's baseline evaluation report on Monaco, paragraph 82, p. 24.

Call for action

103. States parties to the Istanbul Convention have committed to setting up specialist support services for victims to protect them from further violence, so that they can regain control over their lives, seek justice and undo the harm of violence. GREVIO baseline evaluation reports published thus far show that while concrete steps have been taken by all states parties towards implementation of the convention, the road ahead is long and implementation is still patchy with too many victims left to fall between the cracks.

104. GREVIO, through its monitoring activity, has described at length and brought to light states parties' strengths and weaknesses in the area of support and protection of victims of violence against women. The Covid-19 pandemic has magnified those very shortcomings and made glaringly clear the need for state authorities to ensure that a robust network of specialist support services is in place and is provided with the financial and legal means to function both in "normal times" and during adverse events such as health pandemics. The first step is, therefore, to implement the Istanbul Convention with the aid of GREVIO's expertise and the relative findings that are tailored to each state party. The second step, as has been noted both in the statement of the EDVAW Platform of July 2020 and the "Declaration of the Committee of the Parties to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence on the implementation of the Convention during the Covid-19 pandemic", is for states parties to consider qualifying as "essential" specialist support services for victims of violence against women, including support services for child witnesses, and to guarantee their continuity even in times of crisis such as in the case of the Covid-19 pandemic. This means, *inter alia*, ensuring access to rape crisis centres and safe shelters and might entail taking additional measures to adjust the capacity of existing support structures to emerging needs, repurposing other spaces or creating new structures altogether. The Covid-19 pandemic has also shown the merit of developing novel online services to report violence, all the while ensuring that the digital divide does not jeopardise access to such services and the usefulness of designating safe spaces for women where they can report violence discreetly, and of providing access to fully resourced specialist support services that are trained and effectively enabled to provide victim-centred counselling in relation to all forms of violence against women.



Relation with the Committee of the Parties

105. The Committee of the Parties and GREVIO represent the two pillars of the monitoring system set up by the Istanbul Convention. In accordance with Article 68, paragraph 12, the Committee of the Parties may, on the basis of GREVIO's reports and conclusions, issue recommendations to states parties, thus ensuring the equal participation of all the states parties in the monitoring procedure of the convention, strengthening co-operation between the parties and between them and GREVIO to ensure the proper and effective implementation of the convention.

106. Under Rule 26 of GREVIO's internal rules of procedure, the President of GREVIO may periodically meet with the Committee of the Parties to inform it about its work, as well as any other issue relating to the good functioning of the monitoring mechanism of the convention. Under this same provision, GREVIO may decide to invite the Chair of the Committee of the Parties for exchanges of views.

107. During the period covered by this report, an exchange of views was organised between GREVIO President Marceline Naudi and the Committee of the Parties during the committee's 8th meeting on 30 January 2020. On this occasion, Ms Naudi gave the state representatives an overview of the trends and challenges in implementing the Istanbul Convention as they emerged from GREVIO's monitoring work – and as laid out in its first general activity report. The close relationship between these two bodies built over the course of the previous years was maintained under the committee's newly elected President Nina Nordström, Ambassador Extraordinary and Plenipotentiary and Permanent Representative of Finland to the Council of Europe.

108. In accordance with Article 66, paragraphs 11 and 12, of the Istanbul Convention, a total of nine GREVIO baseline evaluation reports were transmitted to the Committee of the Parties, which it considered at its 8th and 9th meetings. These concerned Andorra, Belgium, Finland, France, Italy, Malta, Serbia, Spain and the Netherlands.

As per the committee's standard approach, it recommended that the respective governments take immediate action in respect of certain findings made by GREVIO in its baseline evaluation report. It further recommended to report to the Committee of the Parties on the measures taken to improve the implementation of the convention in those areas and to take measures to implement the further conclusions of GREVIO's baseline evaluation report.

109. During the adoption of its recommendations to states parties, many delegations took the floor to express gratitude to GREVIO for its constructive approach to and helpful insights offered during the monitoring process.

110. Following the alarming increase in the number of recorded cases of violence against women and/or domestic violence provoked by the pandemic worldwide and in numerous Council of Europe member states, the Committee of the Parties issued, on 20 April 2020, a Declaration on the Implementation of the Convention during the Covid-19 Pandemic.¹²¹ This declaration expresses the will and determination of the states parties to stand by the standards of the Istanbul Convention as a source of guidance for governmental action during the current Covid-19 pandemic. It offers possible measures to take during the pandemic under select provisions of the Istanbul Convention – a step that GREVIO's expertise had been sought on as stated in the declaration itself.

111. In the same month, and as another measure in the wake of the increase in violence against women, the Committee of the Parties to the Istanbul Convention, together with the Gender Equality Commission (GEC), launched a call for information on measures taken at national level to promote and protect women's rights during the pandemic, which GREVIO noted with interest. Following this joint call for information, an information page on initiatives, practices, statements and guidelines on women's rights and the Covid-19 pandemic was set up, providing a wealth of information on action taken by member states of the Council of Europe, as well as by its bodies and committees, and by international organisations and NGOs on national measures taken to prevent and combat domestic, sexual and gender-based violence, and to mitigate the impact of the current crisis on equality between women and men.¹²²

121. See Declaration of the Committee of the Parties to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) on the implementation of the Convention during the Covid-19 pandemic, at <https://rm.coe.int/declaration-committee-of-the-parties-to-ic-covid-/16809e33c6>.

122. See www.coe.int/en/web/genderequality/women-s-rights-and-covid-19.

Co-operation with other Council of Europe bodies and institutions

Committee of Ministers

112. GREVIO has continued to co-operate closely with other Council of Europe bodies such as the Committee of Ministers. By way of example, an informal debate on cyberviolence against women was held on 12 December 2019 with the participation of the GREVIO's First Vice-President Iris Luarasi, who explained the relevance of the Istanbul Convention in addressing this form of violence. She also showcased examples of how GREVIO covered the issue of online violence against women in some of its reports.

113. Initiatives organised within the framework of the Presidencies of the Committee of Ministers again allowed GREVIO to promote the standards of the Istanbul Convention – in the context of the Covid-19 pandemic and beyond. On 24 and 25 September 2019, in Strasbourg, GREVIO was represented at the conference “The police, a key player in the fight against domestic violence”, featuring high-ranking representatives of Ministers of Internal Affairs and co-organised within the framework of the French Presidency of the Committee of Ministers. GREVIO member Ivo Holc acted as the moderator of the first session of the conference dedicated to an exchange of experiences and best practices from member states. GREVIO member Sabine Kräuter-Stockton participated in the second session of the conference where she highlighted the relevance of the standards of the Istanbul Convention for the purposes of improving law-enforcement agencies' response to domestic violence. And GREVIO member Françoise Brié illustrated the experience of the French National Federation of women's NGOs Solidarité Femmes (FNSF), of which she is Director.

114. With the onset of the Covid-19 pandemic and the desire to learn lessons from the collective restrictions on movement imposed in Europe and their impact on women's experiences of gender-based violence, GREVIO President Marceline Naudi took part in a virtual meeting organised in the framework of the Greek Presidency of the Committee of Ministers, on 17 June 2020, entitled “Effectively responding to a sanitary crisis in full respect for human rights and the principles of democracy and the rule of law”. This meeting, intended as a dialogue and process leading up to the Ministerial Session held in Athens on 4 November 2020, enabled Marceline Naudi to share lessons learned and pointers on how important legal standards of the Council of Europe such as the Istanbul Convention are helpful in ensuring women's right to live free from violence before, during and after the pandemic.

115. As mentioned also in the section below on co-operation with the European Court of Human Rights, an example of cross-fertilisation between GREVIO, the Court and the Committee of Ministers' activities is the decision taken in October 2020 by

the Committee of Ministers to maintain open the supervision of the execution of the Court's judgment *Talpis v. Italy* (application No. 41237/14). This case concerned the ineffective and delayed response of the authorities to the applicant's complaints concerning domestic violence inflicted by her husband. With this decision the Committee of Ministers requested the Italian authorities to provide information no later than 31 March 2021 on issues that have also been identified as particularly problematic in the GREVIO baseline evaluation report on Italy published in January 2020, such as the collection of statistical data on the practical application of protection orders and on the systematic and comprehensive training on violence against women provided to law-enforcement agents and the judiciary.

Parliamentary Assembly

116. Co-operation has also been ensured with the Parliamentary Assembly of the Council of Europe (PACE) through a series of initiatives. For instance, GREVIO gave its input to the Parliamentary Assembly's work on Recommendation 2159 (2019) "Ending violence against children: a Council of Europe contribution to the Sustainable Development Goals" by issuing an opinion (adopted by written procedure on 13 September 2019) on this recommendation. In this opinion, GREVIO underlined the important contribution of the innovative provisions of the Istanbul Convention to the need to protect child witnesses of violence against women and domestic violence, and to the pursuit of target 16.2 of the Sustainable Development Goals (SDGs) to end abuse, exploitation, trafficking and all forms of violence and torture against children. In its opinion, GREVIO further underlined the need for Council of Europe bodies' and member states' endeavours in the field of children's rights to include a gender-sensitive approach to violence in order to effectively prevent and combat such violence. On the other hand, the Parliamentary Assembly's contribution to GREVIO's work has equally been significant. By way of example, an extremely useful tool published by the Parliamentary Assembly is the new handbook for parliamentarians on the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), published in November 2019. The handbook aims to strengthen parliamentary knowledge about the convention and to support parliamentarians across Europe to play an active role in promoting its signature, ratification and implementation. It also presents concrete measures, good practices and tools to act on violence against women as well as useful references and indicators to measure progress made.

117. A vital parliamentary forum for the Council of Europe's work to end gender-based violence is the Parliamentary Network Women Free from Violence of the Parliamentary Assembly, which brings together parliamentarians from the national delegations to the Parliamentary Assembly of the Council of Europe. On 4 November 2019, in Vilnius, the President of GREVIO took part in the regional parliamentary seminar organised by this network on the topic of sexism and violence against women. On this occasion, the President of GREVIO took part in an exchange of views with members of parliament and government representatives from the Council of Europe member states to discuss how best to tackle sexism and violence against women based on the standards of the Istanbul Convention and GREVIO expertise.

118. Finally, every day during the 16 Days of Activism, the Parliamentary Network Women Free from Violence put out a statement from high-level parliamentarians and others showing their support for the Istanbul Convention. The GREVIO President joined this endeavour through a statement, in which she called for the need to retain women at the centre of all measures taken by governments in the area of prevention, protection and prosecution of violence against women, as well as the related integrated policies,.

Gender Equality Commission

119. In light of the central focus on gender equality in their respective mandates, natural synergies were established between GREVIO and the Gender Equality Commission (GEC). The Council of Europe Gender Equality Strategy, which was adopted for the period 2018-2023,¹²³ sets out “preventing and combating violence against women and domestic violence” as one of its main objectives, including the promotion of the ratification and implementation of the Istanbul Convention within and beyond Europe. Four of its other objectives are directly interwoven with the elimination of violence against women, namely: preventing and combating gender stereotypes and sexism (objective 1); ensuring the equal access of women to justice (objective 3); protecting the rights of migrant, refugee and asylum-seeking women and girls (objective 5); and achieving gender mainstreaming in all policies and measures (objective 6). As such, the strategy represents a strong framework for co-operation between the two bodies.

120. With a view to implementing the objective to prevent and combat gender stereotypes and sexism, in March 2019, the Committee of Ministers adopted Recommendation CM/Rec(2019)1 on preventing and combating sexism, drafted by the GEC. The recommendation contains the first ever internationally agreed definition of sexism, covering any act, gesture, visual representation, spoken or written words, practice or behaviour based upon the idea that a person or a group of persons is inferior because of their sex. It points out that sexist behaviour affects women and girls disproportionately, leading to discrimination and preventing their full advancement in society. The recommendation also highlights the link between sexism and violence against women, since acts of “everyday” sexism are part of a continuum of violence creating a climate of intimidation, fear, discrimination, exclusion and insecurity that limits opportunities and freedom, affecting women first and foremost. This recommendation represents a great tool for states parties seeking detailed guidance on how to implement Article 12 of the Istanbul Convention (on General obligations in the area of prevention) and is consistently referred to in GREVIO baseline evaluation reports.

121. The GREVIO President continued the practice of engaging in regular exchanges of views with the GEC. Notably, on 13 November 2019, she informed the GEC, *inter alia*, about GREVIO’s ongoing monitoring work, the improvements and valuable practices identified, and the emerging trends and challenges – including the recent

123. The Council of Europe Gender Equality Strategy 2018-2023, adopted by the Committee of Ministers of the Council of Europe, March 2018.

backlash against the convention, as outlined by the first general report on GREVIO's activities. Moreover, she exchanged with the GEC on 21 October 2020 and reported on GREVIO's successful continuation of its monitoring work despite the Covid-19 pandemic, with three evaluations having been carried out in 2020, bringing the total number of published GREVIO baseline evaluation reports to 17 by December 2020. She also reported on the work carried out by GREVIO's working group on a General Recommendation on the Digital Dimension of Violence against Women.

122. Constructive dialogue and co-operation has also been ensured through the Secretariats of GREVIO and the GEC in a number of areas, including in connection with the work undertaken by the Drafting Committee on Migrant Women (GEC-MIG), set up in January 2020 as a subordinate body to the GEC. In line with objective five of the Gender Equality Strategy that relates to protecting the rights of migrant, refugee and asylum-seeking women and girls and in accordance with the Council of Europe Action Plan on protecting vulnerable persons in the context of migration and asylum in Europe (2021-2025), its mandate includes the drafting of a recommendation on migrant and refugee women, on the basis of Recommendation Rec(79)10 concerning women migrants and on the basis of an analysis of needs and gaps that need to be addressed. The GREVIO Secretariat participated in meetings held by the GEC-MIG and provided input to the drafting process.

European Court of Human Rights

123. A growing corpus of the Court's case law now refers to GREVIO baseline evaluation reports and the Istanbul Convention in cases that relate to domestic violence and sexual violence. The Istanbul Convention is in fact increasingly used by the Court as a tool to interpret the European Convention on Human Rights ("the Convention") when issuing judgments related to states' legal obligations to prevent and prosecute violence against women with respect to Article 2 (the right to life), Article 3 (the prohibition of torture and inhuman or degrading treatment), Article 8 (the right to respect for private and family life) and Article 14 (the prohibition of discrimination) of the Convention.

124. Since 2019, examples include the cases of *Buturugă v. Romania*, (No. 56867/15), *Kurt v. Austria* (No. 62903/15), *Mraović v. Croatia* (No. 30373/13), *Levchuk v. Ukraine* (No. 17496/19), *Tërshana v. Albania* (No. 48756/14), *Association Innocence en Danger et Association Enfance et Partage v. France* (No. 15343/15 16806/15), *Z v. Bulgaria* (No. 39257/17), and *E.B. v. Romania* (No. 49089/10). By way of example, the case *Buturugă v. Romania* concerned allegations of domestic violence and of violation of the confidentiality of electronic correspondence by the former husband of the applicant, who complained of shortcomings in the system for protecting victims of this type of violence. The Court found a violation of Article 3 and Article 8 on account of the state's failure to fulfil its positive obligations under those provisions. Notably, the Court found that the national authorities had not addressed the criminal investigation's failure to raise the specific issue of domestic violence, recalling the definitions provided under Article 3, 33 and 34 of the Istanbul Convention. The investigation had been ineffective, and no consideration had been given to the merits of the complaint regarding violation of the confidentiality of correspondence,

which was closely linked to the complaint of violence. On that occasion, and in line with the approach taken by the Istanbul Convention, the Court pointed out that cyberbullying is also a form of violence against women and girls, and that it can encompass online breaches of privacy, intrusion into the victim's computer and the capture, sharing and manipulation of data and images. The case *Tërshana v. Albania* concerned an acid attack on the applicant, who suspected that her former husband, whom she accused of domestic violence, was behind the attack. Referring also to the GREVIO baseline evaluation report on Albania, including where it highlighted the high prevalence rate of domestic violence, the Court found a violation of the procedural limb of Article 2 (on investigations) for the failure of the authorities to react with special diligence in conducting a thorough investigation, having regard to the general situation of women in Albania.

125. Building on the productive exchange held in 2017 and with a view to further reinforcing its co-operation with the Court, GREVIO held a second exchange of views with a delegation of judges, led by its President at the time, judge Linos-Alexandre Sicilianos, at its 18th meeting. The growing volume of case law touching on different forms of violence against women offered ample opportunity for an in-depth exchange. The discussion highlighted the complementarity of the two conventions, the Istanbul Convention being *lex specialis*, and demonstrated the relevance of GREVIO's interpretation of the Istanbul Convention, in its reports and conclusions, to the evolution of the Court's jurisprudence.

126. The conference "Women's Human Rights in the Twenty-First Century: Developments and Challenges under International and European Law", organised by the Court on 14 February 2020, represented an additional opportunity for GREVIO and the Court to strengthen their synergies. The conference aimed to discuss the state of women's human rights and the challenges to achieving gender equality in the 21st century by looking at developments in the field of gender equality under international and European law and before regional courts, such as the European Court of Human Rights. GREVIO member Maria-Andriani Kostopoulou highlighted the synergies between the Istanbul Convention and the European Convention on Human Rights by addressing the relevant case law of the Court.

127. A further example of accrued synergies between the work of GREVIO and the Court's judgments and the process of supervising their execution is the decision taken in October 2020 by the Committee of Ministers to maintain open the supervision of the execution of the judgment *Talpis v. Italy* (No. 41237/14), which is addressed under the section of this report on co-operation with the Committee of Ministers.

Co-operation with the Steering Committee for the Rights of the Child

128. GREVIO has nurtured effective working relations with the Steering Committee for the Rights of the Child (CDENF), in particular its subordinate Committee of experts on the rights and the best interests of the child in parental separation and in care proceedings (CJ/ENF-ISE).

129. During the period under review, GREVIO submitted written contributions to the first meeting of the CJ/ENF-ISE, which launched a legal review process on protecting the best interests of the child in the context of parental separation and in care proceedings. GREVIO's submission highlighted the need to take into account the incidents of intimate partner violence witnessed by the child, in addition to direct violence towards the child, for the purposes of determining custody and visitation rights. The convention is clear in stating with respect to domestic violence that where children are concerned, they do not need to be directly affected by the violence to be considered victims and that witnessing domestic violence is also traumatising and therefore sufficient to victimise them. On the basis of this legal review the CJ/ENF-ISE will develop guidelines or other policy instruments or practical tools to give guidance to member states and other stakeholders in this area.

130. On 24 and 25 September 2020 and 14 and 18 September 2020 GREVIO Second Vice-President Simona Lanzoni participated in the first and second meetings of the CJ/ENF-ISE.



Co-operation with civil society and national institutions for the protection of human rights

Role of NGOs and civil society, including national human rights institutions

131. Civil society has long played an important role in preventing and combating violence against women, initiating progress in this area and shaping political and public awareness. Vital services for women victims of violence are provided by the non-governmental sector, and many organisations have built up expertise and knowledge over several decades. The Istanbul Convention duly recognises the importance of involving NGOs in all efforts to end violence against women at national level. It also sets out the opportunity for NGOs and national human rights institutions to contribute to the monitoring work of GREVIO, which a growing number of them are doing, as indicated in GREVIO's first general report.

132. GREVIO has continued its active co-operation with NGOs and civil society bodies at national, European and international level. In line with Rule 35 of its Rules of Procedures, which recognises NGOs and other members of civil society as vital

sources of information, and in keeping with its proactive approach, at the beginning of each evaluation procedure GREVIO reaches out to relevant NGO and civil society entities in order to encourage their contribution – in the form of a written submission or participation in meetings held during the evaluation visit. GREVIO pays particular attention to the need to involve organisations that address the different forms of violence against women and/or the situation of particular groups of women victims (such as migrant women, women with disabilities, national minority women, etc). In relation to the situation of asylum-seeking and refugee women, GREVIO actively enters into an exchange with NGOs and lawyers that work for the rights of asylum seekers and refugees and that often have programmes or outreach activities for women fleeing for reasons of gender-based persecution.

133. During the period under review, international and national NGOs continued to provide valuable submissions to GREVIO in the context of the preparation of country evaluation visits and reports. In relation to the recently concluded evaluation procedures in respect of Andorra and Malta, as well as the ongoing evaluations of Poland, San Marino and Slovenia, GREVIO received a total of eight submissions from civil society. National human rights and ombuds institutions are increasingly making use of this form of engagement with the process, and GREVIO has seen a slow but steady increase in the number of submissions made by these institutions. Based on their work at national level, often in the framework of non-discrimination, they provide important insights into the structural dimension of violence against women. In addition, GREVIO increasingly draws from observations shared by other civil society actors, such as journalists' associations, bar associations, research institutes and academics.

134. Upon the publication of GREVIO's evaluation reports, NGOs and civil society more widely, including national human rights institutions and ombuds institutions, can also play an important role in promoting GREVIO's baseline evaluation reports and the implementation of its suggestions and proposals. Such action has taken place at national level in the past, and GREVIO encourages NGOs and civil society to continue to do so. Follow-up action to GREVIO's reports is required by the Committee of the Parties, the second pillar of the monitoring mechanism, which provides an important opportunity for civil society to continue their advocacy around and support for the implementation of the Istanbul Convention.

135. As regards interaction with NGOs and civil society in contexts other than evaluation visits, GREVIO members and the Secretariat participated in numerous events organised by civil society organisations, including on topics such as violence against women perpetrated against women with disabilities and migrant and asylum-seeking women.

Findings of GREVIO on state recognition of and support for NGOs and civil society

136. In its baseline evaluation reports, GREVIO has emphasised the need to adopt an inclusive approach and develop formal and systematic consultation between governmental and non-governmental bodies involved in the area of violence against women. Despite the general recognition of the role of NGOs and civil

society, GREVIO has identified shortcomings in relation to systematically involving them in the design and co-ordination of policies as equal partners. GREVIO baseline evaluation reports published in the period under review, such as those of Andorra¹²⁴ and Italy,¹²⁵ indicate that there is no stable institutional framework to enable NGOs to be involved effectively in the design and implementation of laws and public policies on combating violence against women. Similarly, the GREVIO baseline evaluation reports on Malta¹²⁶ and Serbia¹²⁷ find that there is limited consultation with NGOs in developing measures and policies in the area of violence against women. In other countries, such as Belgium¹²⁸ and Finland,¹²⁹ GREVIO notes that despite a longstanding tradition of consulting civil society in policy formulation, they are not afforded a formal role in the implementation of such policies.

137. Another area of concern is the lack of effective co-operation mechanisms with women's NGOs in the implementation of policy, and particularly multisectoral collaboration in the delivery of specialist support services. For example, in Serbia,¹³⁰ none of the policy documents adopted in recent years envisage co-operation between state actors and specialist services, which leads to non-adequate geographical coverage of such services and increasing isolation of women's NGOs in their day-to-day work. The GREVIO baseline evaluation reports on France¹³¹ and Spain¹³² identify a decline in co-operation and dialogue with specialist organisations as well as in their involvement in political processes, sometimes favouring collaboration with "generalist" organisations. Lack of sufficient state funding for organisations delivering specialist support has also been noted in GREVIO reports, limiting the ability of NGOs to engage in assisting victims. More recently, GREVIO has also noted a lack of transparent and accountable procedures under which specialist NGOs can access sustainable and long-term funding, for instance in Malta.¹³³ GREVIO has also observed in countries such as Spain that tendering procedures in which women's NGOs compete with profit-oriented organisations have resulted in public contracts being attributed to private companies not specialised in support services for victims of violence, a situation that undermines their specific expertise and sustainability.¹³⁴

124. See GREVIO's baseline evaluation report on Andorra, paragraph 41, p. 20.

125. See GREVIO's baseline evaluation report on Italy, paragraph 56, p. 25.

126. See GREVIO's baseline evaluation report on Malta, paragraph 34, p. 18.

127. See GREVIO's baseline evaluation report on Serbia, paragraph 37, p. 16.

128. See GREVIO's baseline evaluation report on Belgium, paragraph 38, p. 20.

129. See GREVIO's baseline evaluation report on Finland, paragraph 30, p. 15.

130. See GREVIO's baseline evaluation report on Serbia, paragraph 34, p. 16.

131. See GREVIO's baseline evaluation report on France, paragraph 52, p. 23.

132. See GREVIO's baseline evaluation report on Spain, paragraph 47, p. 22.

133. See GREVIO's baseline evaluation report on Malta, paragraph 35, p. 19.

134. See GREVIO's baseline evaluation report on Spain, paragraph 44, p. 21.

Co-operation with international organisations

138. Since its inception, GREVIO has engaged in co-operation with international organisations, intergovernmental structures and international and regional monitoring bodies that operate in the area of violence against women. GREVIO considers it essential to further explore synergies and co-operation with these entities in the context of its monitoring work and beyond, and to strengthen respect for international and regional standards in the area of women's rights – jointly and through the respective mandates – in the framework of the Platform of Independent Expert Mechanisms on Discrimination and Violence against Women (EDVAW Platform).

139. The GREVIO President and other members as well as the GREVIO Secretariat have attended events and meetings organised by various intergovernmental and regional organisations to present and engage in discussions around the convention and GREVIO's monitoring work. Moreover, in preparation of evaluation visits and during the course of the evaluation, GREVIO regularly exchanges information with a number of international bodies such as the UNHCR, UNICEF, UN Women, UNDP and UNFPA, as appropriate.

United Nations

140. GREVIO has engaged in activities with UN Women, the Committee on the Elimination of Discrimination against Women (CEDAW Committee), the United Nations Commission on the Status of Women and United Nations special mandates, such as the Special Rapporteur on Violence against Women, its causes and consequences, and the UN Special Rapporteur on the Sale of Children and other treaty bodies. The CEDAW Committee, in the exercise of its mandate, systematically calls on member states of the Council of Europe to ratify the Istanbul Convention. Moreover, other UN treaty bodies also refer to the Istanbul Convention in their documents, such as the UN Committee Against Torture in its concluding observations on its seventh periodic report of Poland.¹³⁵ In turn, and as appropriate, GREVIO reports take into account and refer to the conclusions reached not only by the CEDAW Committee but also the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities.

141. In preparation of her final report to the UN Human Rights Council in June 2021, dedicated to the criminalisation of rape, the Special Rapporteur on Violence against Women, its causes and consequences convened an Expert Group Meeting on 27 May 2020 in order to explore the international human rights framework on rape, international standards regarding its definition and prosecution, and the challenges and gaps in criminal legislation, including its implementation. In sharing GREVIO's findings regarding the implementation of Article 36 of the Istanbul Convention,

135. CAT/C/POL/CO/7, adopted on 29 August 2019.

which calls for the criminalisation of all non-consensual sexual acts by moving away from force-based definitions of rape and sexual violence, GREVIO President Marceline Naudi showed that some progress had been made but many challenges, both in the conceptualisation of rape and in service provision for victims, remained.

142. Moreover, in September 2019, GREVIO responded to the call for input that the UN Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material, had made with a view to finalising her thematic report to the 43rd session of the Human Rights Council. The contribution's aim was to illustrate how the standards of the Istanbul Convention and the jurisprudence of the monitoring work of GREVIO can serve to reinforce states' overarching legal-normative framework and institutional capacity to address the vulnerability of girl victims of forced marriage to sale and sexual exploitation.

143. Throughout 2019 and 2020, GREVIO also played an active role in the framework of the wider co-operation between the Council of Europe and the United Nations in the context of violence against women, for example in the context of the EU/UN Women Regional programme "Ending Violence Against Women in Western Balkans and Turkey: Implementing Norms, Changing Minds". Events organised in this context regularly offer GREVIO's perspective, through the participation of several members. This has included, for instance, participation in a conference held in Belgrade on 19 September 2019, with a focus on Roma women, at which GREVIO member Aleid Van den Brink presented GREVIO findings on this specific topic.

144. In the autumn of 2020, a series of webinars, organised in the framework of the same programme under the title of "A thousand ways to solve our problems: Preventing and responding to violence against women from an intersectional perspective in the Western Balkans and Turkey", allowed GREVIO members Aşkın Asan and Biljana Branković to highlight the standards of the Istanbul Convention and GREVIO's findings in relation to women in rural areas and women with disabilities respectively. Highlighting the specific difficulties of both women in rural areas and women with disabilities in accessing specialist support services, and their frequent limited access to information about available resources, both GREVIO members shared GREVIO's perspective on the need to step up efforts in the provision of services and in integrating the perspective of different groups of women, including women with disabilities, into the design, implementation, monitoring and evaluation of comprehensive and co-ordinated policies for preventing and combating violence against women.

145. In addition, the Council of Europe participated in the regional review of the **Beijing Platform for Action** on 29 and 30 October 2019 in Geneva. In this context, Marceline Naudi, the President of GREVIO, presented the Council of Europe's contribution to ending violence against women, and Charles Ramsden, Chair of the Gender Equality Commission (GEC), presented the Council of Europe's global contribution to the implementation of the Beijing Platform for Action and the 2030 Agenda. The Council of Europe also co-organised two side events in the margins of the review meeting, one entitled "The Istanbul Convention in practice: Holistic care for victims of sexual violence", co-organised with the Permanent Representation of

Belgium to the United Nations in Geneva, and another entitled “Ending Violence against Women and Girls: Prevalence, Proposals and Partnerships”, co-organised with the International Council of Women and co-sponsored by the French Presidency of the Committee of Ministers of the Council of Europe, the Permanent Mission of Canada to the UN in Geneva, the UN Women Regional Office for Europe and Central Asia and NGO/CSW Geneva. A booklet setting out the contribution of all United Nations and regional mechanisms on violence against women, including GREVIO, to the implementation of the Beijing Platform for Action was published in August 2019.

Platform of Independent Expert Mechanisms on Discrimination and Violence against Women (EDVAW Platform)

146. The Platform of Independent Expert Mechanisms on Discrimination and Violence against Women (EDVAW Platform) gathers together seven United Nations and regional independent expert mechanisms on violence against women and women's rights operating at the international and regional levels, including GREVIO. This platform aims to strengthen institutional links and thematic co-operation between the mechanisms with a view to working towards harmonised strategies and undertaking joint action. By enhancing collaboration, its goal is to improve the implementation of the existing international legal and policy frameworks on violence against women and their discrimination. It was launched at the initiative of the United Nations Special Rapporteur on violence against women, its causes and consequences, Ms Dubravka Šimonović, in March 2018. GREVIO is represented by its President, who takes part in regular meetings of the EDVAW Platform as well as in panels of the platform organised in the framework of international or regional meetings. Efforts have been made to further institutionalise the EDVAW Platform with a view to ensuring regular meetings and exchanges, including as part of a standard panel in all sessions of the Commission on the Status of Women (CSW). To ensure more visibility of the EDVAW Platform and GREVIO's role therein, a dedicated section on the Istanbul Convention website was launched in 2020.¹³⁶

147. During the reporting period, the EDVAW Platform regularly met and exchanged on the activities of each expert mechanism. On 3 February 2020, a meeting was held in Addis Ababa, Ethiopia, resulting in the adoption of a joint statement, outlining how “elimination of discrimination and violence against women and girls, including its root causes, must be integrated in[to] all efforts to silence the guns before, during and after conflict”. This statement stresses that sexual violence and violence against women during conflict cannot be understood in isolation from gender-based discrimination that women experience in times of peace as they are connected to and derive from the more general patterns of gender inequality and violence against women. It further highlights that a gendered approach to conflict prevention and resolution must include measures to silence the guns by controlling and regulating the arms trade and circulation, including that of small arms, which can be used for committing gender-based violence.

¹³⁶. Platform of Independent Expert Mechanisms on Discrimination and Violence against Women – EDVAW Platform (coe.int).

148. Two additional meetings were held on 14 May and on 21 October 2020 respectively, with the remote participation of all members because of the Covid-19 pandemic. Both meetings were devoted to an exchange of information regarding action taken by the respective mandates since the onset of the Covid-19 pandemic.

149. On 25 November 2019, on the occasion of the International Day on the Elimination of Violence against Women, GREVIO, together with the EDVAW Platform, released a joint call to act against rape and to ensure that the absence of consent is central to the definition of rape. The declaration notes the persistence of widespread and systematic rape and other forms of sexual violence against women and girls, even in states that have proclaimed zero tolerance on violence against women. Moreover, it notes that criminal justice systems that adopt force-based definitions of rape often require evidence that the perpetrator used coercion and that the victim failed to fight back. As such, the burden is placed on the woman to prove that she resisted. If unable to do so, the perpetrator would walk free while the victim is left stigmatised.

European Union (EU)

150. Since the EU's signature of the Istanbul Convention in 2017, collaboration between the Council of Europe and the European Commission and EU agencies such as EIGE, EUROSTAT and the Fundamental Rights Agency have intensified. During the reporting period and under several subsequent EU Presidencies, the GREVIO Secretariat has maintained regular contact with these entities and GREVIO members have participated in various events and activities, in particular in the context of addressing violence against women against the backdrop of the Covid-19 pandemic. In November 2020, the GREVIO President addressed a virtual audience during EIGE's conference entitled "Violence against women and Covid-19: How do we tackle two pandemics at once?", while GREVIO member Sabine Kräuter-Stockton participated in an event organised by the German Presidency of the EU shortly thereafter, entitled "Women in focus: Coronavirus and gender equality in Europe".

151. Moreover, the Gender Equality Strategy issued by the European Commission in March 2020, setting out its policy objectives and key actions for the 2020-2025 period, refers to the importance of EU accession to the Istanbul Convention and calls on the EU Council to conclude this step, and on all EU member states to ratify and implement the convention. In support thereof, the European Parliament passed, in November 2019, a resolution on the EU's accession to the Istanbul Convention and other measures to combat gender-based violence.¹³⁷ Moreover, the EU Gender Action Plan III, adopted in November 2020, restates EU accession to the Istanbul Convention as a key priority, emphasising that EU action should contribute to increasing protection for all women victims of gender-based violence.¹³⁸

137. European Parliament resolution 2019/2855(RSP) of 28 November 2019 on the EU's accession to the Istanbul Convention and other measures to combat gender-based violence.

138. Together towards a gender-equal world, EU Gender Action Plan III, An ambitious agenda for gender equality and women's empowerment in EU external action, SWD(2020) 284 final, p.11.

Organisation for Economic Co-operation and Development (OECD)

152. The OECD and the Council of Europe have a long history of co-operation, which dates back to 1962 when the two organisations signed an arrangement setting out the general principles of their co-operation. Since then, the co-operation has been carried out at several levels. In the period under review, the OECD High-Level Conference on Ending Violence Against Women, entitled “Taking public action to end violence at home” and held on 5 and 6 February 2020, took place with the participation of GREVIO member Sabine Kräuter-Stockton and the GREVIO Secretariat. The conference called on OECD member states to prevent, address and eradicate violence against women on the basis of a whole-of-government response. This approach mirrors the holistic response that the Istanbul Convention is based upon, requiring government action in the areas of prevention, protection of victims and prosecution of perpetrators.

Organization of American States (OAS)

153. In view of the importance of building bridges with the Follow-up Mechanism (MESECVI) to the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Belém do Pará Convention), GREVIO took part in an online conference organised by the Inter-American Court of Human Rights on 20 May 2020 aimed at highlighting the structural nature of violence against women and girls and the extent to which it is exacerbated in the context of the crisis generated by the Covid-19 pandemic. Representatives of the Inter-American Commission of Women, the Follow-up Mechanism to the Belém do Pará Convention and the President of GREVIO provided reflections on the pandemic and its impact on women’s rights and their protection from gender-based violence. In offering insights into the situation in Europe, Marceline Naudi highlighted that although in many cases reliable data had not been collected by state authorities, thereby impeding the identification of prevalence rates following the onset of the pandemic, there is evidence of a significant increase in cases of domestic violence and sexual violence. Although some special measures were taken to address violence against women during the pandemic, the GREVIO President highlighted that several shortcomings in the area of specialist support services – such as insufficient funding – that have previously been identified by GREVIO in its monitoring work were exacerbated by the pandemic, along with the issue of intersectionality. She thus suggested that the way forward should encompass a gender perspective in all measures taken in response to health crises, including those that concern violence against women, improving data collection, ensuring that service provision takes into account intersectionality, and increasing funds for service provision.



Concluding remarks

154. GREVIO's first general activity report, published on 6 April 2020, provided an in-depth overview of its mandate, working methods and its first four years of monitoring work (2015-2019), offering a glimpse of the trends and challenges in the implementation of the Istanbul Convention that stem from GREVIO's first eight monitoring reports. This second general report on GREVIO's activities addresses the serious work carried out by GREVIO starting from where the first general activity report left off (June 2019) until December 2020, with a view to moving to yearly reporting, as is the case for other Council of Europe monitoring bodies.

155. It offers comprehensive information on the trends and challenges in relation to the provision of specialist support services for women and girls who experience gender-based violence as they emerge from GREVIO's baseline evaluation reports to date. Central to the requirements of the Istanbul Convention, it places these in the context of the Covid-19 pandemic, which has brought into great relief the shortages and difficulties in access to such services.

156. GREVIO has unquestionably joined the ranks of other global and regional women's rights monitoring bodies and established itself as a nationally and internationally recognised and authoritative voice in the area of preventing and combating violence against women and domestic violence. The relevance of its work transcends each party directly concerned by the monitoring because it provides useful guidance on how to improve prevention, protection, prosecution and integrated policies in this area for all countries willing to draw from this.

157. GREVIO further consolidated its work by embarking on new and effective endeavours, such as the issuing of a general recommendation that aim to develop a greater understanding of the themes of the convention and to provide guidance, and the submission of a third-party intervention to the European Court of Human Rights so that its case law reflects and reinforces the standards of the Istanbul Convention.

158. The onset of the Covid-19 pandemic has further underscored the relevance of the Istanbul Convention and GREVIO's monitoring. The shortcomings in preventing and combating violence against women exposed by the pandemic fully reflect, albeit in heightened terms, the weaknesses consistently identified by GREVIO through its pre-Covid-19 monitoring work. In implementing the convention, states must ensure that the framework in place to prevent and combat violence against women is resilient both in "normal" times and in times of crisis, including during the financial and health crises brought about by a pandemic.

159. In view of the dire need to put in place comprehensive policies to truly prevent the different forms of violence against women, protect women and girls and end impunity for perpetrators, GREVIO is concerned by the onset of regression in the area of women's rights globally, and the persistent misinterpretations of the aims and purposes of the Istanbul Convention. Deliberate misinformation about this treaty will undoubtedly hamper the protection of women and girls from gender-based violence – in states parties and non-states parties alike. It jeopardises not only the ratification and implementation of the specific standards for women and girls that this treaty offers, but also the safeguarding of women's human rights more widely.

160. GREVIO's monitoring work will continue to demonstrate the important strides made by states parties in preventing and combating violence against women and domestic violence on the basis of the Istanbul Convention. In offering a consistent interpretation of its provisions, GREVIO contributes to the dispelling of myths and concerns around this treaty and to a dialogue based on facts, which will hopefully facilitate the signing and ratifying of the convention in those countries that have not yet done so.

Appendix 1 – List of GREVIO activities between June 2019 and December 2020

GREVIO meetings

- ▶ 18th GREVIO meeting, Strasbourg – 25-27 June 2019
- ▶ 19th GREVIO meeting, Strasbourg – 14-15 November 2019
- ▶ 20th GREVIO meeting, Strasbourg – 4-5 March 2020
- ▶ 21st GREVIO meeting, Strasbourg – 25-26 June 2020
- ▶ 22nd GREVIO meeting, Strasbourg – 13-15 October 2020

Exchange of views between the President of GREVIO and the Gender Equality Commission

- ▶ 16th meeting of the Gender Equality Commission – 13 November 2019
- ▶ 18th meeting of the Gender Equality Commission – 21 October 2020

Exchange of views and interventions

- ▶ Exchange of views of GREVIO with a delegation of judges of the European Court of Human Rights – 27 June 2019
- ▶ Exchange of views between the President of GREVIO and the Committee of the Parties – 30 January 2020
- ▶ 8th annual meeting of the Secretary General with the Presidents and Secretaries of the Monitoring and Advisory Bodies of the Council of Europe – 29 June 2020
- ▶ President of GREVIO's participation in a virtual event organised in the framework of the Greek Presidency of the Council of Europe: "Protection of human life and public health in the context of a pandemic – Effectively responding to a sanitary crisis in full respect for human rights and the principles of democracy and the rule of law" – 4 November 2020

GREVIO's first baseline evaluation reports (in order of publication)

- ▶ Finland (adopted during the 17th meeting of GREVIO on 23 June 2019) – published on 2 September 2019
- ▶ France (adopted by GREVIO with written procedure on 28 October 2019) – published on 19 November 2019
- ▶ Italy (adopted during GREVIO's 19th meeting on 15 November 2019) – published on 13 January 2020
- ▶ The Netherlands (adopted during GREVIO's 19th meeting on 15 November 2019) – published on 20 January 2020

- ▶ Serbia (adopted by GREVIO with written procedure on 29 November 2019) – published on 22 January 2020
- ▶ Belgium (adopted during GREVIO's 21st meeting on 26 June 2020) – published on 21 September 2020
- ▶ Malta (adopted during GREVIO's 22nd meeting on 15 October 2020) – published on 23 November 2020
- ▶ Spain (adopted during GREVIO's 22nd meeting on 15 October 2020) – published on 25 November 2020
- ▶ Andorra (adopted during GREVIO's 22nd meeting on 15 October 2020) – published on 30 November 2020

Webinars

- ▶ Council of Europe Webinar on the Istanbul Convention: “Violence against women and girls before, during and after Covid-19” on 20 May 2020

Evaluation visits

- ▶ Andorra: 12 to 13 February 2020
- ▶ Malta: 17 to 22 February 2020
- ▶ San Marino: 15 to 17 September 2020
- ▶ Slovenia: 28 to 30 September 2020
- ▶ Poland: 28 September to 2 October 2020

Appendix 2 – Timeline of GREVIO’s evaluation procedure (2016-2023)

Parties to the Istanbul Convention	Questionnaire (to be) sent	Deadline for reports	Evaluation visits	Publication of GREVIO reports
Austria Monaco	March 2016	September 2016	November-December 2016	September 2017
Albania Denmark	September 2016	January 2017	April-May 2017	November 2017
Montenegro Turkey	January 2017	May 2017	October-November 2017	September 2018
Portugal Sweden	May 2017	September 2017	February-March 2018	January 2019
Finland France	November 2017	March 2018	October 2018	September 2019 (Finland) December 2019 (France)
Italy Netherlands Serbia	February 2018	June 2018	March 2019	January 2020
Spain Belgium	September 2018	February 2019	October 2019	September 2020 (Belgium) November 2020 (Spain)*
Slovenia	February 2019	October 2019	September 2020*	June 2021
Andorra Malta	September 2018	February	February 2020	November 2020
Poland San Marino	February 2019 September 2019	September 2019 February 2020	September-October 2020	September 2021
Bosnia and Herzegovina* Norway* Romania*	September 2019 (Bosnia and Herzegovina) February 2020 (Norway)	May 2020 (Bosnia and Herzegovina) Sept 2020 (Norway)	March 2021	November 2021
Georgia* Germany* Estonia*	February 2020 (Germany and Georgia) October 2020 (Estonia)	August 2020 (Germany) October 2020 (Georgia) March 2021 (Estonia)	September-October 2021	September 2022
Cyprus Switzerland Iceland	February 2021	June 2021	March 2022	November 2022

Parties to the Istanbul Convention	Questionnaire (to be) sent	Deadline for reports	Evaluation visits	Publication of GREVIO reports
Greece Croatia Luxembourg	September 2021	February 2022	September-October 2022	September 2023
Ireland North Macedonia	February 2022	June 2022	March 2023	November 2023

* Changes to the timeline caused by the Covid-19 pandemic.

In respect of all states that ratified subsequent to 1 January 2017, the order of reporting will be determined by the date of ratification, and with respect for other international reporting obligations in related fields, in particular the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Council of Europe Convention on Action against Trafficking in Human Beings.

Appendix 3 – Signatures and ratifications of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence

	Signature	Ratification	Entry into Force
Albania	19/12/2011	04/02/2013	01/08/2014
Andorra	22/02/2013	22/04/2014	01/08/2014
Armenia	18/01/2018		
Austria	11/05/2011	14/11/2013	01/08/2014
Azerbaijan			
Belgium	11/09/2012	14/03/2016	01/07/2016
Bosnia and Herzegovina	08/03/2013	07/11/2013	01/08/2014
Bulgaria	21/04/2016		
Croatia	22/01/2013	12/06/2018	01/10/2018
Cyprus	16/06/2015	10/11/2017	01/03/2018
Czech Republic	02/05/2016		
Denmark	11/10/2013	23/04/2014	01/08/2014
Estonia	02/12/2014	26/10/2017	01/02/2018
Finland	11/05/2011	17/04/2015	01/08/2015
France	11/05/2011	04/07/2014	01/11/2014
Georgia	19/06/2014	19/05/2017	01/09/2017
Germany	11/05/2011	12/10/2017	01/02/2018
Greece	11/05/2011	18/06/2018	01/10/2018
Hungary	14/03/2014		
Iceland	11/05/2011	26/04/2018	01/08/2018
Ireland	05/11/2015	08/03/2019	01/07/2019
Italy	27/09/2012	10/09/2013	01/08/2014

	Signature	Ratification	Entry into Force
Latvia	18/05/2016		
Liechtenstein	10/11/2016		
Lithuania	07/06/2013		
Luxembourg	11/05/2011	07/08/2018	01/12/2018
Malta	21/05/2012	29/07/2014	01/11/2014
Monaco	20/09/2012	07/10/2014	01/02/2015
Montenegro	11/05/2011	22/04/2013	01/08/2014
Netherlands	14/11/2012	18/11/2015	01/03/2016
North Macedonia	08/07/2011	23/03/2018	01/07/2018
Norway	07/07/2011	05/07/2017	01/11/2017
Poland	18/12/2012	27/04/2015	01/08/2015
Portugal	11/05/2011	05/02/2013	01/08/2014
Republic of Moldova	06/02/2017		
Romania	27/06/2014	23/05/2016	01/09/2016
Russian Federation			
San Marino	30/04/2014	28/01/2016	01/05/2016
Serbia	04/04/2012	21/11/2013	01/08/2014
Slovak Republic	11/05/2011		
Slovenia	08/09/2011	05/02/2015	01/06/2015
Spain	11/05/2011	10/04/2014	01/08/2014
Sweden	11/05/2011	01/07/2014	01/11/2014
Switzerland	11/09/2013	14/12/2017	01/04/2018
Turkey	11/05/2011	14/03/2012	01/08/2014
Ukraine	07/11/2011		
United Kingdom	08/06/2012		



Appendix 4 – List of GREVIO members (from June 2019 to December 2020)

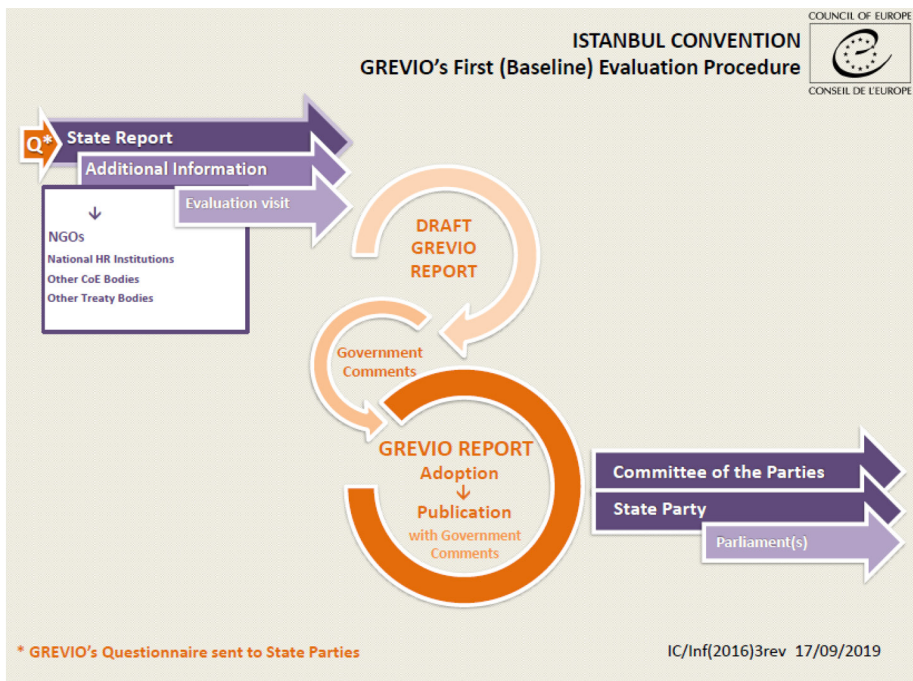
Name	Nominated by	Title	From	To
Marceline Naudi	Malta	President	01/06/2019	31/05/2023
Iris Luarasi	Albania	First Vice-President	01/06/2019	31/05/2023
Simona Lanzoni	Italy	Second Vice-President	01/06/2019	31/05/2023
Aşkin Asan	Turkey	Member	01/06/2019	31/05/2023
Biljana Branković	Serbia	Member	01/06/2019	31/05/2023
Françoise Brié	France	Member	01/06/2019	31/05/2023
Rachel Eapen Paul	Norway	Member	01/09/2018	31/08/2022
Marie-Claude Hofner	Switzerland	Member	01/06/2019	31/05/2023
Ivo Holc	Slovenia	Member	01/06/2019	31/05/2023
Per Arne Håkansson	Sweden	Member	01/09/2018	31/08/2022
Maria-Andriani Kostopoulou	Greece	Member	01/06/2019	31/05/2023
Sabine Kräuter-Stockton	Germany	Member	01/09/2018	31/08/2022
Helena de Carvalho Martins Leitão	Portugal	Member	01/06/2019	31/05/2023
Vladimer Mkervalishvili	Georgia	Member	01/09/2018	31/08/2022
Aleida Van den Brink	Netherlands	Member	01/09/2018	31/08/2022



Appendix 5 – GREVIO’s Secretariat (from June 2019 to December 2020)

- ▶ Daniele Cangemi, Executive Secretary (interim until December 2019)
- ▶ Johanna Nelles, Executive Secretary (since January 2020)
- ▶ Christina Olsen, Administrator (until November 2020)
- ▶ Francesca Montagna, Administrator (since October 2019)
- ▶ Carmela Apostol, Administrator
- ▶ Elif Sariaydin, Administrator (since June 2020)
- ▶ Valentine Josenhans, Project assistant
- ▶ Camille Goy, Project assistant
- ▶ Christine Ebel, Principal Administrative Assistant (since January 2020)
- ▶ Irida Varfi-Boehrer, Administrative Assistant
- ▶ Nadia Bollender, Project Assistant

Appendix 6 – GREVIO’s first (baseline) evaluation procedure



GREVIO is the independent expert body responsible for monitoring the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) by the parties, made up of 15 independent experts. It draws up and publishes reports evaluating legislative and other measures taken by the parties to give effect to the provisions of the convention. In cases where action is required to prevent a serious, massive or persistent pattern of any acts of violence covered by the convention, GREVIO may initiate a special inquiry procedure. GREVIO may also adopt, where appropriate, general recommendations on themes and concepts of the convention.

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The Council of Europe is the continent's leading human rights organisation. It comprises 47 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.