

Committee of the Parties



Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)

Report of the 5th meeting

Strasbourg, 24 May 2018

IC-CP/Inf(2018)RAP5

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Agenda item 1. Opening of the meeting and adoption of the agenda

1. The Committee of the Parties to the Council of Europe Convention on preventing and combating violence against women and domestic violence (hereinafter referred to respectively as “the Committee” and “the Convention”) held its 5th meeting in Strasbourg on 24 May 2018.
2. The meeting was opened by the Chair of the Committee. The Chair announced that Agenda item 4 (Election of five members of the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)) would be chaired by the First Vice-Chair.
3. The members of the Committee were invited to adopt the draft agenda of the meeting. The Committee adopted the draft agenda as it appears in document IC-CP(2018)OJ5prov.

Agenda item 2. Administrative and Budgetary Information

4. The Chair invited the Executive Secretary to provide information regarding the administrative and budgetary situation. The Executive Secretary informed the Committee that:
 - the budgetary increase for the Istanbul Convention monitoring mechanisms which had been proposed by the Secretariat for the biennium 2018/2019, to deal with the increase in monitoring work and also in the number of GREVIO members, had not been accorded. Nevertheless, the budgetary situation in 2018 had been protected thanks to subsequent cuts in activities elsewhere in the Directorate of Human Dignity, Equality and Sport Values and funds had been redirected to the Istanbul Convention as a priority area. As regards, 2019, however, the budget foreseen may prove insufficient, unless similar transfers can be made;
 - similarly although the staffing reinforcement requests for 2018/2019 had not been accorded in the biennial budget, the same cuts in activities elsewhere meant that in 2018 the Secretariat expected that an administrator post would be assigned to it which would be filled through redeployment;
 - the Executive Secretary herself would be leaving the Organisation, but steps were already under way to find a replacement;
 - the Director of Human Dignity, Equality and Sport Values would be leaving to take up a post in the secretariat of the Parliamentary Assembly of the Council of Europe – she would be replaced by Claudia Luciani, currently Director of Democratic Governance and Anti-Discrimination.

Agenda item 3. State of signatures and ratifications of the Istanbul Convention

- a. Action taken by member States of the Council of Europe towards ratification of the Istanbul Convention

5. The Chair gave the floor to the Executive Secretary to provide information on the state of signatures and ratifications. The Executive Secretary informed the Committee about the recent signature of the Convention by Armenia and its ratification by Iceland and "The former Yugoslav Republic of Macedonia". She indicated that in both Croatia and Greece the necessary legislation to ratify the convention had been enacted. Furthermore, as regards Ireland, Luxembourg and the United Kingdom, there appeared to be no objections in principle but there are still technical hurdles to overcome. However the situation is less clear as regards Hungary, Slovakia, the Czech Republic, Lithuania and Latvia. The representative of Greece confirmed that his parliament had enacted the bill of ratification on 5 April and that the instrument of ratification had been signed – he expected that it would be deposited with the Secretary General very soon.

- b. Action taken by the European Union towards signature and ratification of the Istanbul Convention

6. The Executive Secretary informed the Committee that the European Union was continuing to conduct internal discussions regarding a code of conduct – to determine which elements of the Istanbul Convention would come under the competence of the EU Commission and which under the competence of the member states. It was hoped that this would be completed under the Bulgarian presidency of the EU Council but if not the work would be carried on under the Austrian presidency – starting on 1 July.

Agenda item 4. Election of five members of the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)

7. The Chair handed over to the first Vice-Chair to preside over this item, since Norway was presenting two candidates.

8. The first Vice-Chair recalled Rules 9 and 10 of the CM/Res(2014)43 emphasising the need to elect experts with different professional qualifications relevant to GREVIO's work and to achieving gender balance and geographical distribution, and the requirement that the national selection procedure leading to the nomination of candidates is transparent and open to competition. He recalled that 8 States Parties (Cyprus, Georgia, Germany, Netherlands, Norway, Poland, Romania, Sweden) had submitted a total of 15 candidates (13 women and 2 men) for GREVIO membership and that all nominations had been submitted by the deadline of 25 April, 2018.

4.1 Examination of nominations of candidates for GREVIO membership (Rules 9 and 10 of CM/Res (2014)43)

9. The Committee proceeded with the examination of the nominations of candidates for GREVIO membership. In summing up the information available, the Vice-Chair concluded that generally efforts had been made to ensure transparent and competitive national selection procedures in order to comply with Rules 9 and 10 of the Committee of Ministers' Resolution CM/Res(2014)43 on rules on the election procedure of the members of the GREVIO and to ensure also the eligibility of the candidates nominated for GREVIO membership.

4.2 Election of five members of GREVIO (paragraph 3 of Article 66 and paragraph 2 of Article 67 of the Istanbul Convention; Rules 11 and 13 of CM/Res(2014)43)

10. The Executive Secretary recalled the rules for the election of GREVIO members. She informed the Committee that equipment for electronic voting had been provided for the meeting, which ensured the secrecy of the ballot and calculated the results of the voting.

11. In accordance with paragraph 2 of Article 66 of the Istanbul Convention and Rule 14 of the Committee of Ministers Resolution, CM/Res(2014)43, the members of the Committee of the Parties proceeded toward the election of the five GREVIO members. Following eight rounds of voting, the Committee declared the following candidates for GREVIO membership elected:

Mr Per Arne HAKANSSON from Sweden

Ms Sabine KRÄUTER-STOCKTON from Germany

Mr Vladimer MKERVALISHVILI from Georgia

Ms Rachel Eapen PAUL from Norway

Ms Aleid VAN DEN BRINK from the Netherlands

12. In accordance with Article 66, paragraph 2 of the Convention, the term of office of these five GREVIO members will run for four years, beginning on 1 September 2018 and renewable once. The Committee wished the elected candidates every success in their functions as GREVIO members.

13. Following the election, the Executive Secretary recalled that the numerous criteria involved in electing the GREVIO representatives required an adequate amount of time in order for Parties to be able to search for and submit the most qualified candidates. Mindful of the fact that the term of the first elected 10 GREVIO members will expire in May 2019, the Secretariat will launch a call for their replacement or re-nomination at the latest just after the summer break in order to give enough time for Parties to submit their preferred candidates by the beginning of February.

14. The representative of Slovenia asked for a clarification on the rules on which states are permitted to submit candidatures for the next year. In light of the rules outlined in CM/Res(2014)43, she also commented on the fact that within the currently elected expert body, there is neither gender parity nor sufficiently wide geographic distribution.

15. In reply to the question raised by Slovenia, the Executive Secretary clarified that all state parties, with the exception of the five whose candidates had just been elected, are permitted to put forward a candidate and/or re-present their current GREVIO member as a candidate.

Agenda item 5. Exchange of views with the President of the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)

16. The Chair gave the floor to the President of GREVIO to provide the Committee with updates on the collaboration between GREVIO and other monitoring bodies as well as recent developments by GREVIO in its work. The President of GREVIO was re-elected in 2017 for a term of two years.

17. The President of GREVIO pointed to the positive trends regarding the dissemination and wide ratification of the Convention which is now ratified by 30 member states of the Council of Europe, and has reached 17 signatories– including the European Union. As regards the on-going evaluation procedures, she informed the Committee that by September of this year, GREVIO will issue Baseline Evaluation Reports on Montenegro and Turkey, and by the end of 2018 on Portugal and Sweden.

18. Nevertheless, the President of GREVIO emphasised the need for recognition of the social mechanisms by which women are forced into a subordinate position compared with men as historically unequal power which prevents the full advancement of women. The Istanbul Convention is the first international treaty to recognise this structural connection fully. Strong political commitment and unity in the battle against long-standing attitudes that hinder the full and equal participation of women must be shown in order to preserve the aims of the Convention (i.e. the protection of women from violence by men). This is even more important now with the recent wave of individual testimonies of sexual harassment and sexual violence that gained prominence in the #Me Too campaigns, which was driven by female journalists, bloggers, authors and politicians.

19. In terms of GREVIO's findings so far, the President of GREVIO pointed out that governments must give high priority to establishing effective prevention, protection and persecution mechanisms. This implies that sufficient resources must be allocated to dismantling the anti-gender discourse that is prevalent in some states where worrying trends spreading misogynist and homophobic fears and misrepresenting the aims of the Convention are still present.

20. Moreover the President of GREVIO called for unity against alliances such as Agenda Europe, which seek to distort the work of the international human rights treaty bodies, and hinder the implementation of the Istanbul Convention itself.

21. Lastly, the President of GREVIO recalled that the Istanbul Convention was largely inspired by CEDAW's General Recommendation n°19 on violence against women and that in turn, some of its innovative elements had served as inspiration for CEDAW's update of its General Recommendation

(General Recommendation n°35). The intention of GREVIO is to continue to develop more institutionalised co-operation and exchanges with other bodies and monitoring mechanisms dealing with violence against women and domestic violence at regional and international levels.

22. The Austrian Representative inquired as to whether the President of GREVIO could point to any problems that all countries are facing in the implementation of the Istanbul Convention. In response, the president of GREVIO focused on the difficulty in implementing the Istanbul Convention and the actual laws that fall short of its standard. More specifically, she pointed to the insufficient levels of funding frequently allocated to co-ordination mechanism as required by Article 10 of the Convention, the purpose of which is to implement, monitor and report back to GREVIO on the progress made through the follow-up mechanism. Another difficulty was the necessary recognition of the importance of NGOs and civil society actors in consultation on the plans and integrated policies combating violence against women. Moreover there are particular problems of recognising and accounting for domestic violence against women (and children) in deciding on the custody of children.

23. Following a question by the Turkish Ambassador, the President of GREVIO explained that the monitoring mechanism will have a role to play once states will have reported back to the Committee of the Parties on any steps taken pursuant to the recommendations that contain the words 'urge' and, as regards Chapters I and II of the Convention 'strongly encourage'.

24. Marja Ruotanen, Director of Directorate of Human Dignity, Equality and Sport Values also remarked on the fact that it is a standard procedure in all other monitoring mechanisms to follow-up on measures taken by states based on the findings of the monitoring bodies.

25. The Chair gave the floor to the Anne Negre from the Conference of the INGOs of the Council of Europe, who recalled that NGOs are often completely excluded from policies and plans, despite their important role in eradicating violence against women. The President of GREVIO remarked on the shrinking of space for civil society in general. That is why the Istanbul Convention requires States Parties to include NGOs in their policy development, to work closely with women's organisations that help victims of violence and to make the most of the contribution from civil society.

Agenda item 6. Exchange of views with Dubravka Šimonović, United Nations Special Rapporteur on violence against women, its causes and consequences

26. The United Nations Special Rapporteur on violence against women, its causes and consequences provided details about her mandate. In office since 1 August 2015, she has been seeking and receiving information on violence against women and has produced several country-specific and thematic reports. She remarked on the fact that she refers to both Istanbul Convention and CEDAW in her reports which has an impact on the countries being reviewed. For example, on her last visit to Georgia, she used both instruments and ultimately Georgia also ratified the Convention. Nevertheless, the Special Rapporteur remarked on the fact that the push-back movements emerging in some European states which refuse to ratify the Istanbul Convention are present elsewhere around the world. The anti-gender discourse is also present in Latin America and the Caribbean. For instance, in the Bahamas, a national referendum on changes to the Constitution aimed at ensuring gender equality in citizenship matters was rejected.

27. Addressing criticisms of the gender theory, the Special Rapporteur called on State Parties to send a strong message by implementing the recommendations of the Istanbul Convention, CEDAW and all other regional human rights instruments. It is important that strong support is shown to independent monitoring mechanisms in the fight against violence against women by allocating sufficient financial support to co-ordinating bodies, whose task is to implement and follow-up on recommendations. More importantly, the Special Rapporteur emphasised the need to develop strong co-operation and synergies between independent UN and regional mechanisms on violence and discrimination against women. In this respect she unveiled her new initiative aimed at developing institutional links between monitoring bodies, launched at a High Level Panel in March 2018 during the Commission on the Status of Women in an effort to join forces on specific thematic issues.

28. Moreover, the Special Rapporteur recalled the importance of establishing observatories made up of interdisciplinary panels of experts that collect and analyse data on violence against women with the aim of fostering preventive measures. Data should show specific information such as the relationship between perpetrator and victim in order to expose the extent of gender-related murders of women. In terms of the pressing issues in prevention and protection policies on violence against women, the Special Rapporteur noted that there should be more funding allocated to shelters, and a more integrated use of protection orders. As part of the initiatives during her tenure, she has made a call for submissions on relevant information in the area of prevention and protection mechanisms, which she outlined in a thematic report presented at the 35th session of the UN Human Rights Council in June 2017.

29. Additionally, the Special Rapporteur drew attention to newly recognised initiatives such as the issue of violence against women in politics which frequently manifests itself through physical and verbal attacks against politically active women. Challenges involve widespread impunity of perpetrators and deficient legal frameworks addressing electoral violence that ultimately lead to under-representation of women at all levels of political-decision making. Addressing online violence against women, she indicated more needs to be done to make the internet a safer place. The current absence of adequate regulation of information and communications technologies exposes women to sexual harassment and new types of violence such as dissemination of sexual and private images without consent with the aim of humiliating or causing harm to an individual. This phenomenon must be sufficiently addressed through best practices in order for ICTs to contribute rather than have a detrimental effect on the empowerment of women.

30. Several delegations inquired in what ways State Parties could support the institutionalisation of the co-operation of international and regional independent monitoring mechanisms. The Special Rapporteur responded using the example of the current push-backs against the concept of “gender”.. One way to address anti-gender discourse would be to make use of the existing concepts contained in both UN CEDAW General recommendation n° 35 on gender-based violence against women and the identical definitions in the Istanbul Convention, by implementing them into national law. The President of GREVIO added that the word ‘gender’ is a sociological concept that needs to be clarified through the work that preceded the Istanbul Convention. If we develop the concept in co-operation, objections such as the destruction of the family unit stemming from conservative ideologies will not deflect from the Istanbul Convention’s original aim to protect the right of a woman to live free from violence.

Agenda item 7. National developments including the designation or the establishment of co-ordinating bodies in application of Article 10 of the Convention

31. In the absence of new developments at national level, the Executive Secretary reminded all State Parties of the importance of the full implementation of Article 10 which calls for the establishment of one or more co-ordinating bodies to be tasked with the co-ordination, implementation, monitoring and evaluation of national policies on combat violence against women. In terms of GREVIO’s findings so far, the Executive Secretary highlighted that co-ordination is lacking in some states, making this one of several possible topics for an exchange of national practices at a future meeting.

Agenda item 8. Date of next meeting

32. The Committee decided to hold its next meeting on 1-2 April 2019 in Strasbourg.

Agenda item 9. Other business

33. No matters were raised under this item.

Agenda item 10. Adoption of the list of decisions taken

34. The Committee adopted the list of decisions as set out in document IC-CP/Inf(2018)LD5.

Appendix I Agenda

1. **Opening of the meeting and adoption of the agenda**
2. **Administrative and Budgetary Information**
3. **State of signatures and ratifications of the Istanbul Convention**
 - b. Action taken by member States of the Council of Europe towards ratification of the Istanbul Convention
 - c. Action taken by the European Union towards ratification of the Istanbul Convention
 - d. Declarations and reservations
4. **Election of five members of the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)**
 - 4.1 *Examination of nominations of candidates for GREVIO membership (Rules 9 and 10 of CM/Res(2014)43)*
 - 4.2 *Election of five members of GREVIO (paragraph 3 of Article 66 and paragraph 2 of Article 67 of the Istanbul Convention; Rules 11 and 13 of Resolution CM/Res(2014)43)*
 - Resolution CM/Res(2014)43 on rules on the election procedure of the members of the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), adopted by the Committee of Ministers of the Council of Europe on 19 November 2014 CM/Res(2014)43
 - Overview of the nominations submitted for the election of members of GREVIO IC-CP(2018)Matrix
CONFIDENTIAL
 - Names and *curricula vitae* of the candidates submitted for the election of members of GREVIO IC-CP(2018)9
CONFIDENTIAL
 - Questions and answers on the election procedure of members of GREVIO IC-CP(2018)7
RESTRICTED
 - Information provided by the States Parties on the manner in which candidates were selected at national level IC-CP(2018)8
RESTRICTED
 - Comments received from civil society and non-governmental organisations in relation to the election of GREVIO members (if any)
5. **Exchange of views with the President of the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)**
6. **Exchange of views with Dubravka Šimonović, United Nations Special Rapporteur on violence against women, its causes and consequences**
7. **National developments including the designation or the establishment of co-ordinating bodies in application of Article 10 of the Convention**
8. **Date of next meeting**
9. **Other business**
10. **Adoption of the list of decisions taken**

Appendix II

List of attendees

BUREAU

Ms Elisabeth WALAAS
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of Norway to the Council of Europe

M. Gilles HEYVAERT
Ambassadeur Extraordinaire et Plénipotentiaire
Représentant Permanent de la Belgique auprès du Conseil de l'Europe

M. João Maria CABRAL
Ambassadeur Extraordinaire et Plénipotentiaire
Représentant Permanent du Portugal auprès du Conseil de l'Europe

MEMBERS / MEMBRES

ALBANIA / ALBANIE

Ms Albana DAUTLLARI
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of Albania to the Council of Europe

Ms Alma KASA
Deputy Permanent Representative of Albania to the Council of Europe

ANDORRA / ANDORRE

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Représentante permanente adjointe de l'Andorre auprès du Conseil de l'Europe

AUSTRIA / AUTRICHE

Ms Marie Theres PRANTNER
Austrian Federal Ministry of Education and Women's Affairs
IV/4 – Violence against Women and women-specific legislation

BELGIUM / BELGIQUE

Mr Nicolas BELKACEMI
Attaché
Institut pour l'Égalité des Femmes et des Hommes

BOSNIA AND HERZEGOVINA / BOSNIE-HERZEGOVINE

Ms Samra Filipovic-Hadziabdic
Director of the Agency for Gender Equality of Bosnia and Herzegovina

Ms Sabahka RADJO
Deputy Permanent Representative of Bosnia and Herzegovina to the Council of Europe

CYPRUS / CHYPRE

Mr Michael KARAGIORGIS
Deputy to the Permanent Representative of Cyprus to the Council of Europe

DENMARK / DANEMARK

Ms Depheny FROST
Deputy to the Permanent Representative of Finland to the Council of Europe

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FINLAND / FINLANDE

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Ministry of Foreign Affairs
Unit for Human Rights Courts & Conventions (OIK-40)

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Représentant Permanent de la France auprès du Conseil de l'Europe

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Permanent Representative of Germany to the Council of Europe

Mr Jan MACLEAN
Deputy to the Permanent Representative of Germany to the Council of Europe

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M. Marco Marsilli
Ambassadeur
Représentant Permanent de l'Italie auprès du Conseil de l'Europe

M. Piero Vaira
Représentant permanent adjoint de l'Italie auprès du Conseil de l'Europe

M. Daniele Loi
Représentation Permanente de l'Italie auprès du Conseil de l'Europe

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Mr Joseph FILLETTI
Ambassador
Permanent Representative of Malta to the Council of Europe

Ms Kathleen VELLA.
Deputy Permanent Representative of Malta to the Council of Europe

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Ambassadeur Extraordinaire et Plénipotentiaire
Représentant Permanent de Monaco auprès du Conseil de l'Europe

MONTENEGRO

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Police Department

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Permanent Representative of Poland to the Council of Europe

Ms Bogumiła WARCHALEWSKA
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Permanent Representation of Poland to the Council of Europe

PORTUGAL

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Commission for Citizenship and Gender Equality
Presidency of the Council of Ministers

Mme. Manuela Caldas Faria
Représente Permanente Adjointe du Portugal auprès du Conseil de l'Europe

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Permanent Representative of Romania to the Council of Europe

Mme Inginur RUSTEM
Deputy to the Permanent Representative of Romania to the Council of Europe

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First Secretary, Department of Foreign Affairs

M. Dario ROSSI
Chargé d'Affaires a.i.
Représentation Permanente de Saint-Marin auprès du Conseil de l'Europe

SERBIA / SERBIE

Ms Stana BOŽOVIĆ
Secretary of State at the Ministry of Labor, Employment and Social Policy of the Republic of Serbia

Ms Snežana PETROVIĆ
Deputy to the Permanent Representative

SLOVENIA / SLOVENIE

Ms Eva TOMIC
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of Slovenia to the Council of Europe

Ms Mateja ŠTRUMELJ PIŠKUR
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Ms Jasna JERAM
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Ministry of Labour, Family, Social Affairs and Equal Opportunities of the Republic of Slovenia

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Deputy Permanent Representative of Sweden to the Council of Europe

Karin Flarup
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Permanent Representation of Sweden to the Council of Europe

Ms Andrea Wohlström
Trainee

SWITZERLAND / SUISSE

Mr Can TUTUMLU
Deputy to the Permanent Representative of Switzerland to the Council of Europe
Permanent Representation of Sweden to the Council of Europe

TURKEY / TURQUIE

Mr Erdoğan İŞCAN
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of Turkey to the Council of Europe

Ms Muzaffer Uyav GÜLTEKİN
Deputy to the Permanent Representative of Turkey to the Council of Europe

PARTICIPANTS**STATES WHICH HAVE RATIFIED BUT FOR WHICH THE CONVENTION HAS NOT YET ENTERED INTO FORCE / ÉTATS QUI ONT RATIFIÉ LA CONVENTION MAIS POUR LESQUELS LA CONVENTION N'EST PAS ENTRÉE EN VIGUEUR****ICELAND / ISLANDE**

Ms Sonja AGUSTSDOTTIR
Deputy to the Permanent Representative of Iceland to the Council of Europe

**“THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA” /
« L'EX-RÉPUBLIQUE YOUGOSLAVE DE MACÉDOINE »**

Ms Olgica VASILEVSKA
Deputy Permanent Representative

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STATES WHICH HAVE SIGNED BUT NOT YET RATIFIED THE CONVENTION / ÉTATS QUI ONT SIGNÉ LA CONVENTION MAIS QUI NE L'ONT PAS ENCORE RATIFIÉE**CROATIA / CROATIE**

Ms Ankica VRKLJAN SUČIĆ
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CZECH REPUBLIC / RÉPUBLIQUE TCHÈQUE

Ms Lucie NEŠPOROVÁ
Deputy to the Permanent Representative of the Czech republic to the Council of Europe

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Ambassadeur
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LIECHTENSTEIN

Mr Daniel OSPELT
Ambassador Extraordinary and Plenipotentiary
Permanent Representative

LITHUANIA / LITHUANIE

Ms Dalia MARDOSAITĖ-VAIŠNORIENĖ
Deputy Permanent Representative of Lithuania to the Council of Europe

REPUBLIC OF MOLDOVA

Ms Rodica CIOCHINA
Deputy to the Permanent Representative
Permanent Representation of the Republic of Moldova
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SLOVAK REPUBLIC / RÉPUBLIQUE SLOVAQUE

Ms Marcela HANUSOVÁ
Deputy Permanent Representative of Slovak Republic to the Council of Europe

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Council of Europe Commissioner for Human Rights / Commissaire aux droits de l'homme du Conseil de l'Europe

Ms Claudia LAM
Adviser

Conference of the INGOs of the Council of Europe / Conférence des OING du Conseil de l'Europe

Mme Anne NEGRE
Experte égalité entre les femmes et les hommes

.....

INVITEES / INVITÉS

Ms Dubravka Šimonović, United Nations Special Rapporteur on violence against women, its causes and consequences

Ms Feride ACAR
President of the Group of Experts against Violence against Women and Domestic Violence (GREVIO)

SECRETARIAT / SECRÉTARIAT

Secretariat of the monitoring mechanism of the Council of Europe Convention on preventing and combating violence against women and domestic violence / Secrétariat du mécanisme de suivi de la Convention du Conseil de l'Europe sur la prévention et la lutte contre la violence à l'égard des femmes et la violence domestique

Ms Bridget O'LOUGHLIN

Executive Secretary / Secrétaire exécutive

Head of the Violence against Women Division / Cheffe de la Division Violence à l'égard des femmes
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