



## **Committee of the Parties**

# **Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)**

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## **Recommendation on the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence by Switzerland**

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The Committee of the Parties to the Convention on Preventing and Combating Violence against Women and Domestic Violence ( hereinafter “ Convention ” ) ,  
Convention;

Having regard to the purposes of the Convention, which are to protect women against all forms of violence and to prevent, prosecute and eliminate violence against women and domestic violence; to contribute to the elimination of all forms of discrimination against women and to promote substantive equality between women and men, including by empowering women; to design a comprehensive framework, policies and measures for the protection of and assistance to all victims of violence against women and domestic violence; to promote international co-operation with a view to eliminating violence against women and domestic violence; and to provide support and assistance to organisations and law enforcement agencies so that they can effectively co-operate in order to adopt an integrated approach to eliminating violence against women and domestic violence;

Bearing in mind the provisions of Article 66(1) of the Convention concerning the monitoring role of the Group of Experts on Action against Violence against Women and Domestic Violence (hereinafter “ GREVIO ” ) ;

Having regard to the Rules of Procedure of the Committee of the Parties;

Having regard to the instrument of ratification deposited by Switzerland on 14 December 2017;

Having examined the Baseline Evaluation Report concerning the implementation of the Convention by Switzerland, which was adopted by GREVIO at its 28th meeting (10-13 October 2022), as well as the comments of the Government received on 9 November 2022;

Considering the overarching priorities set out in Chapter I of the Convention (purposes and scope of the Convention, definitions, equality and non-discrimination, due diligence and gendersensitive policies);

Bearing in mind the primordial importance of the provisions set out in Chapter II of the Convention, in particular the obligations to (1) ensure a holistic response to violence against women by devising a set of comprehensive and co-ordinated policies implemented by way of effective multi-agency co-operation; (2) institutionalise and fully mandate one or more co-ordinating bodies as required by Article 10 of the Convention; (3) adequately resource policies, measures and mandates introduced to prevent and combat all forms of violence against women, including government and non-governmental specialist support services; and (4) collect relevant statistical data disaggregated, at a minimum, by sex, age, type of violence, relationship between the perpetrator and the victim and geographic location;

Welcoming the measures taken by the Swiss authorities in implementing the Convention and noting in particular:

- the involvement of the various levels of authority in its implementation and the drawing-up of several strategic documents, including a national action plan for the implementation of the Istanbul Convention; the significant efforts made by the various institutional stakeholders to develop regular exchanges in order to harmonise the implementation of the Istanbul Convention and share experience and promising practices;
- the lead role played by the Federal Office for Gender Equality and the targeted measures taken at federal level, including in order to increase funding for projects to prevent and combat violence against women;
- the revision of certain legislative provisions in order to strengthen the legal framework for preventing and combating violence against women;
- the efforts that are being made to raise awareness of violence against women and the “School of Equality” programme in place in several cantons;
- the development in several cantons of mechanisms for co-operation between stakeholders involved in the protection of, and provision of services to, women who are victims of domestic violence;

- the promising practices of several cantonal hospitals in the reception of, and comprehensive and integrated support for, women who are victims of violence, including victims of sexual violence;
- the increasingly widespread use of emergency barring orders in cases of domestic violence, which has enabled a growing number of women who are victims of violence and their children to stay in the family home;
- retrospective reviews of cases of the killing of women and children in the context of domestic violence, including the review commissioned by the Federal Office for Gender Equality, in order to generate data by means of which homicide prevention can be enhanced.

A. Recommends, in light of the considerations set out in the preamble above, that the Government of Switzerland take the following measures<sup>1</sup> i d e n t i f i e d for immediate action to:

1. step up efforts to ensure that strategies and action plans address all forms of violence covered by the Istanbul Convention and take measures to develop a common understanding of the phenomenon of violence against women as a form of gender-based violence by developing shared and harmonised definitions that provide a reference terminology in accordance with Article 3 of the Istanbul Convention (paragraphs 10 and 11);
2. take measures to prevent and combat violence affecting women exposed to intersectional discrimination, particularly migrant, asylum-seeking and refugee women, women with disabilities, LGBTI women, elderly women, women in prostitution and women with addiction issues; and take their viewpoint into account when implementing, monitoring and assessing policies to prevent and combat violence against women (paragraph 19);
3. ensure that legislation, policies and measures to prevent and combat all forms of violence against women fully incorporate the gender dimension and recognise the link between violence against women and the structural inequalities between women and men with the aim of addressing the specific needs of women victims and counteracting negative gender stereotypes in relation to women (paragraph 24);
4. step up measures to devise a comprehensive long-term strategy covering the entire country which attaches the necessary importance to all forms of violence covered by the Istanbul Convention, including those committed in the digital realm, and is based on a v i c t i m s ' r i g h t s centred approach; develop multi-agency co-operation and co-ordination, at all levels of authority, with regard to all forms of violence against women; conduct comparative analyses of cantonal legislation and policies on violence against women in order to ascertain the extent to which they are harmonised with the Convention; and take due account of the needs of the various groups of women victims of violence (paragraph 36);
5. provide appropriate funding for policies, programmes and measures to prevent and combat all forms of violence against women, and appropriate sustainable funding for organisations providing specialist support services to women victims of violence throughout the country (paragraph 44);
6. strengthen co-operation, at all levels of authority, with NGOs working in the field of preventing and combating violence against women and ensure that they are involved in drawing up relevant policies and measures; step up support for w o m e n ' s r i g h t s o r g a n i s a t i o n s and acknowledge the expertise they bring to bear through their gender-based approach focusing on the rights and needs of women victims of violence (paragraph 47);
7. enhance the role of the Federal Office for Gender Equality as a co-ordinating body by strengthening its powers and competences and allocating it the necessary human and financial resources in order to ensure that its work is sustainable; ensure, on the one hand,

<sup>1</sup> The number of the paragraph s e t t i n g o u t GREVIO's p r o p o s a l s i n d i c a t e d i n b r a c k e t s, g e s t i o n s

that policies and measures are co-ordinated and implemented and, on the other hand, that independent and regular monitoring covering the entire country is conducted on the basis of comparable indicators (paragraph 53);

8. improve the collection of data in the criminal justice sector so as to cover all forms of violence against women in criminal and civil proceedings, disaggregated by sex and age of both the victim and the perpetrator, the type of violence, the relationship between the victim and the perpetrator and the geographical location, allow conviction, attrition and recidivism rates to be assessed and identify deficiencies in the response of institutions; develop the collection by health services of data on all forms of violence against women and the collection of data on asylum applications prompted by gender-based violence and applications for residence permits on grounds of hardship (paragraphs 61 and 62);
9. set up regular prevalence studies to assess the extent of all forms of violence covered by the Istanbul Convention and better understand the experiences of violence of women exposed to intersectional discrimination (paragraph 65);
10. revise the LAVI Act so that migrant and asylum-seeking women subjected to violence abroad may benefit from the services offered by LAVI centres (paragraph 130);
11. ensure that victims of all forms of violence against women and their children have access to specialist shelters free of charge, regardless of their situation and canton of residence; provide sufficient funding and budgetary stability for organisations managing shelters; harmonise support services for victims throughout the country (paragraph 141);
12. ensure that incidents of violence against women and domestic violence are duly taken into account when measures affecting the exercise of parental authority are adopted; make use of tools to improve the safety of victims and their children when visitation rights are exercised; encourage appropriate training for the professionals concerned on the harmful effects of violence against women on children; and analyse case law on custody and visitation rights in cases of violence in order to be able to assess progress in this respect (paragraph 175);
13. review the legislation on sexual violence so as to base the definition of it on the absence of the victim's freely given consent and violence focusing on proper care and support for victims; take steps to remove the provision providing for prosecution or punishment to be waived in the event of marriage or partnership between the victim and the perpetrator of violence (paragraphs 187 and 188);
14. ensure that the handling of cases of violence against women by law enforcement agencies and the courts is grounded in a gender-based understanding of violence against women and that the perpetrators of all forms of violence against women are held accountable for their actions; analyse relevant case law so as to be able to assess and improve the effectiveness of the criminal justice response to violence against women (paragraph 227);
15. ensure that a standardised and gender-sensitive risk assessment and safety management procedure is used systematically throughout the country in all cases of violence against women covered by the Convention; remove any obstacle to co-operation in cases of violence against women involving several cantons (paragraph 233);
16. ensure that migrant women who are victims of violence and whose status depends on that of their spouse have access to a separate residence permit, optimising the processing of residence permit applications throughout the country through better training for professionals in relation to violence against women and better information for the migrant women concerned (paragraph 265).

- B. Requests that the Government of Switzerland report to the Committee of the Parties on the measures taken to improve the implementation of the Convention in the above-mentioned areas by 4 December 2025.
- C. Recommends that the Government of Switzerland take measures to implement the further conclusions in GREVIO's Baseline Evaluation Report