



## **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 Croatia**

IC-CP/Inf(2023)13

Adopted on 5 December 2023

The Committee of the Parties to the Convention on Preventing and Combating Violence against Women and Domestic Violence (hereinafter referred to as “the Convention”), acting under the terms of Article 68(12) of the Convention;

Having regard to the purposes of the Convention to protect women against all forms of violence, and prevent, prosecute and eliminate violence against women and domestic violence; to contribute to the elimination of all forms of discrimination against women and 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 to 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 referred to as “GREVIO”);

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

Having regard to the instrument of ratification deposited by Croatia on 12 June 2018;

Having examined the Baseline Evaluation Report concerning the implementation of the Convention by Croatia adopted by GREVIO at its 30th meeting (23 – 26 May 2023), as well as the comments of the Government received on 7 July 2023;

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 gender-sensitive 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 cooperation; (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 nongovernmental specialist support services; and (4) to collect relevant statistical data disaggregated, at a minimum, by sex, age, type of violence, relationship of the perpetrator to the victim and geographic location;

Welcoming the measures taken and progress achieved by the Croatian authorities in implementing the Convention and noting in particular:

- the adoption of the National Strategy for Protection against Domestic Violence (2017-2022), the National Plan for the Promotion of Gender Equality (2022-2027), and the National Plan for the Suppression of Sexual Violence and Sexual Harassment (2022-2027);
- the amendment of the Croatian Criminal Code to include a definition of rape and sexual violence that is based on the absence of consent, to criminalise image-based abuse, and to introduce the *ex officio* prosecution of sexual violence offences;
- the expansion of the definition of domestic violence, in the Domestic Violence Act, to cover intimate relationships between partners who do not share a residence nor children;
- their continuous dialogue with civil society actors working in the field of gender equality and violence against women;

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- the establishment of a Femicide Watch to collect and analyse data on intimate partner killings, with the aim of identifying factors that may contribute to preventing such incidents in the future, and the steps taken to carry out the first prevalence survey on gender-based violence;
  - the explicit recognition in the policy framework of children who witness intimate partner violence as victims of domestic violence in their own right; and
  - the steps taken to roll out a standardised risk assessment mechanism in domestic violence cases throughout the country.
- A. Recommends, in light of the considerations indicated in the preamble above, that the Government of Croatia takes the following measures identified in GREVIO's baseline evaluation report<sup>1</sup> for immediate action to:
1. step up their efforts to adopt and implement a comprehensive set of policies to prevent and combat all forms of violence against women covered by the Istanbul Convention, in particular sexual violence (paragraph 6);
  2. pursue their efforts to ensure that all policy and legislative measures taken in the implementation of the Istanbul Convention clearly reflect the notion that violence against women, including domestic violence, is gender-based violence directed against women because they are women, and recognise that it affects women disproportionately (paragraph 14);
  3. step up measures to identify and remedy gaps in the institutional response to violence against women, in accordance with the duty of due diligence and ensure that different state officials, including police officers, are held accountable for failure to comply with the obligation to diligently prevent, investigate and punish acts of violence covered by the Istanbul Convention, while also collecting data on cases initiated against public officials for failing to uphold their due diligence obligation, including the outcomes of such cases (paragraph 28);
  4. develop a long-term co-ordinated plan/strategy giving due importance to all forms of violence against women covered by the Istanbul Convention, and adopt targeted measures aimed at addressing the specific needs of all groups of victims, in particular women who are or might be exposed to intersectional discrimination, based on a gendered understanding of violence against women (paragraph 33);
  5. designate or establish one or more national co-ordinating bodies that are fully institutionalised and mandated to fulfil all of the functions set out in Article 10 of the Istanbul Convention, and ensure that they are vested with the necessary financial and human resources and that their work is supported by relevant data which are necessary for evidence-based policy making (paragraph 50);
  6. harmonise the data-collection systems between law enforcement and the judiciary, based on a common set of data categories that includes all forms of violence covered by the Istanbul Convention, disaggregated on the basis of the sex and age of the victim and the perpetrator, their relationship, geographical location and the presence of child victims, in order to allow cases to be tracked through all stages of the criminal justice system, with the aim of identifying reasons that may contribute to low conviction and high attrition rates, while also collecting data on the number of breaches of emergency barring, restraining and protection orders, the number of sanctions imposed as a result of such breaches and the number of cases where the woman was revictimised or murdered as a consequence of such breaches (paragraph 59), as well as data on family law proceedings in which the courts took incidents of violence into consideration when deciding on custody and visitation rights (paragraph 196);

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<sup>1</sup> The number of the paragraph setting out GREVIO's proposals and suggestions in the report is indicated in brackets.

7. ensure the systematic and comparable collection of data by the healthcare sector, on the number of instances that victims have sought assistance from the healthcare authorities as a result of experiencing any of the forms of violence covered by the Istanbul Convention (paragraph 61) and by the social welfare authorities, on the number of victims who contact social services and on the interventions provided (paragraph 64);
8. take measures to prevent all forms of violence against women covered by the Istanbul Convention, in particular by promoting changes in the mentalities and attitudes of the general population that contribute to justifying and perpetuating violence against women, and by addressing structural inequalities between women and men as the root causes of such violence (paragraph 81);
9. ensure systematic and mandatory initial and in-service training on the prevention and detection of all forms of violence against women covered by the Istanbul Convention, for all professionals, in particular those in the healthcare sector, social workers and legal professionals including prosecution services and the judiciary, based on the principles of non-discrimination and equality between women and men, and devised in close co-operation with all relevant stakeholders, including independent women's NGOs providing specialist support to women victims of violence, while also establishing clear protocols and guidelines for all relevant professionals on how to respond to cases of all forms of violence against women (paragraph 101);
10. improve the number, capacity and geographic distribution of shelters providing safe accommodation to victims of all forms of violence covered by the Istanbul Convention and their children which are accessible to all women via self-referral, including women with disabilities, women from minority backgrounds, migrant women with irregular status as well as other women who are at risk of intersectional discrimination, and regardless of their willingness to report the violence to the police, while granting the necessary financial and human resources to ensure the good functioning of shelters, and developing minimum quality standards for shelters, based on a gendered understanding of violence against women, the empowerment of victims, and a victim-centred and human rights-based approach (paragraph 154);
11. ensure that protocols/guidelines and training are made available on the management of cases of sexual violence and rape in all medical facilities in Croatia; make rape kits available at hospitals alongside a system for the storing of forensic evidence; increase the capacities of the organisations providing specialist services for psychological counselling and trauma care to victims of sexual violence, while ensuring their financial stability and putting in place measures to eliminate barriers to women victims of sexual violence who turn to these centres for support (paragraph 164);
12. review the obligation for professionals, including those working at the sexual violence referral centres, to report cases of violence against women, other than in situations in which there are reasonable grounds to believe that a serious act of violence covered by the Istanbul Convention has been committed and further serious acts are to be expected, including by making the obligation to report contingent upon the prior consent of the victim, unless the victim is a minor or unable to protect her/himself due to intellectual disabilities (paragraph 165);
13. ensure that family courts, when deciding on custody and visitation, are duly aware of - and take into account - incidents of violence by one parent against the other and, when necessary, make use of the legal provisions which allow limiting or withdrawing parental or visitation rights in domestic violence cases, on the basis of a thorough risk assessment and screening procedure carried out in co-operation with other relevant bodies such as criminal courts, law-enforcement agencies, health and education authorities and specialist women's support services, while also ensuring that all relevant professionals, particularly those working in the justice system, court-appointed experts, social welfare officers, medical,

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psychological and psychiatric professionals, are trained on violence against women as well as on the requirements of the Istanbul Convention, and are alerted to the lack of scientific basis for the so-called “parental alienation syndrome” and similar concepts (paragraph 196);

14. take the necessary measures, including legislative amendments, to ensure the annulment of marriages concluded under force, without placing any undue burden on the victims (paragraph 199);
  15. ensure the swift and impartial response of all law-enforcement officers to cases of domestic violence and other forms of violence against women, in their homes as well as in public spaces, based on an understanding of the gendered nature, impact and consequences of violence against women, which focuses on the victim’s safety, the collection of evidence and the full accountability of the perpetrator, including by putting in place on-the-job training developed in co-operation with specialist women’s NGOs, to overcome persistent attitudes, beliefs and practices such as dual arrests and misclassification of criminal offences as misdemeanours (paragraph 255);
  16. issue guidelines or standard operating procedures to public prosecutors’ offices in order to ensure the victim-sensitive handling of all cases of violence against women covered by the Istanbul Convention, in order to better equip the prosecution services to collect and pay due regard to all available evidence in the prosecution of all forms of violence against women covered by the Istanbul Convention (paragraph 260);
  17. identify and take action in all cases of border police violence against women, to provide justice for past abuse and ensure that such abuse is not permitted to take place with impunity in the future (paragraph 339).
- B. Requests the Government of Croatia to report to the Committee of the Parties on the measures taken to improve the implementation of the Convention in the above-mentioned areas by 5 December 2026.
- C. Recommends that the Government of Croatia take measures to implement the further conclusions of GREVIO’s baseline evaluation report.