

# 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 Sweden**

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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 Sweden on 1 July 2014;

Having examined the Baseline Evaluation Report concerning the implementation of the Convention by Sweden adopted by GREVIO by written procedure in December 2018, as well as the comments of the Government received on 17 January 2019;

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 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) 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 by the Swedish authorities in implementing the Convention and noting in particular:

- its leadership in placing gender equality high on the political agenda nationally and internationally, and in framing the eradication of violence against women and domestic violence as a gender equality issue;
- the strong recognition of the gendered nature of violence against women in all policies, measures, training documents and public discourse;
- the innovation in law-making in order to ensure respect for women’s physical, sexual and psychological integrity, examples being the Women’s Peace Reform and the affirmative consent approach of the newly amended criminal offence of rape;
- the strong focus placed on evidence-based policy making in the area of preventing and combating violence against women, resulting in the routine evaluation of law, policy and practice;
- the introduction of men’s violence against women as a compulsory and credit-earning subject matter in higher education across a wide range of fields;

- the variety of available specialist support services, in particular the efforts made in recent years to set up and support specialist counselling services for anyone experiencing “honour-related violence”;
- the easy access to compensation for victims of violence against women as well as children witnessing domestic violence;
- the use of standardised procedures and checklists for criminal investigations into domestic violence and sexual violence, their continuous assessment and improvement and efforts to ensure effective co-operation between law enforcement agencies and prosecution services;
- the recent efforts to ensure standardised risk assessment by social services and municipal actors in relation to all forms of violence against women;
- the inclusion of gender as a ground for asylum as well as the gender sensitive policies and practices adopted by the Swedish Migration Agency and their review with a view to further improvement.

A. Recommends, in light of the considerations indicated in the preamble above, that the Government of Sweden take the following measures identified in GREVIO’s report<sup>1</sup> for immediate action to:

1. ensure that the provisions of the Istanbul Convention are implemented without discrimination on any of the grounds listed in Article 4, paragraph 3 (paragraph 17);
2. develop methods for multi-agency co-operation to ensure co-ordination and co-operation on individual cases of violence against women among all relevant actors, in particular local authorities (law enforcement agencies, social services, unemployment agencies) and the public health sector as well as the specialist support services for women victims of violence (paragraph 27);
3. step up measures, at all levels of government, in particular the local level, that would assure easily accessible funding which is long term and which sufficiently covers all relevant operational costs of domestic violence shelters and other women’s NGOs which provide specialist services to women victims of violence (paragraph 36);
4. officially designate the Division for Gender Equality within the Ministry of Health and Social Affairs to serve as co-ordinating body within the meaning of Article 10 of the Istanbul Convention and to equip this division with clear mandates, powers and competences and to communicate these to all relevant entities (paragraph 45);
5. develop data categories for use by the law enforcement agencies and the judiciary on the type of relationship between the perpetrator and the victim in order to document the nature of their relationship more specifically (paragraph 53);
6. conclude the ongoing work on introducing case management systems that would enable cases of violence against women to be tracked from reporting to indictment and beyond in relation to all criminal offences required by the Istanbul Convention with a view to using such data to analyse attrition rates, clarify underlying causes of attrition, follow trends and create evidence-based policies and/or enhance legislation (paragraph 54);
7. pursue its current efforts in ensuring the contribution of the primary health care sector to data recorded by the National Patient Register with a view to documenting contacts with the health care sector for reasons related to violence, disaggregated by sex, age and relationship of the perpetrator to the victim (paragraph 57);

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

8. conduct dedicated surveys on violence against women at regular intervals and to carry out a population-based survey to assess Sami women's exposure to sexual and domestic violence as a starting point for further policy measures (paragraph 67);
  9. step up efforts to enhance and formalise co-operation structures in relation to cases of all forms of violence against women within and across local authorities, government agencies and women's specialist support services (paragraph 123);
  10. swiftly implement the proposals made by the Committee of Inquiry on a strengthened "child rights perspective" in sheltered accommodation to ensure the necessary support and counselling for children who accompany their mothers to domestic violence shelters, including for post-traumatic stress disorder (PTSD), as well as their continued access to education (paragraph 147);
  11. ensure that in the determination of child custody decisions, the family law sections of social services and courts take all appropriate measures to ensure that such decisions do not jeopardise the safety of abused women and their children, for example by offering more effective training and support to family law judges (paragraph 169);
  12. significantly reinforce the investigative capabilities of law enforcement authorities to reduce the backlog of domestic violence and rape cases, and to take immediate measures to ensure a prompt and appropriate response by law enforcement agencies in all cases of violence against women, as required by Article 50, paragraph 1 of the Istanbul Convention (paragraph 203);
  13. revamp its system of protection orders and equip the competent authority with the power to specifically expel a perpetrator of domestic violence from the residence that he shares with the victim in situations of immediate danger and as an emergency safety measure and for this expulsion to remain in force for an appropriate length of time to allow the victim to feel safe and to take other measures to ensure safety (paragraph 228).
- B. Requests the Government of Sweden 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 30 January 2022.
- C. Recommends that the Government of Sweden take measures to implement the further conclusions of GREVIO's Baseline Evaluation Report.