

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

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I. Introduction

On 20 May 2020, the Violence against Women Division (DG Democracy) and the Council of Europe Academic Networks (CEAN) organised a [webinar](#) entitled “Violence against women and girls before, during and after COVID-19: the shadow pandemic that must be addressed”. Speakers included Michele Nicoletti, former President of PACE, Marina Calloni, Co-ordinator 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. Marceline Naudi, GREVIO President, University of Malta, Department of Gender and Sexualities, acted as moderator of the webinar.

The aim of the webinar was to offer speakers and participants to address issues regarding the impact of the lockdowns and restrictions on movement in place in many European countries in the months of March-May 2020 on institutional responses to preventing and combating violence against women. Are institutional responses meeting the rights and needs of victims as set out in the Istanbul Convention? What are the gaps and shortcomings that have been exposed as a result of the pandemic? What are the important issues that we need to prioritise in this transition phase and beyond to ensure women survivors and their needs are given the attention they deserve? These, and other questions were addressed by the various speakers. The discussion was opened with a short introduction of the role of academics in providing answers to such questions and an overview of the steps taken to set up a network of academics dedicated to research on the Istanbul Convention in Italy.

II. Background: initiatives in response to COVID-19

As a consequence of the COVID-19 pandemic, several international human rights institutions have launched initiatives with a specific focus on the impact of the COVID-19 crisis on violence against women. More information is available here:

<https://www.ohchr.org/EN/Issues/Women/SRWomen/Pages/ResponseCOVID19.aspx>

<https://www.coe.int/en/web/genderequality/the-council-of-europe-s-response>

1. UN Special Rapporteur on Violence against Women

- a. On 27 March, the UN SRVAW issued a **Press statement** urging Governments to continue to combat domestic violence during the COVID-19 pandemic:

<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25749&LangID=E>

- b. On 22 April, the UN SRVAW also issued a **Call for submissions on COVID-19 and domestic violence** [all submissions to be received until 30 June 2020]. The questionnaire is available at: https://www.ohchr.org/EN/Issues/Women/SRWomen/Pages/call_covid19.aspx
- c. The SRVAW is also hosting a **Reference document on GBVAW and COVID 19**, regularly updated, containing action being taken in the context of COVID-19 to address GBVAW by other relevant mechanisms: <https://www.ohchr.org/en/issues/women/srwomen/pages/srwomenindex.aspx>
- d. In 2015, the UN SRVAW initiated a call for the establishment at the global, national and regional levels of a **femicide prevention watch and observatories** on gender-related killings and violence against women. In her report (A/71/398), the SRVAW proposed the **collection of administrative and comparable data** on different types of femicide. The UNSRVAW highlighted the urgent need for such data in the context of the COVID-19 pandemic.

2. Council of Europe

- a. On 24 March 2020 the **President of GREVIO**, Marceline Naudi, published a statement on the need to uphold the standards of the Istanbul Convention in times of a pandemic: <https://rm.coe.int/grevio-statement-covid-24-march-2020/pdfa/16809cf55e>
- b. In April 2020, 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. All submissions are available at the resource page "Women's rights and the COVID-19 pandemic": <https://www.coe.int/en/web/genderequality/women-s-rights-and-covid-19>.
- c. On 20 April 2020, the **Committee of the Parties** to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) issued a **Declaration on the implementation of the Istanbul Convention during the COVID-19 pandemic**. <https://rm.coe.int/declaration-committee-of-the-parties-to-ic-covid-/16809e33c6>
- d. On 7 May 2020, the **Council of Europe Commissioner for Human Rights** published a statement to ensure women's access to sexual and reproductive health and rights: <https://www.coe.int/en/web/commissioner/-/covid-19-ensure-women-s-access-to-sexual-and-reproductive-health-and-rights>

III. Main topics raised during the webinar

1. Increasing inequalities and discrimination as a result of the COVID-19 crisis

- As in other periods of **crisis**, the threat to physical safety, the economic uncertainty, and a lack of trust in the future have had an impact on the most vulnerable subjects.

- The COVID-19 pandemic has highlighted **existing inequalities and systemic patterns of discrimination** rooted in our society.
- **Restrictive measures** taken in response to the pandemic have had **intersectional effects**, with the risk of exacerbating existing forms of discrimination on the basis of gender, social condition, ethnicity, geographical location, age, disability, among others.
- As concerns women's rights, it is paramount to note that **the pandemic has intensified, NOT generated, violence against women**.
- As stated by the UNSRVAW Dubravka Šimonović: "Violence against women is, itself, a pandemic without borders. Even before the pandemic, we were aware of the fact that violence against women is a widespread violation of women's rights".
- For women who have been exposed to gender-based violence during the COVID-19 pandemic, the **impact of violence** on their lives intersects with women's experience of the lock-down (isolation, fear for the future, increased domestic work load, mental load, career loss, income loss, reproductive health rights issues, etc.). The psychological consequences resulting from this combination will emerge in the long run, even after the end of the lock-down and of the current emergency.

2. Human rights and State obligations in times of the COVID-19 pandemic

- The use of restrictive measures in response to the sanitary crisis enshrines the risk of restricting human rights.
- States have the responsibility **to fully implement international standards and to ensure the respect of human rights**, even during the exceptional situation generated by the pandemic.
- Measures applied by governments in response to the health crisis should be necessary, proportionate and temporary. Emergency restrictions should not conflict with State's human rights obligations.
- As concerns women's rights, States should be reminded of the **due diligence obligation** to prevent, protect, prosecute the forms of violence covered by the Convention, including the obligation to provide reparation.
- The State's non-compliance with its positive obligations, as well as the failure to provide protection in line with international commitments, based on the CEDAW Convention and on the Istanbul Convention, could be considered as **a human rights violation**. In case of inadequate national response during the pandemic, individual cases could also be brought before the European Court of Human Rights.

3. Service provision and institutional response during the COVID-19 pandemic

- The COVID-19 pandemic has **jeopardised the holistic approach** required by international standards to prevent and combat violence against women.
- **Restrictive measures have interfered with all activities related to institutional responses to violence against women**, with respect to prevention, protection and prosecution, but also as regards inter-institutional co-operation among relevant actors.
- In countries where there was already a lack of full implementation of regional and global standards on violence against women – under the Istanbul Convention but also under other international human rights treaties such as the CEDAW Convention – the pandemic has exacerbated **pre-existing gaps and shortcomings**. However, limited access to service

provision and deficiencies in institutional response (**current gaps**) also emerged in countries where services did exist and operate effectively before the COVID-19 pandemic.

- Due to the exceptional emergency situation, in some cases **specific modifications and adjustments** of regular practices have become necessary in order to **fight the Covid-19 pandemic without violating women's rights** to a life free from violence. However, the pressing need to envisage short-term alternative solutions should not leave aside the necessary long-term sustainable responses to violence against women.
- **Some services and measures of protection were considered fundamental priorities** during the COVID-19 emergency, in order to fulfil State's obligation to protect women from gender-based violence (from domestic violence in particular) and with a view to ensure women's safety.
- Priority measures included (1) access to **shelters**, (2) availability of dedicated **hotlines** – as well as online chats and texting services, (3) rapid **police response**, (4) the possibility to easily issue **protection and restraining orders**.
- Civil and criminal proceedings have slowed down during the COVID-19 pandemic. The need to ensure the proper functioning of **courts**, which was strongly delayed during the lockdown, has also been highlighted as pivotal, in the interest of avoiding potential risks for women's lives.
- Examples of **alternative solutions** adopted during the pandemic included SMS helplines, the use of code words at pharmacies or other stores, as well as the possibility to issue e-protection orders.
- In the context of the COVID-19 pandemic, **women's NGOs** and other **civil society organisation** have played a significant role, quickly adapting to emerging challenges in order to ensure the provision of essential services.

4. Data collection and prevalence of violence against women during the COVID-19 crisis

- The COVID-19 pandemic has confirmed **the need for systematic, comparable, disaggregated data**, as required by Article 11 of the Istanbul Convention.
- Human rights bodies such as the United Nations and the Council of Europe have invited national governments to submit information regarding the prevalence of violence against women and domestic violence during the COVID-19 pandemic. However, not all countries responded to such calls and in many States official data on violence against women is not yet available. The **lack of comparable and reliable statistical data**, especially administrative data on femicides, represents a relevant difficulty in assessing the scope of the phenomenon.
- During the pandemic, the **process of data collection** itself has been considered **problematic** due to the confinement measures, the practical barriers to reporting violence and to the fear of reporting. In addition, violence experienced during the lock-down is more likely to be normalised and hidden, especially when it comes to some specific forms of violence (i.e. online and technology-facilitated violence against women).
- The information available shows **a multifaceted picture**: some countries have registered an increase of violence against women during the lockdown, while others did not measure such an escalation.
- In a number of countries, initial police and hotline reports suggest **an increase in domestic violence**. It is important to note that awareness raising initiatives and the widespread information on available helplines and other alternative ways of reporting may have played

a positive role, increasing the number of reports and complaints. However, important relevant information is still missing, such as data on *who* gets help, *by whom* (police, helpline, shelters, other), and *how*.

5. Structural inequalities affecting women and other consequences of the COVID-19 crisis

- The COVID-19 pandemic has triggered a **far-reaching backlash against women's rights**. In particular, restrictive measures adopted during the health crisis have led to higher risks of **several forms of discrimination especially affecting women and girls**.
- The **school lockdown** has exposed girls, not only to a disruption in their education, but also to **sexual abuse and sexual exploitation at home**, as it has already been registered in the case of the Ebola pandemic. The non-attendance of school has also increased the potential **exposure of children to domestic violence** – both as witnesses and as direct targets of abuse.
- The emergency situation has had an impact on **women professionals operating in the health sector and in domestic and care services**, since women represent the great majority of workers in these areas.
- The COVID-19 pandemic has increased potential for the perpetration of **economic violence** against women, both in the private and in the public sphere, since women, on average, earn less money than men and they are more likely to hold precarious jobs.
- Restrictions have also had an impact on **women's reproductive health rights** by reducing access to contraception and to essential sexual and reproductive health information, services and goods. The limited capacity of maternity wards in hospitals during the pandemic also has affected women's rights to maternal health care.
- In addition, the COVID-19 crisis has caused the **temporary closure of borders** and the **suspension of migration and asylum procedures**, exposing irregular migrant women and refugees, as well as women victims of trafficking, to a higher risk of violence.

6. Specific focus on online and technology-facilitated violence against women

- Digital technology reproduces and amplifies existing inequalities on the basis of gender, social condition, ethnicity, etc. In particular, research has shown that key features of the internet – such as anonymity, mobilisation of distant individuals, and group polarisation – act as a catalyst to radicalize online behaviours .
- The **home confinement** imposed during the COVID-19 pandemic has determined a significant **increase of online activities**, which included the rise of cybercrime and triggered **a greater risk of online and technology-facilitated violence against women**.
- When speaking about this kind of abuse, **the continuum between offline and online violence against women** should be recalled. Online violence is interconnected and in continuation with violence against women offline, as already proven by studies conducted before the COVID-19 pandemic.
- The impact of the pandemic on online abuse was revealed in several ways. The increase of online activities (1) has **multiplied the opportunities** to perpetrate this kind of violence, (2) it has **intensified pre-existing forms** of online violence, and (3) it has **fostered the emergency of new abusive behaviours** against women.
- Online violence during the pandemic could represent **an escalation in the perpetrator's ongoing abuse**, leading to more frequent and more severe forms of violence, in a time of

limited opportunities for victims to get immediate help, to report, and to escape from violence.

- **Pre-existing forms of online violence** include sexual harassment, stalking and cybercrime affecting women, sextortion, non-consensual sharing of intimate images and videos. These practices have intensified during the COVID-19 pandemic: women's private pictures have been shared **more widely** during the lockdown and with **a greater sense of impunity** on the perpetrators' side. Some countries have registered an explosion of social media accounts, exposing women's nude images as well as revealing the victims' identity and contact information. The more frequent access to online resources and the growth of time spent online has also favoured the diffusion of sexist hate speech targeting women journalists, politicians, activists and feminists, both related and unrelated to the pandemic.
- **New emerging online abusive behaviours** include hacking into video calls (zoom-bombing), targeting women by using specific sexist and racist hate speech, extreme pornography, filmed rape, images of child sexual intercourse or abuse.
- While domestic violence cases have been widely acknowledged, **this kind of abuse risks to go unnoticed**. Violence experienced online might be under reported, internalised, normalised or silenced by women and girls. It can possibly drive victims to shame and further expose them to perpetrators, who often use digital technology to inflict psychological abuse, control, track and threaten their victims.
- Not all countries are **monitoring the extension of this phenomenon** and only a few **criminalise this kind of abuse** especially affecting women. Another relevant issue concerns the adequate **training of professionals** that have to deal with victims of this kind of violence, including social workers, psychologists, law enforcement agents, etc.
- **The long-term impact of online violence** and the **consequences on women's mental health should not be underestimated**, since the repercussions of violence will add to the already traumatic period represented by the COVID-19 pandemic.

IV. Priority issues for the future

1. Applying a human rights approach to violence against women

- States need to act in line with international obligations, in respect of human rights standards and frameworks, in order to preserve women's rights.
- The adoption of extraordinary emergency measures should be driven by a gender-sensitive approach, with a specific focus on violence against women. Policies should be based on a gender perspective, in respect of gender equality.
- Even in times of crisis, as it happened during the COVID-19 pandemic, decision makers should be guided by "the right of women to a life free from violence" and "gender equality" as key principles for action. Exceptional situations and restrictive measures should not prevent States from acknowledging the structural nature of violence against women and from providing the adequate institutional co-ordinated response as required by international standard.
- Governors have to be aware of the fact that lockdown measures, including the injunction to "stay at home", can entail severe consequences on women, children, and other vulnerable subjects potentially exposed to intersectional discrimination or at risk of suffering direct and indirect forms of gender-based violence.
- In times of crisis, special attention should be placed on the language used to frame the phenomenon of violence against women. A recurrent use of war metaphors, rather than an appeal to solidarity, has been observed in several countries.

2. Reinforcing data collection and research

- The need for comparable and reliable disaggregated data, based on homogeneous criteria shared among all States, emerged as a priority. Data collection should include information on the type of gender-based violence, the relationship of the perpetrator to the victim, sex and age of the victim/perpetrator, geographical location.
- The COVID-19 pandemic has also highlighted the paramount need for comparable data on femicide, intimate partner femicide, family related femicide, and other kinds of femicides. Information on this issue will become even more necessary in the case of another future global crisis, including an economic crisis linked to the pandemic or in case of other emergencies.
- Future research on the impact of the pandemic on violence against women should also be required. A collection of best practices from different countries would improve the institutional response to violence against women.

3. Increasing public funding

- The global economic recession triggered by the COVID-19 pandemic will have important consequences on public funding for general support services, and in particular on specialised support services for women victims of gender-based violence.
- In this context, providing support services for violence against women and its prevention should be giving priority attention. Despite a recession, the issue of violence against women has to be kept on the agenda of the media and of national governments.

- Funding for support services should be guaranteed, including economic support to women's NGOs and other civil society organisations providing essential assistance to victims.

4. Investing in a co-ordinated response

- The COVID-19 pandemic has highlighted the need for a solid co-ordinated response to the emergency, both at the international level – in the spirit of solidarity among States, but also at the national, regional and local level – involving all relevant actors in the field.

5. Ensuring service provision and institutional responses

- During the COVID-19 pandemic, some creative and alternative solutions have been adopted in order to ensure the essential services required by the CEDAW Convention and the Istanbul Convention. In such cases the crisis has shown its potential, representing an opportunity to innovate, to “do better with less”, to foster out-of-the-box critical thinking.
- There is a need to develop online services to report, prevent and combat gender-based violence against women, and to make sure that the digital divide does not jeopardise access to such services.
- Essential services need to be guaranteed and able to function even in times of crisis.

6. Applying a specific focus on online and technology-facilitated violence against women

- Online and technology-facilitated violence emerged as a growing and constantly evolving phenomenon.
- Data collection and research on this type of violence is needed, with the purpose of elaborating adequate strategies and measures for the prevention, protection, and prosecution for this type of violence. A human rights based approach has to be fostered in addressing online violence against women and girls, as mentioned in the UNSRVAW thematic report (A/HRC/38/47).

7. Advancing the implementation and ratification of the Istanbul Convention

- The exchange of experiences among different countries and a review of best practices adopted during the COVID-19 pandemic would be of great value in harmonising effective strategies for a solid institutional response, in line with the Istanbul Convention.
- The GREVIO baseline evaluation reports and the specific recommendations adopted by the Committee of the Parties can serve as a guide to its effective implementation, even more necessary during crisis and emergency situations.
- The COVID-19 crisis has highlighted the importance of standards and the need to continue promoting the ratification of the Istanbul Convention by member states. It is pivotal to pursue the dialogue with all governments in favour of this process and to counter the arguments based on false assumptions and misinterpretations.

- It is also important to support the process of ratification of the Istanbul Convention by the European Union. EU's accession to the Convention is among the key priorities of the European Commission, as stated in its Gender Equality Strategy 2020-2025.

V. Provisions of the Istanbul Convention requiring specific attention during times of crisis and emergencies

Chapter I – Purposes, definitions, equality and non-discrimination, general obligations

- Even in times of crisis, it is pivotal that States respect their due diligence obligations in relation to acts covered by the scope of the Istanbul Convention both perpetrated by official authorities and by non-state actors (**Article 5 – State obligations and due diligence**).
- Emergency measures adopted in response to the COVID-19 pandemic have in many cases overlooked a gender perspective. In all circumstances, State parties to the Convention have to promote and effectively implement policies of equality between women and men and the empowerment of women (**Article 6 – Gender-sensitive policies**).

Chapter II – Integrated policies and data collection

- Even in emergency situations, parties should take the necessary measures to offer a holistic response to violence against women and to ensure an effective co-operation among all relevant actors. The co-ordination, implementation, monitoring and evaluation of new urgent policies falls under the mandate of the co-ordinating body, whose role proves to be even more essential in times of crisis (**Article 7 – Comprehensive and co-ordinated policies and Article 10 – Co-ordinating body**).
- Parties should ensure an adequate implementation of integrated policies by allocating appropriate financial resources, with a particular view to the tasks performed by relevant non-governmental and civil society organisations. Rather than being exceptional, adequate attention to the allocation of sufficient financial resources should be applied in the short, medium and long term, with a view to ensure long-term sustainable responses even in the case of future crisis and/or recession periods (**Article 8 – Financial resources and Article 9 – Non-governmental organisations and civil society**).
- Data collection should not be neglected during a pandemic. On the contrary, crises periods require extra efforts from State parties to collect relevant disaggregated statistical data and to undertake research on all forms of violence covered by the scope of the Istanbul Convention (**Article 11 – Data collection and research**). ^[1]_{SEP}

Chapter III – Prevention ^[1]_{SEP}

- Due to the exceptional situation generated by the COVID-19 pandemic, parties shall take all the necessary measures to increase awareness and understanding of the different forms of violence against women possibly occurring in such circumstances, as well as on their consequences on children (**Article 13 – Awareness-raising**).
- In a context seriously affected by restrictive measures and by social distancing, parties shall ensure adequate training for all relevant professionals dealing with victims or perpetrators of all acts of violence covered by the Convention, with a particular view to new emerging forms of abuse, such as online and technology-facilitated violence against women, and with

a view to any adaptations to service provision made because of sanitary requirements or health protocols (**Article 15 – Training of professionals**).

- In situations characterised by emergency measures, parties shall continue watching over the dissemination of stereotyped images of women and men, as well as over the language used by the private sector and the media. State parties shall take action in order to encourage such actors to take part in the elaboration and implementation of policies to prevent violence against women and to promote the respect of women’s dignity, even in times of crisis (**Article 17 – Participation of the private sector and the media**).

Chapter IV – Protection and support

- All articles under this chapter require specific attention during emergencies/pandemics.
- In particular, in times of emergency it is even more essential to ensure that victims receive adequate and timely information on available support services and legal measures. This information shall be regularly updated and adapted to the constantly evolving circumstances (**Article 19 – Information**).^[1]_{SEP}
- Special attention should also be given to child witnesses of all forms of violence covered by the Convention. All services provided and measures implemented during the emergency period should also give due regard to the best interest of the child (**Article 26 – Protection and support for child witnesses**).

Chapter V – Substantive law^[1]_{SEP}

- The COVID-19 pandemic has stopped or postponed pivotal reforms required by the Istanbul Convention. State parties shall pursue the implementation of the legislative measures necessary to effectively prevent and combat all forms of violence, including civil law and criminal law remedies. Special attention should be given to the forms of violence that do not yet represent a criminal offence in the country, as it is the case for some forms of online and technology-facilitated violence against women.

Chapter VI – Investigation, prosecution, procedural law and protective measures

- All the provisions listed in this chapter require specific attention, especially in the context of emergency situations.
- In particular, it is essential that law enforcement agencies promptly and appropriately react by offering adequate and immediate protection to victims against all forms of violence, despite the restrictions in place (**Article 50 – Immediate response, prevention and protection**)
- Parties shall ensure the possibility to issue emergency barring orders or restraining and protection orders, notwithstanding the exceptional restrictive measures adopted in response to the pandemic (**Article 52 – Emergency barring orders** and **Article 53 – Restraining or protection orders**)

Chapter VII – Migration and asylum

- Special attention should be given to migrant women, including undocumented migrant women, and women asylum-seekers. The temporary suspension of services and the delay in

asylum hearing procedures has exposed these subjects to an increased risk of gender-based violence.