

UKRAINE UKRAÏNE UNITED KINGDOM ROYAUME-UNI ALBANIA ALBANIE ANDORRA ANDORRE ARMENIA ARMÉNIE AUSTRALIE AUSTRALIE AUTRIE AUTRIE AZERBAIJAN AZERBAÏDJAN BELGIUM BELGIQUE BOSNIA AND HERZEGOVINA BOSNIE-HERZÉGOVINE BULGARIA BULGARIE CROATIE CROAQUE CYPRUS CHYPRE CZECH REPUBLIC RÉPUBLIQUE TCHÈQUE DENMARK DANEMARK ESTONIA ESTONIE FINLAND FINLANDE FRANCE FRANCE GEORGIA GÉORGIE GERMANY ALLEMAGNE GREECE GRÈCE HUNGARY HONGRIE ICELAND ISLANDE IRELAND IRLANDE ITALY ITALIE LATVIA LETTONIE LIECHTENSTEIN LIECHTENSTEIN LITHUANIA LITUANIE LUXEMBOURG LUXEMBOURG MALTA MALTE REPUBLIC OF MOLDOVA MONACO MONACO MONTENEGRO MONTÉNÉGRON NETHERLANDS PAYS-BAS NORWAY NORVÈGE POLAND POLOGNE PORTUGAL PORTUGAL ROMANIA ROUMANIE RUSSIAN FEDERATION FÉDÉRATION DE RUSSIE SAN MARINO SAN MARINO SLOVAK REPUBLIC RÉPUBLIQUE SLOVAQUE SLOVENIA SLOVÉNIE SPAIN ESPAGNE SWEDEN SUÈDE SWITZERLAND SUISSE TURKEY TURQUIE UNITED KINGDOM ROYAUME-UNI ALBANIA ALBANIE ANDORRA ANDORRE ARMENIA ARMÉNIE AUSTRALIE AUSTRALIE AUTRIE AUTRIE AZERBAIJAN AZERBAÏDJAN BELGIUM BELGIQUE BOSNIA AND HERZEGOVINA BOSNIE-HERZÉGOVINE BULGARIA BULGARIE CROATIA CROAQUE CZECH REPUBLIC RÉPUBLIQUE TCHÈQUE DENMARK DANEMARK ESTONIA ESTONIE FINLAND FINLANDE FRANCE FRANCE GERMANY ALLEMAGNE GREECE GRÈCE HUNGARY HONGRIE ICELAND ISLANDE IRELAND IRLANDE ITALY ITALIE LATVIA LETTONIE LIECHTENSTEIN LIECHTENSTEIN LITHUANIA LITUANIE LUXEMBOURG LUXEMBOURG MALTA MALTE REPUBLIC OF MOLDOVA MONACO MONACO MONTENEGRO MONTÉNÉGRON NETHERLANDS PAYS-BAS NORWAY NORVÈGE POLAND POLOGNE

# MYTHS AND FACTS ABOUT THE ISTANBUL CONVENTION

Council of Europe Project  
“The Istanbul Convention: a tool to advance  
in fighting violence against women  
and domestic violence in Ukraine” (2018-2020)





# MYTHS AND FACTS ABOUT THE ISTANBUL CONVENTION

The Council of Europe Convention  
on preventing and combating violence against  
women and domestic violence  
(also known as the Istanbul Convention)

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# *MYTHS AND FACTS*

about the Istanbul Convention



# MYTH 1

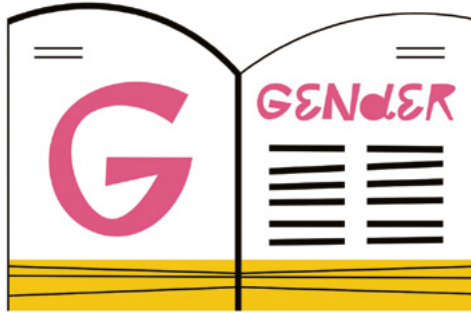
*THE ISTANBUL CONVENTION IS A FOREIGN DOCUMENT IMPOSED ON US BY EUROPE.*

## **FACT.**

Ukraine was one of the authors of the Istanbul Convention and signed it without any external pressure. Its ratification, which is the final step after signature, will also come as a decision of the Ukrainian authorities.

Ukraine has been a member of the Council of Europe since 1995. In 2011, Ukraine participated in the preparations of the Istanbul Convention as a member of the Council of Europe.

The adoption of this document was preceded by numerous discussions, and the text was unanimously approved by the Committee of Ministers of the Council of Europe. Representatives of the Ukrainian Ministry of Justice, the Ministry of Foreign Affairs, and the staff of the Permanent Mission of Ukraine to the Council of Europe were involved in its preparation.



## MYTH 2

*THE ISTANBUL CONVENTION INTRODUCES THE CONCEPT OF "GENDER" IN UKRAINIAN LEGISLATION, WHICH IS NOT TYPICAL OF UKRAINE.*

### **FACT.**

The concepts of "gender" and "gender equality" are not something new or inconsistent with Ukrainian legislation. The Law of Ukraine "On Ensuring Equal Rights and Opportunities for Women and Men", which was adopted in Ukraine in 2005 and remains in force, defines the concept of "gender equality" as the equal legal status of women and men, and provides for equal opportunities for women and men to participate equally in all spheres of society.



## MYTH 3

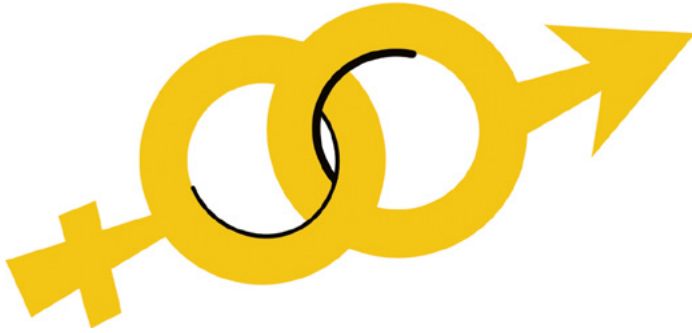
*THE ISTANBUL CONVENTION AIMS TO REGULATE FAMILY LIFE OR FAMILY STRUCTURE AND LEADS TO THE DESTRUCTION OF THE TRADITIONAL UKRAINIAN FAMILY.*

### **FACT.**

The purpose of the convention is not to seek regulation of family life or family structure. The convention does not contain a definition of “family” and does not establish or promote any specific type of family relationship.

The Istanbul Convention aims to end violence against women and domestic violence. It does not aim to define or regulate any type of family, traditional or not. It is not aimed at destroying the traditional Ukrainian family. It aims at breaking silence about violence within families, which has caused suffering for victims, including children. The real threat to families is the violence itself, not measures that intend to protect and support its victims.





## MYTH 4

*THE CONVENTION SEEKS TO "ELIMINATE DIFFERENCES"  
BETWEEN WOMEN AND MEN AND DENIES THEIR DIFFERENCES.*

### **FACT.**

The Istanbul Convention does not seek to eliminate differences between women and men and does not imply that women and men are or should be the same.

At the same time, the convention requires measures to be taken to counter the idea that women are inferior to men.



# MYTH 5

*THE CONVENTION CONTRADICTS RELIGIOUS TRADITIONS  
AND RELIGION IN UKRAINE.*

## **FACT.**

The convention does not interfere with religious norms. However, it emphasises that culture, customs, religion, tradition or so-called “honour” should not be seen as a justification for any act of violence.

The Istanbul Convention has been ratified by a number of countries with strong religious traditions including Serbia, Greece, Cyprus, Montenegro, Georgia, Spain, San Marino, Italy, and Poland.

It is worth remembering that according to our Constitution the church and religious organisations in Ukraine are separate from the state. At the same time, everyone in Ukraine has the right to freedom of thought and religion.



# MYTH 6

*THE CONVENTION INTRODUCES SAME-SEX MARRIAGE INTO UKRAINIAN LAW, AS WELL AS THE CONCEPTS OF "SEXUAL ORIENTATION" AND "GENDER IDENTITY".*

## **FACT.**

The Istanbul Convention does not set new standards or requirements for gender identity and sexual orientation, including for the legal recognition of same-sex couples. Many states not recognising same-sex marriage have already ratified the Convention.

At the same time, the terms "sexual orientation" and "gender identity" are already included in Ukrainian legislation, having been introduced in 2015. In particular, the Labour Code of Ukraine contains Article 2-1 "Equality of labour rights of citizens." This article provides for the prohibition of any discrimination in employment, in particular on the grounds of "sexual orientation" and "gender identity". The approach of the Istanbul Convention to the matter is the same: sexual orientation and gender identity could not be used as grounds to justify violence.



# MYTH 7

*THE CONVENTION PROTECTS ONLY WOMEN  
and GIVES THEM PRIVILEGES.*

## **FACT.**

The Istanbul Convention is focused on women, as it covers forms of violence from which only women suffer (forced abortion, female genital mutilation) or which women face much more often than men (sexual violence and rape, stalking, sexual harassment, domestic violence, forced marriage, forced sterilisation). However, the convention encourages the application of its provisions to all victims of domestic violence, including men and children.

According to the Ministry of Social Policy, 90% of victims of domestic violence are women, with every 5th woman in Ukraine experiencing some form of violence during their lifetime.

In 2019 more than 130 000 domestic violence complaints by citizens were recorded, a 15% increase from the same period in 2018. 88% of the complaints were from women, and 10% from men, with children registered in 1055 complaints.



# MYTH 8

*THE CONVENTION ENCOURAGES STATES TO INTERVENE IN THE EDUCATIONAL PROCESS.*

## **FACT.**

The Istanbul Convention considers education an important aspect of the prevention of violence against women, because attitudes, convictions and behavioural patterns are shaped very early on in life. However, the convention allows flexibility for states to decide at their own discretion when and how to address issues of gender equality, mutual respect and non-violence in formal or non-formal educational settings.

Reproducing stereotypical patterns of behaviour in education means limiting the development of natural talents and abilities of girls and boys, their educational and professional choices, as well as their life opportunities. The education children receive influences significantly how they think about themselves, their peers and how they interact with the other sex.



# MYTH 9

*UKRAINE ALREADY HAS LEGISLATION TO PREVENT VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE, SO THE ISTANBUL CONVENTION IS NOT NEEDED.*

## **FACT.**

With the adoption of the convention, preventing and combating such violence is no longer a matter of the political will of the government, but a legal obligation of the country under international law. This includes changing laws, implementing practical measures and providing funding to ensure zero tolerance for violence against women and domestic violence. In addition, the Istanbul Convention makes it clear that violence against women and domestic violence can no longer be considered a private matter, and that States must take a stand and adopt measures to prevent violence, protect victims and punish perpetrators.

In recent years, a number of changes have already been made to Ukrainian legislation to protect women from violence. In 2017, the parliament passed the Law on the Prevention of Domestic Violence, and in 2019 amended the Criminal and Criminal Procedure Codes. In 2020 President of Ukraine stressed that combating violence against women is part of the domestic and foreign policy of the state, for which human rights are among the topmost values. The President signed the Decree "On Urgent Measures to Prevent and Combat Domestic Violence, Gender-Based Violence, and Protect the Rights of Victims of Such Violence."

This is a good start, but the presence of national legislation is not in itself an argument to consider an international convention unnecessary. Firstly, the Convention covers needed areas in Ukrainian legislation and practices, such as providing shelter to victims, applying for compensation, and criminalising female genital mutilation. Secondly, by ratifying the Convention Ukraine will join a growing number of states parties who regularly exchange practices and approaches for better implementation. Thirdly, by ratifying the Convention Ukraine sends a strong signal to the international community about its engagement against these forms of violence. And finally, Ukraine will be assessed by external experts who monitor the Istanbul Convention, and who can provide guidance and recommendations leading to a better prevention of violence, protection of victims and prosecution of perpetrators.

Produced under the project  
The Istanbul Convention: a tool to  
advance in fighting violence against  
women and domestic violence  
in Ukraine (2018–2020)

[https://www.coe.int/en/web/kyiv/  
the-istanbul-convention-a-tool-  
to-advance-in-fighting-violence-  
against-women-and-domestic-  
violence-in-ukraine](https://www.coe.int/en/web/kyiv/the-istanbul-convention-a-tool-to-advance-in-fighting-violence-against-women-and-domestic-violence-in-ukraine)

For more information, please see  
*The Council of Europe Convention  
on Preventing and Combating Violence  
against Women and Domestic Violence  
(Istanbul Convention)*;  
*Questions and answers*

at  
[https://rm.coe.int/istanbul-convention-  
questions-and-answers/16808f0b80](https://rm.coe.int/istanbul-convention-questions-and-answers/16808f0b80)





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The Council of Europe is the continent's leading human rights organisation. It comprises 47 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.

