

Violence against Women in EU Law and Policy

WAVE Shadow Report to GREVIO's Baseline Evaluation of the
European Union's Implementation of the Istanbul Convention



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Introduction

The **Women Against Violence Europe (WAVE) Network** is the largest European network of Women's Specialist Services (WSS), representing over 1,600 women's organisations across 46 European countries through more than 190 members — primarily women-led, feminist civil society organisations. Our members are the frontline responders to violence against women and domestic violence across Europe: the organisations that provide crisis intervention, shelter, advocacy, and long-term support to survivors every day. This unique position, spanning diverse national contexts whilst grounded in direct, specialist practice, gives WAVE both the responsibility and the authority to assess how EU law and policy frameworks enable or constrain effective, survivor-centred responses to violence. No other pan-European network brings together this breadth and depth of expertise on violence against women and girls.

WAVE therefore welcomes the opportunity to contribute to the monitoring procedure of the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), assessing legislative and other measures taken by EU institutions, bodies and agencies to implement the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).

Since the entry into force of the Istanbul Convention (IC) in relation to the European Union on 1 October 2023, WAVE has closely monitored its implementation at EU level, in particular when it comes to the adoption of Directive (EU) 2024/1385 of the European Parliament and of the Council of 14 May 2024 on combating violence against women and domestic violence - as the main sectoral EU legislation in implementing IC standards.

This report outlines key developments in the implementation of the Istanbul Convention at EU level, identifying persistent gaps and offering targeted recommendations to address them. It focuses on the status and role of women's specialist services, approaches to primary prevention, funding frameworks, child custody and visitation rights, and migration-related legislation affecting migrant women survivors of violence. Rather than aiming to provide a comprehensive analysis of all Convention standards reflected in EU law and policy, the report delves into **selected cross-cutting issues identified by WAVE and its member organisations as essential for advancing effective implementation.**

Building on the structure of GREVIO's baseline evaluation, the report explores areas where WAVE and its members possess direct expertise and evidence-based insight. It is organised into **five thematic chapters**: (1) women's specialist services within EU policy frameworks and related funding mechanisms - particularly the Citizens, Equality, Rights and Values (CERV) Programme and its Daphne strand; (2) primary prevention underpinned by gender equality principles; (3) specialist service provision for victims of violence against women; (4) child custody and visitation in the context of violence against women; and (5) migration and asylum legislation affecting migrant and refugee women survivors. For each theme, WAVE assesses the extent to which current EU legislation and



policy align with Istanbul Convention standards, drawing on the **frontline experience of its member organisations supporting survivors across Europe.**

At the EU level, some legal and policy instruments reflect growing recognition of the gendered nature of violence and the corresponding need for prevention. Instruments such as the Directive (EU) 2024/1385 on preventing and combating violence against women and domestic violence, the 2025 Roadmap for Women’s Rights, as well as the forthcoming Victims’ Rights Directive recast and the EU Gender Equality Strategy post 2025, mark important milestones in the Union’s efforts to address violence against women (VAW).

However, these advances remain constrained by three key factors: (1) the limited competences of the EU in the field of violence against women; and (2) the persistence of a gender-neutral policy premise that runs through EU action on violence against women and fails to acknowledge the structural inequality underpinning it; and (3) the fragmentation of EU policy frameworks into silos disconnecting violence against women from the domains where it is both rooted and experienced—particularly in family law and migration policy.

Any legislative and policy efforts that aim to adequately and structurally prevent and combat violence against women need to be rooted in the explicit understanding that violence against women is deeply rooted in the structural inequality between women and men. While the EU framework demonstrates rhetorical recognition of gender inequality, it has not yet embedded this understanding as a central preventive and explanatory principle within binding law, policy implementation, and funding structures. This framing shapes funding priorities, legislative design, and institutional responses in ways that undermine effective prevention and protection. **Without explicit legal anchoring, measurable targets, sustained investment in gender-transformative measures, and policy coherence across the Union’s policy and legislation, EU prevention and protection efforts risk addressing only the symptoms of violence rather than its systemic roots.**

The **Istanbul Convention** provides a **crucial normative benchmark by defining violence against women as both a manifestation and a consequence of structural inequality between women and men.** In contrast, the current **EU Directive on VAW**, while groundbreaking in establishing a dedicated criminal law framework, takes a **formally gender-neutral approach.** This premise—built on the assumption that violence affects men and women equally—obscures the disproportionate impact of male violence against women, eroding the transformative ambitions envisioned by the Convention. Moreover, the lack of a fully intersectional perspective risks sidelining different experiences of violence among women across racial, socioeconomic, and migratory backgrounds—a gap that manifests concretely in migration and asylum legislation that actively undermines the rights and safety of migrant and refugee women experiencing violence, as detailed later in this report.

This **gender-neutral framing** also shapes the policy environment in which women’s specialist services operate. By positioning such services as adjacent or complementary to general victim support structures, as is the case in Article 25 of the EU Directive on VAW, the EU implicitly relegates them to a secondary role, using arguments of efficiency and integration to justify prioritising generic services. This stands in contrast to Article 22 of the Istanbul Convention, which **recognises women’s specialist**



services¹ as indispensable pillars of a survivor-centred, rights-based response to violence against women. The consequence is that women’s organisations—the primary point of contact for women victims and often the only providers equipped to deliver gender-sensitive and empowerment-based support—remain persistently underfunded and undervalued, threatening both the availability and quality of support for survivors across the Union and risking the very survival of the specialist services upon which that support depends.

This framing has tangible consequences for the allocation of EU funding under key programmes, particularly the Citizens, Equality, Rights and Values (CERV) Programme and its Daphne strand, both current and forthcoming. **Despite the EU’s commitment to supporting civil society and advancing gender equality, an analysis of the 2024 CERV–Daphne funding portfolio reveals a structural imbalance in its resource distribution.** The majority of funded projects are led by large public authorities, academic institutions, and broad-mandate international NGOs, while women’s specialist services—those with direct, frontline experience of supporting women survivors of violence—remain significantly underrepresented both as coordinating entities and as partners. **Without dedicated, long-term, and ring-fenced financial investment in independent women’s specialist services—specifically those run by and for women—the EU risks undermining the continuity and sustainability of its broader framework for the prevention of and response to violence against women.**

Prevention remains a critical yet underdeveloped pillar of the EU’s response to violence against women. **There is an urgent need for robust, evidence-based primary prevention policies and programmes that go beyond reactive measures to address the structural gender inequalities and social norms that sustain violence.** In line with the principles of the Istanbul Convention (Articles 12–14), the EU Gender Equality Strategy 2026+ and the European Pillar of Social Rights, prevention efforts must be grounded in a clear understanding of gender inequality as both cause and consequence of such violence. This requires **mandatory, age-appropriate, and comprehensive sexuality and relationship education** across all Member States, promoting respect, consent, and equality between women and men. It also calls for **long-term investment in gender equality initiatives and education reforms** aimed at dismantling harmful gender stereotypes and social norms, supported by public awareness campaigns and community-based engagement. **Equipping individuals—especially women and girls—with practical skills to recognise, resist, and challenge violence**, including through feminist self-defence and empowerment-focused training, is an essential part of this approach. **Preventive measures should be pursued through coordinated action across the education, health, justice, and social sectors to ensure coherence and impact.**

The current report does not cover Chapter V of the Istanbul Convention “Substantive Law” - in detail- but draws attention- to a **highly pressing matter** in the majority of EU countries (and beyond): **the harmful effects of violence on the mother and her children, particularly when it comes to**

¹ For the purposes of this report, WAVE distinguishes between women’s specialist services, general services, and generic services, in line with the Istanbul Convention framework. **Women’s specialist services**, as defined under Article 22 IC, provide gender-specific, survivor-centred support delivered by independent women’s organisations. **General services** refer to broader public services accessible to survivors but not necessarily gender-specific. **Generic services** include broad-mandate NGOs or institutional actors offering support to victims of all crimes without a feminist or gender-specific analytical framework.



establishing child custody and/or visitation rights. The Violence against Women Directive requires that children’s safety be considered in civil proceedings (Article 32), but frames this only in terms of the “safety of children”, without explicitly addressing custody and visitation decisions or the safety of the abused mother. **This framing is problematic because it disconnects the assessment of the child’s best interests from the mother’s safety and rights.** By treating violence against the mother and against the child as separate issues rather than closely interconnected harms, it **reinforces the presumption that contact with the perpetrator should be maintained even where serious violence occurs.** As a result, the Directive is more permissive and less protective than the Istanbul Convention.

The EU accession to the Istanbul Convention regarding matters on asylum and non-refoulement and related implementation is another critical aspect highlighted throughout the present report. WAVE highlights in the ‘Migration and Asylum’ chapter how EU secondary law fails to reflect the standards enshrined in Articles 59 - 61 IC, often narrowing or conditioning the safeguards these provisions are intended to guarantee for migrant women. **EU legislation leaves residence security heavily tied to family status, economic resources and discretionary decisions, with no EU-wide guarantee of autonomous and renewable permits in cases of VAW. Reception and asylum rules remain structurally gender-neutral and lack mandatory VAW training, safe disclosure spaces, and systemic referral pathways to women’s specialist services, which leads to under-identification of violence and inadequate consideration of VAW as a ground for protection.** The new **EU Pact on Migration and Asylum and the forthcoming Return Directive**, which include screening, border procedures and expanded so-called “safe third/safe origin” concepts, embed accelerated, detention-like processes and externalisation practices that are ill-suited to survivor-centred disclosure and risk assessment. Furthermore, they heighten the danger of refoulement for women and their children, particularly in countries where VAW and harmful practices are widespread despite their designation as “safe”.

For each of these challenges, this report offers concrete recommendations grounded in the expertise of WAVE members working daily with survivors across Europe. These recommendations come at a pivotal moment: the EU is currently negotiating its next seven-year Multiannual Financial Framework and preparing the post-2025 Gender Equality Strategy. The decisions made now will determine whether the Union moves forward with meaningful implementation of its Istanbul Convention commitments or allows its legal obligations to remain symbolic. The moment to take action is now. Women's and girls' rights are already being eroded across Europe, and women's specialist services are at risk of disappearing in many contexts. The EU must ensure it puts both funding and policy action behind its legal commitments under the Istanbul Convention to guarantee effective implementation and lasting change.

While important progress has been made in developing EU policies to address violence against women and their children, genuine **change requires legal and policy responses that move beyond gender neutrality.** These responses must explicitly recognise and address structural gender inequality as the root cause of violence and restore women’s specialist services to their rightful place as central actors in prevention, protection, and recovery. This shift is essential not only to align EU law with the Istanbul Convention, but also to improve coherence, effectiveness, and accountability across all EU instruments addressing violence and discrimination against women.



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1. Integrated Policies and Data Collection

Assessment of EU measures in relation to the application of Article 7 to 11 of the IC

Article 7 of the Istanbul Convention: Comprehensive and co-ordinated policies

While the European Treaties do not specifically require preventing and combating violence against women (VAW) and domestic violence (DV), equality between women and men is embedded as a core principle in EU law. The EU treaties, including Article 2 and Article 3(3) of the Treaty on European Union (TEU), and Articles 8, 19, 153, and 157 of the Treaty on the Functioning of the European Union (TFEU), require the Union to promote gender equality in all areas, especially employment, work, and pay. Article 8 TFEU specifically requires the EU to mainstream gender equality in all its policies and actions. The Charter of Fundamental Rights, in Article 21, prohibits discrimination on the basis of sex and, in Article 23, obliges the EU to actively ensure equality between women and men in all areas. Positive action to support the under-represented sex is explicitly permitted to redress imbalances. Together, these provisions commit the EU both to combat discrimination and to proactively promote gender equality throughout its institutions and Member States.

WAVE considers this as a **solid basis to establish effective, comprehensive and coordinated policies in the area of preventing and combating violence against women and domestic violence.**

The European Union's **accession to the Istanbul Convention** marks a significant milestone in its commitment to preventing and combating violence against women and advancing gender equality policies. With accession, the EU has committed to upholding the Convention's standards within the scope of its competences, particularly in judicial cooperation in criminal matters, migration and asylum, and the functioning of EU institutions.

Article 7 of the Istanbul Convention requires Parties to adopt and implement comprehensive and coordinated policies encompassing all relevant measures to prevent and combat violence against women, placing human rights at the centre, ensuring cooperation among stakeholders, and guaranteeing effective, holistic responses.

The EU has taken decisive action through binding legislation, notably **Directive (EU) 2024/1385 (VAW Directive) on combating violence against women and domestic violence**, and **Directive 2012/29/EU on minimum standards for victims' rights (Victims' Rights Directive)**. These legal instruments, building on the Union's obligations under Articles 2, 21, and 23 of the Charter of Fundamental Rights and international texts - including the Istanbul Convention - establish a broad definition of violence, covering:

- Violence against women and domestic violence.



- Specific criminal offences: female genital mutilation, forced marriage, cyber violence (cyberstalking, cyber harassment, cyberflashing, non-consensual sharing of intimate material, incitement to hatred/violence online).

The VAW Directive includes, in its recitals, definitions and conceptual framing of violence against women and domestic violence. It recognises violence against women as a form of structural discrimination against women, rooted in socially constructed gender roles. In defining domestic violence, the Directive explicitly recognises psychological and economic violence, including coercive control, and clarifies that such violence may occur regardless of whether the perpetrator shares or has shared a household with the victim.

The Victims' Rights Directive also includes a definition of gender-based violence. According to Recital 17 of the Directive, violence that is directed against a person because of that person's gender, gender identity or gender expression or that affects persons of a particular gender disproportionately should be understood as gender-based violence.

In relation to implementation at national level, the VAW Directive establishes a **three-year framework** for Member States to transpose its provisions. For this purpose, the European Commission organised **workshops to support the transposition** of the Directive scheduled for 2025 and 2026. WAVE has been invited by the Commission to express its interest in contributing to the different chapters of the Directive addressed in these workshops, with the aim of bringing feminist CSOs expertise into such spaces.

Other relevant EU legislation containing definitions or references to violence against women and gender-based violence include **Regulation No. 606/2013 on mutual recognition of protection measures in civil matters** which is intended to protect persons from "any form of gender-based violence or violence in close relationships" such as physical violence, harassment, sexual aggression, stalking, intimidation or other forms of indirect coercion'. **Directive 2011/99 on the European Protection Order** also recognises the relevance of protection orders in cases of gender-based violence. Recital 9 clarifies that, while the Directive applies to protection measures aimed at all victims of crime, it takes into account the specificities of different types of crime, including gender-based violence. Together, **Directive 2011/99/EU on the European Protection Order (EPO)² and Regulation (EU) 606/2013 on the mutual recognition of protection measures in civil matters** ensure victims can access protection measures across borders and establish obligations to inform victims, in a language they understand, about their rights and the applicable procedures.³ Despite these provisions, the European **Protection Order remains severely underused**, largely due to insufficient awareness among victims and professionals, and persistent **gaps in its implementation**.⁴

²Directive 2011/99/EU of the European Parliament and of the Council of 13 December 2011 on the European protection order, OJ L 338, 21.12.2011, pp. 2-18.

³Regulation (EU) No 606/2013 of the European Parliament and of the Council of 12 June 2013 on mutual recognition of protection measures in civil matters, OJ L 181, 29.6.2013, pp. 4-12.

⁴European Commission, Report on the implementation of Directive 2011/99/EU on the European protection order, COM(2020) 187 final, 11 May 2020; Joint report by the European Union Agency for Criminal Justice Cooperation (Eurojust)



Strategic policy frameworks further reinforce, at least on paper, the EU's commitment to victims' rights. The **EU Strategy on Victims' Rights (2020–2025)** sets out concrete commitments to improve victims' awareness of their rights, strengthen cooperation with Member States, enhance professional training, and develop cross-border tools.⁵ The Strategy explicitly recognises that too many victims are unaware of their rights or unable to access support. It acknowledges **gender-based violence as a grave violation of human rights and a persistent barrier to gender equality in the EU**, noting that **only around one third of women** who experience physical or sexual abuse, mostly by partners or close relatives, **contact the authorities**, pointing to widespread underreporting and structural barriers to women in seeking help. However, **the effective translation of these commitments into tangible improvements continues to depend on Member States' political will** and the meaningful inclusion of women's specialist services (WSS) in implementation processes.

What does WAVE understand by women's specialist services?

Women's specialist services is a collective term used to define feminist services that support women and their children experiencing gender-based violence. These services include but are not limited to women's support centres, women's shelters, helplines, rape crisis and sexual violence referral centres, as well as primary prevention services.

WSS empower and support women and girls throughout the cycle of violence by putting their needs at the centre of all interventions, applying an intersectional approach, and working together with them, recognizing their agency. WSS are typically run by non-governmental feminist organisations that aim to advance women's and girls' human rights to enjoy a life free from all forms of violence.

WSS have for decades been agents of social, cultural, and political change promoting women's equality in the wider society and challenging the patriarchal system which is the root cause of violence against women and girls. Not only do WSS provide vital services to women and their children, but they also serve as a laboratory for continuous innovation and development of practices and are the first to identify gaps in legislation and policy that affect women and areas for improvement. They are, therefore, vital partners to governments, policymakers, as well as to all other stakeholders working to end violence against women.

The **EU's Gender Equality Strategy 2020-2025⁶ (COM(2020) 152 final)** sets out the European Commission's overarching vision and policy framework for achieving a gender-equal Europe, with a strong focus on ending gender-based violence, challenging stereotypes, and promoting equal opportunities. The strategy explicitly frames gender-based violence as a violation of fundamental rights and human dignity, in line with the EU Charter of Fundamental Rights and international standards, including as the Istanbul Convention. It further recognises that women are disproportionately affected by gender-based violence and commits to a "victim-centred approach,"

and the European Institute for Gender Equality (EIGE) on the European Protection Order: Perspectives from the judiciary and support services <https://eige.europa.eu/sites/default/files/documents/epo-report.pdf>.

⁵European Commission, EU Strategy on victims' rights (2020-2025), COM(2020) 258 final, 24 June 2020.

⁶ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52020DC0152>



emphasizing the need for protection, support, access to justice, and effective remedies for victims of such violence.

Following the expiry of the Gender Equality Strategy in 2025, in March 2025, the European Commission adopted the **Roadmap for Women's Rights**⁷, laying the groundwork for a new post-2025 Gender Equality Strategy. The roadmap frames **gender equality as a founding EU value and a driver of democracy, social fairness, and competitiveness**. It reviews progress achieved under the 2020–2025 Gender Equality Strategy, highlighting advances in gender mainstreaming, legislative developments (such as the EU's accession to the Istanbul Convention and new directives on pay transparency and work-life balance), and gradual though slow and uneven, progress in the Gender Equality Index (up 7.9 points since 2010).

While the Commission has announced its intention to develop a new Gender Equality Strategy to follow the 2020–2025 framework, building on lessons learned, the effectiveness of any future strategy will depend on whether persistent implementation gaps are addressed. In particular, stakeholder consultations and impact assessments must translate into concrete commitments, adequate resourcing, and the systematic involvement of women's specialist services, including organisations supporting victims of violence against women and domestic violence, to ensure EU policies are grounded in the lived experiences and needs of survivors across Member States.

WAVE notes with appreciation that the Istanbul Convention is increasingly being used as an **interpretative tool in the case law of the European Court of Justice**. The practice of using international treaties as interpretative tools for EU law is well established and reinforced by recent jurisprudence. In its WS judgment (CJEU, 2024), the Court demonstrated a significant evolution: the Court explicitly relied upon the Istanbul Convention and CEDAW when interpreting Article 78(1) TFEU in the context of the Qualification Directive, which governs international protection for victims of gender-based violence seeking asylum. This marks the first time the CJEU has formally used the IC for such interpretive purposes.

Beyond judicial interpretation, other EU institutions and agencies contribute to the prevention and response to violence against women. The European Parliament, notably through its Committee on Women's Rights and Gender Equality (FEMM Committee) has played a central role in advancing political debate and legislative initiatives on violence against women and gender equality. In addition to its role in the adoption of the EU Directive on violence against women, the Parliament has addressed related issues through resolutions and debates, including sexual and reproductive rights, women's participation in political life, sexual violence and consent-based legislation, and the intersection between child custody arrangements and violence against women.⁸

EU agencies further support coordinated policymaking through data collection and monitoring. The European Institute of Gender Equality (**EIGE**) and the **Fundamental Rights Agency (FRA)** monitor the availability and adequacy of services across Member States, providing **essential evidence to guide EU**

⁷https://commission.europa.eu/news-and-media/news/eu-roadmap-womens-rights-renewed-push-gender-equality-2025-03-07_en

⁸ https://www.europarl.europa.eu/doceo/document/TA-9-2021-0406_EN.html



policymaking. For example, FRA has documented that migrant women in several Member States face legal and administrative barriers to accessing shelters,⁹ while EIGE has highlighted that women with disabilities often encounter physical barriers to accessing support services.¹⁰ These findings demonstrate that women facing intersectional discrimination - including migrant women, women with disabilities, and women living in rural or remote areas - continue to be inadequately protected, revealing persistent gaps in the coordinated implementation of EU policies.

These persistent gaps indicate that, despite advances at legal and policy level, the EU's framework still falls short of ensuring comprehensive, coordinated, and inclusive policies as required under Article 7 of the Istanbul Convention.

Centring Human Rights

Victim-centred approaches are legally mandated: the Directives (both the VAW Directive and the Victim's Rights Directive) require member states to ensure the right to human dignity, non-discrimination, protection from inhuman/degrading treatment, personal and data integrity, and access to justice for victims of VAW. These instruments prioritise the needs, safety, and rehabilitation of victims, with dedicated specialist support services, individual risk assessments, and protection orders. They also provide for enhanced safeguards for victims in situations of particular vulnerability — including children, persons with disabilities, and victims experiencing intersecting forms of discrimination— ensuring targeted measures for those most at risk.

Coordination for Effective and Comprehensive Response

Coordination between law enforcement, judiciary, victim support services, healthcare professionals, and civil society organisations is mandated at all levels: EU, national, regional, and local. In this regard, the newly adopted VAW Directive introduces binding obligations for Member States that closely reflect the standards set out by the Istanbul Convention. Article 38 of the Directive requires Member States to establish and comprehensively implement coordinated, state-wide policies to prevent and combat all forms of violence against women and domestic violence. National action plans are now mandatory, though their content and structure allow for flexibility (Article 39), with suggested inclusion of priorities, targets, monitoring mechanisms, and resource allocation.

Multi-agency coordination and cooperation (Article 40) is required, mandating collaboration among all relevant authorities including law enforcement and judicial bodies, ombuds institutions, support services - explicitly including specialist women's services - and NGOs, as well as actors in the field of education, healthcare, and social policy. These obligations apply to all Member States, regardless of ratification status of the IC. In addition, the VAW Directive encourages Member States to foster self-regulatory cooperation with intermediary service providers, specifically addressing the digital dimension of VAW (Article 42).

⁹FRA (2016), Thematic focus: Gender-based violence, Monthly data collection on the migration situation in the EU.

¹⁰EIGE (2025), 'Sounding the alarm: turning crisis into change for victims of gender-based violence', Director's speech, European Parliament, 25 March 2025.



At EU level, coordination is pursued through integrated, multi-agency strategies, cross-sectoral approaches, and strategic partnerships. It involves institutional actors both at EU and national levels, including the European Commission, the Council of the European Union, the European Parliament, and EU Agencies through legislation, programming, strategic funding, and multiannual frameworks. This coordination also extends to collaboration with civil society organisations through funding instruments under the Citizens, Equality, Rights and Values Programme (CERV).

While progress can be observed in the establishment of minimum standards, including cross-border and multi-agency cooperation, significant gaps persist, particularly with regard to enforcement, intersectional victim support, and systematic monitoring of compliance. WAVE stresses that, while the EU acquis includes legislative acts and measures that contribute to compliance with the requirements of the Convention, targeted and sustainable resource allocation, alongside systematic, meaningful, reinforced cooperation with civil society and women's specialist services remain essential to address existing loopholes and guarantee full and effective implementation of the Convention.

These shortcomings indicate that, despite significant normative progress, the EU's coordinated policy framework has yet to deliver consistently comprehensive and inclusive protection for all women affected by violence.

Article 8 of the Istanbul Convention: Financial resources

Article 8 of the Istanbul Convention requires Parties to allocate appropriate financial and human resources for adequate implementation of integrated policies, measures, and programmes to prevent and combat all forms of violence covered by the Convention, including those carried out by non-governmental organisations and civil society.

Current EU Funding (2021-2027)

The financial resources dedicated to implementing EU policies and legislation on violence against women derive from and are primarily channelled through the Multiannual Financial Framework (MFF) 2021–2027, which sets maximum annual expenditure and provides the structure for EU programme funding.

Within the current MFF, the most significant source of EU funding for gender equality and the prevention of violence against women is the Citizens, Equality, Rights and Values Programme (CERV), with its Gender Equality priority and the Daphne strand addressing violence against women and girls. CERV has a total budget of EUR 1.6 billion for the period 2021–2027. However, these resources are shared across a broad range of objectives, including equality, Union values, anti-discrimination, and fundamental rights, and are not dedicated exclusively to responding to violence against women alone.

More specifically, objectives (b) and (d) of Article 2(2) of the current CERV Regulation¹¹ on promoting rights, non-discrimination and equality, including gender equality, and fighting violence including

¹¹ Regulation (EU) 2021/692 of the European Parliament and of the Council of 28 April 2021 establishing the Citizens, Equality, Rights and Values Programme and repealing Regulation (EU) No 1381/2013 of the European Parliament and of the Council and Council Regulation (EU) No 390/2014, OJ L 156, 5.5.2021, pp. 1–20. Available at: <https://eur-lex.europa.eu/eli/reg/2021/692/oj>



gender-based violence received two allocations: EUR 169,410,120 in 2021 prices (26.4% of the base CERV financial envelope) and an additional EUR 184,560,000 in 2018 prices (23.07% of the programme-specific adjustment). Combined, this represents approximately EUR 353,970,120 dedicated to these objectives over the 2021-2027 period.

According to the European Commission's mid-term evaluation report¹², CERV - and the Daphne strand in particular - occupy a unique position within the EU funding landscape by addressing gaps not covered by other EU programmes. The programme's added value lies in its pan-EU scope, comprehensive thematic range, independent financing structure, specific focus on EU values such as gender equality and addressing gender-based violence, and its ability to support large-scale projects, operating grants and regranting mechanisms. These features make CERV a central instrument for supporting civil society organisations active in the prevention of and response to violence against women.

Distribution of CERV funding: CSOs versus policy and institutional programmes

The CERV programme demonstrates strong demand and policy relevance through its stated commitment to mainstreaming gender equality. Between 2021-2023, approximately one quarter of CERV grant expenditure contributed strongly to gender equality, with around half of all funded projects closely linked to promoting gender equality. *This level of demand confirms both the scale of unmet needs and the centrality of civil society actors in advancing EU equality objectives.*

Formally, the vast majority of CERV funding flows directly to civil society organizations and non-governmental organizations through project grants, operating grants, and regranting mechanisms. While precise allocations vary annually by call and strand, approximately 85-90% of CERV programme expenditure goes to CSOs and NGOs implementing frontline work, with the remaining 10-15% supporting EU coordination, monitoring, evaluation, technical assistance, and programme management costs. On paper, this allocation reflects the programme's explicit design to resource civil society action rather than primarily funding institutional operations.

In practice, however, this headline distribution obscures a growing structural problem from an Article 8 Istanbul Convention perspective. Increasingly scarce CERV resources are being accessed by large, generic non-specialised organisations, umbrella NGOs, and non-profit entities with limited expertise in violence against women, often due to their greater administrative capacity, professional grant-writing resources, and ability to meet co-financing and reporting requirements. As a result, women's specialist services - particularly small and medium-sized organisations providing frontline support to victims - are being crowded out of EU funding opportunities, despite being explicitly recognised by the Istanbul Convention as key actors in prevention, protection, and support.

¹² European Commission, Report to the European Parliament and the Council on the Mid-term Evaluation of the CERV Programme, including the DAPHNE strand, COM(2025) 266 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX%3A52025DC0266>



This trend raises serious concerns regarding the adequacy, targeting, accessibility and sustainability of EU financial resources under Article 8 of the Istanbul Convention. While funding may formally reach “civil society,” it does not consistently reach those organisations best equipped to deliver survivor-centred, gender-specific services. Short-term, project-based funding further undermines the stability of specialist services, limiting their ability to retain staff, maintain expertise, and ensure continuity of support for victims. Co-finance requirements and administrative burdens with project management are aggravating factors in real access to this funding. The obligation to involve state or public entities presents further substantial difficulties for organisations operating under conditions of political hostility or repression.

Additional resources supporting the implementation of policies to prevent and combat violence against women, such as data collection and awareness raising campaigns, come from operational budgets of EU agencies: the European Institute for Gender Equality (EIGE) has an annual budget of approximately €8–9 million, while the European Union Agency for Fundamental Rights (FRA) operates with roughly €20 million yearly. These agencies play an important role in data collection, policy research, monitoring, and awareness-raising; however, they do not provide direct financial support to civil society organisations. There are concerns that the budgets allocated to EIGE and FRA are not fully sufficient for these agencies to deliver on their gender equality mandates, nor to fulfil the expanded requirements posed by EU accession to the Istanbul Convention¹³. Despite technical progress, many Member States do not prioritize gender budgeting or offer adequate support for EU-level gender monitoring, resulting in incomplete tracking, insufficient implementation, and unmet needs for policy evaluation and supporting Member States with capacity building, guidance, and oversight. This underfunding is a direct barrier to achieving the Istanbul Convention’s goals.

While EIGE and FRA contribute important institutional capacity for addressing equality issues broadly, including violence against women, their budget allocations are not disaggregated to show what proportion specifically targets violence against women and domestic violence. This makes it challenging to assess the adequacy of dedicated financial resources for fulfilling the EU's Istanbul Convention obligations under Article 8.

Core funding mechanisms and long-term sustainability

The CERV Programme provides one of the few EU-level mechanisms for unrestricted, core, and long-term funding to civil society organisations through operating grants, including four-year framework partnership agreements and annual operating grants. These grants enable organisations to work strategically and outside short-term project cycles. Such structural funding is both rare and indispensable for enabling CSOs to maintain independence, continuity, and long-term vision.

Operating grants allow CSOs to operate with greater flexibility and adaptability to developments on the national and EU level and to ensure sustainability, and to maximise their impact. They support long-term planning, skilled staff retention, reduced turnover, and higher-quality and more efficient

¹³ Carlien Scheele, "Gender Equality Forum 2024: Chair Statement," European Institute for Gender Equality, 31 January 2025, https://eige.europa.eu/newsroom/news/gender-equality-forum-2024-chair-statement?language_content_entity=en



delivery of activities, while enabling synergies across projects and the leveraging of additional sources of funding. The added value of operating grants is therefore exponential. For women's specialist services, core funding mechanisms are particularly vital, as they ensure that frontline organisations providing life-saving support to survivors of gender-based violence can preserve their specialised expertise, respond to emerging needs, and sustain the continuity of care that survivors depend on.

Despite their critical importance, the number of operating grants available under CERV is severely limited relative to demonstrated need, and competition is intense. As a result, many organisations providing essential services are forced to rely on precarious, short-term project funding that does not cover core operational costs. This leads to chronic underfunding of administrative capacity, high turnover, staff burnout, and organizational instability, undermining service quality and continuity. Such funding patterns are incompatible with the obligation under Article 8 of the Istanbul Convention to allocate appropriate and sustainable financial resources for effective implementation.

The re-granting mechanisms (financial support to third parties) introduced under CERV, while potentially valuable in reaching smaller organisations, currently suffer from fundamental design flaws that undermine their effectiveness. Implementation through intermediaries without mandatory requirements for gender equality expertise, combined with insufficient funding levels (EUR 60,000 over 3 years) and unrealistic timeframes (6-12 months), makes sustainable service delivery impossible, particularly for services like shelters with high fixed operational costs.

Moreover, medium-sized feminist civil society organisations and networks that have worked in this sector for decades frequently find their expertise undervalued and unrecognised. Current regranting models privilege administrative capacity over gender equality expertise, concentrating resources with larger organisations while defunding the very feminist CSOs that deliver every day, life-saving support. For re-granting mechanisms to function effectively and compliant with Article 8, intermediaries must be required to demonstrate proven expertise in violence against women, funding levels and timeframes must be realistic for sustainable service delivery, and feminist CSOs with decades of experience must be recognised as appropriate intermediaries rather than systematically excluded.

Taken together, these shortcomings reveal a structural gap between the EU's legal and policy commitments to combating violence against women and the financial resources allocated to fulfil them. As negotiations on the 2028-2034 Multiannual Financial Framework progress, there is a serious risk that funding for gender equality and the prevention of violence against women will be further diluted or subsumed under broader thematic priorities, rather than maintained as a distinct and adequately resourced objective. **Without explicit ring-fencing of funds, expanded access to operating grants, and targeted support for women's specialist services, the EU will continue to fall short of its obligations under Article 8 of the Istanbul Convention. Sustainable, long-term investment in feminist civil society organisations is a prerequisite for ensuring effective prevention, protection, and support for all women affected by violence.**



Article 9 of the Istanbul Convention: Non-governmental organisations and civil society

Article 9 of the Istanbul Convention requires Parties to recognise, encourage and support, at all levels, the work of relevant non-governmental organisations and of civil society active in combating violence against women and establish effective co-operation with these organisations. It requires parties to draw on the expertise of NGOs, in particular women's organisations, and to involve them as partners in multiagency cooperation.

At the EU level, elements of a multi-agency approach are reflected in cooperation between EU institutions, Member States, and civil society in the development of standards and guidance related to the implementation of the Convention and related EU legislation.¹⁴ The EU has established several **institutional mechanisms** intended to improve coordination and strengthen victim protection. The **European Commission** has appointed a Coordinator for Victims' Rights and launched the **EU Victims' Rights Platform**, aimed at facilitating dialogue between Member States, EU institutions, and civil society organisations.

In October 2024, the European Commission also established a **network of CSOs focused on the implementation of the Istanbul Convention**. This network facilitates information-sharing on Commission initiatives to implement the Istanbul Convention, supports the implementation process of the VAW Directive, and provides a channel for European CSOs to raise concerns and share expertise and convey any relevant matters to Commission representatives. However, the network operates on an informal basis and, at the time of writing, has held only one in-person meeting and three online meetings. Another network specifically established for this purpose is the **EU network on prevention of gender-based violence and domestic violence**¹⁵, in 2023.

Despite these developments, WAVE is concerned that current EU level and national **transposition processes do not yet ensure meaningful and systematic inclusion of women-led organisations and women's specialist services, as required under Article 9 of the IC**. These frontline organisations possess decades of essential expertise for effective, survivor-centred implementation, yet their participation often remains ad hoc, consultative, or symbolic rather than embedded in decision-making processes.

To comply with Article 9, the European Commission and EU Member States must lead a joint, genuinely participatory and coordinated effort, ensuring these essential actors are not sidelined, but actively included as agents of change and expert partners into discussions shaping the implementation of EU legislation as well as in devising policies to prevent and combat violence against women and girls (VAWG). This requires their structured involvement in the development, transposition and implementation of EU legislation, the design of prevention policies, and ongoing monitoring and evaluation. Without sustained, resourced, and institutionalised cooperation with feminist civil society, the transformative potential of the Istanbul Convention and EU legislation on violence against women cannot be fully realised.

¹⁴ European Equality Law Network, EU law in light of the Istanbul Convention: legal implications after the accession, page 50

¹⁵ <https://preventiongbv.eu/>



Article 10 of the Istanbul Convention: Co-ordinating body

Article 10 of the Istanbul Convention requires Parties to designate or establish one or more official bodies responsible for the coordination, implementation, monitoring, and evaluation of policies and measures to prevent and combat all forms of violence covered by the Convention. At EU level, this role is fulfilled by the European Commission.

Under Article 17(1) of the Treaty on European Union, the Commission exercises coordinating, executive and management functions in implementing international agreements to which the Union is a party and ensures the Union's external representation. When the EU acceded to the Convention, the Commission was designated as the EU's coordinating body, in accordance with Article 10 of the Convention, and it was agreed that the Commission should fulfil the reporting obligations under the monitoring mechanism. The Commission therefore acts as the designated EU contact point for the baseline evaluation conducted by GREVIO.

In practice, the European Commission coordinates EU policies and measures related to the prevention of and response to violence against women through a combination of strategic frameworks, notably the Gender Equality Strategy and the EU Strategy on Victims' Rights, and through internal coordination across its Directorates-General (DGs), EU agencies, and other EU institutions. It also engages with civil society through dedicated platforms and networks established in the context of victims' rights and the implementation of the Istanbul Convention. This coordination framework is outlined in the **European Commission Communication (COM(2025) 172 final)**¹⁶ which sets out the EU's baseline evaluation procedure for implementing the IC. The Communication document confirms the Commission's central coordinating role under Article 17(1) of the Treaty on European Union, including responsibility for coordinating and managing EU's obligations arising from the Convention and ensuring the external representation of the Union in international fora. The document also establishes the monitoring and evaluation process to report to GREVIO, structuring a multi-step coordination process throughout all the relevant Directorates-General, including associated agencies and other EU institutions.

To WAVE's knowledge, no other independent or specialised EU-level bodies have been established or designed for the monitoring and evaluation of EU policies and measures to prevent and combat all forms of violence covered by the Convention, beyond the coordinating role exercised by the European Commission.

Article 11 of the Istanbul Convention: Data collection and research

Article 11 of the Istanbul Convention requires Parties to collect disaggregated statistical data at regular intervals on all forms of violence covered by the Convention, to support research into its causes, prevalence, and consequences, to conduct population-based surveys, and to ensure that collected information is made publicly available and shared with GREVIO to facilitate international benchmarking.

At EU level, a range of institutions contribute to fulfilling these obligations. The **European Institute for Gender Equality (EIGE)** plays a central role in developing indicators, coordinating data collection on

¹⁶ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52025DC0172>



gender-based violence, and supporting Member States in improving administrative data systems. The **European Union Agency for Fundamental Rights (FRA)**, often in cooperation with EIGE, conducts population-based prevalence surveys on violence against women, contributing to comparative EU-wide evidence. **Eurostat** compiles harmonised statistical data on crime and criminal justice, while EU funding instruments support academic and policy-oriented research on violence against women. Together, these efforts provide an important foundation for evidence-based EU policymaking.

Finally, while EU-level data initiatives support evidence generation, it remains unclear to what extent collected data systematically informs legislative development, funding allocation, and policy prioritisation. Strengthening the link between data, policy formulation, and resource distribution is essential to ensuring that Article 11 contributes not only to knowledge production, but also to more effective prevention, protection, and support measures across the EU.

Identified gaps and issues

Legislative process and its limitations

Despite significant legislative and policy advances, the EU's approach remains constrained by the **limits of its legal competences and by the need for further integration of a gender equality perspective across all policy fields to ensure a holistic response to violence against women.**

A major structural barrier to effective EU action on violence against women and girls (VAWG) is that VAWG is not defined as a specific "Eurocrime" under Article 83(1) TFEU. As a result, the EU cannot set binding standards for criminalisation, data collection, or preventive measures across all Member States. The recent Directive (EU) 2024/1385 is an important step forward, but its scope remains limited: it does not establish sexual violence as a distinct crime, nor does it address other gender-specific offences such as forced abortion and forced sterilisation. This omission leaves significant gaps in the harmonisation of legal responses to gender-based violence against women and continues to exclude some of the most severe forms of gender-motivated crimes from unified protection under EU law.

The inability to rely on Article 83 TFEU as the legal basis for the VAW Directive has significantly constrained the EU's capacity to adopt a comprehensive and binding framework for the prevention and response to violence against women at the European Union level. During the negotiation process, these **limitations became particularly evident.** While the Commission's original proposal and the European Parliament's revision were ambitious and reflected more closely the standards of Istanbul Convention, as well as input from women's NGOs, the Council's position ultimately prevailed, resulting in a more limited scope and impact. As a result, several key provisions were diluted or removed, including elements related to the definition of certain forms of violence and the scope of criminalisation. This narrowing of the Directive's content has limited the EU's ability to act decisively in core areas of prevention, criminal law harmonisation, and victim protection. From the perspective of Articles 7 to 10 of the Istanbul Convention, these constraints undermine the development of a fully comprehensive, coordinated, and binding EU response to violence against women and contribute to continued fragmentation in implementation across Member States.



While the EU's accession to the Istanbul Convention and subsequent legislative and policy reforms mark important advances, persistent limitations remain. In particular, the absence of a comprehensive and intersectional approach and the ongoing prevalence of gender-neutral or insufficiently gender-sensitive policies mean the Istanbul Convention's transformative ambitions are not yet fully realised.

Gender-neutral frameworks

While the EU Directive on VAW is an important legal instrument to protect women from violence, it is built upon a **gender-neutral premise**. While the title of the Directive refers to the definitions and standards established under the Istanbul Convention, its substantive operational provisions reflect a deliberate avoidance of explicitly gendered language.

Although the Directive acknowledges that violence disproportionately affects women and girls, its operative definition of "victim" under Article 2 extends to "any person, regardless of gender." While this formulation mirrors the Istanbul Convention's inclusive approach endorsed by Article 4, i, it departs from the IC's core analytical framework by failing to embed an explicit understanding of violence as rooted in structural inequality between women and men. As a result, the Directive risks promoting an individualised and gender-neutral conceptualisation of victimhood that obscures the systemic nature, gendered patterns, and social causes of violence against women, thereby weakening the transformative potential of EU action in this field.

The criminal law-centred approach of the EU Directive on combating violence against women does not fully reflect the human rights and equality-based framing of violence against women established by the Istanbul Convention. While the Directive incorporates elements of both "violence against women" and "gender-based violence against women", it does not explicitly recognise VAW as a violation of human rights and a form of discrimination against women. This represents a departure from the Istanbul Convention's conceptual framework, which situates violence against women within a clear human rights, gender equality, and discrimination-based framework. By contrast, the EU Directive adopts a more cautious and politically neutral framing, prioritising criminal law harmonisation over a transformative human rights approach. This neutrality risks weakening the Convention's objective of addressing the root causes of violence against women, including entrenched gender norms and power imbalances. While inclusive protection of all victims of domestic or intimate partner violence is an important policy goal, the absence of an explicit structural gender analysis risks obscuring the fact that women, as a group, are disproportionately affected by systemic and gendered forms of violence. It instead reflects broader political pressures, particularly within progressive groups within the European Parliament, seeking to adopt an "inclusive" approach encompassing all victims of domestic or intimate partner violence. While inclusivity is a legitimate concern, this shift inadvertently deprioritises the recognition of women as a group disproportionately affected by structural and systemic forms of violence¹⁷. In practice, this approach weakens the Directive's alignment with the Istanbul Convention's spirit and goals.

¹⁷ See also EU Law in light of the Istanbul Convention: legal implications after the accession, European Network of Legal Experts in Gender Equality and Non-Discrimination, page 37, available here: <https://iris.unive.it/retrieve/9880845b-cdbc->



The backlash against women's rights and women's organisations

The **lack of a comprehensive and intersectional approach must be further understood within the broader social and political climate increasingly challenging gender equality and women's rights across Europe.** Independent women's organisations and feminist civil society actors are operating in an environment marked by growing resistance to gender-equality norms, which directly undermines efforts to frame violence against women as a form of gender-based and structural discrimination. As also highlighted by GREVIO in its 2024 Annual Activity Report¹⁸, women's rights defenders are increasingly coming under heightened scrutiny and pressure in the context of rising anti-rights and anti-feminist movements. This broader rollback on women's rights poses a significant obstacle to the full and effective implementation of the Istanbul Convention and to the adoption of policies that address violence against women through a gender-sensitive and intersectional lens.

WAVE highlights that the backlash against women's rights is not solely the work of the far right or the anti-gender movement but involves a **broader political shift that is gradually reframing the women's rights agenda. This has manifested as the erosion of gender-specific approaches in favour of so-called "gender-neutral policies". Gender neutrality is based on the premise that violence affects both men and women equally, obscuring the disproportionate impact of male violence against women and the structural nature of gender inequality.**

Allocation of resources to women's specialist services

With regard to Article 8 on financial resources of the Istanbul Convention and Article 9 on non-governmental associations and civil society, the VAW Directive does not contain any general or specific provision mandating that **'appropriate financial and human resources'** be allocated for the adequate implementation of integrated policies, measures and programmes to prevent and combat all forms of violence, as required under the Convention. Instead, obligations related to the allocation of resources are addressed in a more limited and fragmented manner under **Article 25 paragraph 3 - Specialist support to victims** and **Article 39 on National action plans on preventing and combating violence against women and domestic violence.** Article 25 paragraph 3 mandates that Member States shall ensure sufficient human and financial resources to provide the specialist support services referred to in paragraph 1. Where such services are provided by non-governmental organizations, Member States shall provide them with **adequate funding**, taking into account the proportion of specialist support services that are already provided by public authorities.

Although Article 25 of the EU Directive on combating violence against women appears at first glance to align with Articles 8 and 9 of the Istanbul Convention, WAVE identifies important differences that may significantly affect national implementation. In particular, the Directive requires Member States to provide "adequate funding" for specialist support services, whereas Article 8 of the Convention obliges Parties to ensure "appropriate financial and human resources." These terms are not equivalent: "adequate funding" focuses primarily on the sufficiency of financial allocations, while

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[f8bd391298c8/EU%20law%20in%20light%20of%20the%20Istanbul%20Convention_final%20for%20print%20%282%29.pdf](https://rm.coe.int/6th-general-report-on-grevio-s-activities/1680b5cbe8)

¹⁸ <https://rm.coe.int/6th-general-report-on-grevio-s-activities/1680b5cbe8>



“appropriate resources” encompasses the broader suitability, quality, and sustainability of resources including specialised staff, infrastructure, and long-term capacity. As a result, compliance with Article 25 does not necessarily guarantee that Member States will meet the Convention’s more robust resourcing standard.

Furthermore, Article 25, read together with Recitals 58–59¹⁹ of the Directive, risks framing specialist women’s services as complementary to general victim support rather than as essential, autonomous components of an effective response to violence against women. Unlike the Istanbul Convention, which recognises specialist women’s services as indispensable and ideally delivered by independent feminist organisations, the Directive allows such services to be absorbed into general support structures. This weakens the Convention’s clear distinction between general and specialist services and risks reducing women’s specialist organisations to optional referral points rather than recognising them as foundational pillars of survivor-centred protection.

The obligation placed on Parties to the Istanbul Convention under Article 8 is that of allocating financial and human resources for activities carried out by NGOs and civil society. While non-governmental organisations are briefly mentioned under Article 25, **allocating public resources for this work comes by taking into account the proportion of specialist support services that are already provided by public authorities**. While in principle such a requirement seems just, in practice this implies an actual limitation into the funding allocated for non-governmental organisations, in particular women’s specialist services, that are in most cases the ones that offer specialist support to survivors of violence. Most specialised services in Europe are provided by women’s NGOs. Recent data collected for the WAVE Country Report 2025²⁰, show that for example women-only shelters across Europe are most frequently operated by women’s NGOs with a gender-specific and feminist approach. Such organisations run shelters in 38 out of 46 countries, confirming that the women’s movement continues to form the backbone of protection and support for women and their children. If women’s NGOs running such services are seen by legal standards as an ‘add-on’ to generic and public services, this automatically impacts the level of funding such organisations have in practice access to.

Finally, gender-neutral laws and policies that fail to acknowledge the gendered nature of violence can lead to further **de-funding of women’s organisations, in particular women’s specialist services, in favour of state-run general services**.

EU financial resources dedicated to the implementation of Article 8 IC

As discussed above, financial resources for implementing EU policies and legislation on violence against women, as required under Article 8 of the Istanbul Convention, are primarily channelled through the **Multiannual Financial Framework (MFF) 2021–2027 - CERV and Daphne**. While CERV has a total budget of approximately EUR 1.6 billion for 2021–2027, its resources are spread across multiple objectives, including equality, Union values, anti-discrimination, and fundamental rights, rather than being dedicated exclusively to combating violence against women. Historically, the DAPHNE

¹⁹ Specifically mentioning specialist support services and women’s specialist services.

²⁰ WAVE Country report 2025, available here: <https://wave-network.org/wave-country-report-2025/>



programme has been a crucial lifeline for women’s specialist services, enabling them to build capacity, innovate, and strengthen data collection and service delivery.

Recent CERV-DAPHNE calls illustrate a growing shift in funding priorities that risks marginalising women’s specialist services (WSS). For example, the CERV-2025-DAPHNE call prioritised projects supporting Member State obligations under the EU Directive on violence against women, including the establishment of state-led one-stop-shop centres (OSCs). While OSCs aim to improve service coordination, this approach risks redirecting the limited resources of WSS toward supporting state implementation rather than strengthening frontline survivor services. WAVE further raises concerns that highly institutionalised OSC models may pressure survivors into engaging with law enforcement or legal processes before they are ready, undermining survivor autonomy and trauma-informed, victim-centred support. Access to specialist support should not be contingent on engagement with criminal justice procedures.

Analysis of the 2024 CERV-DAPHNE funding portfolio reveals a structural imbalance in funding allocation. The majority of funded projects are coordinated by large public bodies, universities, national institutes, and broad-mandate international NGOs, which benefit from strong administrative capacity and established policy or research infrastructures. In contrast, women’s specialist organisations with frontline expertise in domestic violence services, shelters, helplines, perpetrator programmes, and survivor advocacy are significantly underrepresented as both coordinators and partners.

As a result, funded projects tend to prioritise research, awareness-raising, digital violence, child-focused interventions, and institutional coordination, while direct investment in frontline specialist services remains limited. Key priority areas - including adult intimate partner violence responses, strengthening shelters and helplines, practice-based innovation, data system improvements, and responses to non-digital emerging forms of violence - remain underfunded. This disconnect between policy objectives and funding outcomes undermines the EU’s ability to meet its obligations under Article 8 of the Istanbul Convention, the Victims’ Rights Directive, and the Directive on violence against women.

Where current financial measures are falling short

According to the European Commission’s **2024 Charter report**,²¹ several CERV calls are so oversubscribed that only 8% to 17% of applications receive funding, leaving up to **92% of aligned initiatives unfunded**. While the Commission reports an average CERV success rate of 30%²², it acknowledges that *“many excellent applications cannot be funded due to budget limitations.”* The result is that civil society organisations devote substantial time and resources to developing high-

²¹ European Commission, “Report from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Funding to promote, protect and enforce fundamental rights – 2024 Annual report on the application of the EU Charter of Fundamental Rights”, COM(2024) 456 final (10 October 2024), https://eur-lex.europa.eu/resource.html?uri=cellar:9a46813a-86e1-11ef-a67d-01aa75ed71a1.0001.02/DOC_1&format=PDF

²² Austrian Federal Chancellery, CERV National Contact Point, “CERV Statistiken 2021-2023” [CERV Statistics 2021-2023], <https://www.cerv.at/dam/jcr:0b835c7f-5f28-4305-ab5f-ee41b295da02/CERV%20Statistiken%202021%20-%202023.pdf>



quality applications that can ultimately not be supported, representing a significant waste of CSO capacity in a policy area as critical as gender equality and preventing and responding to violence against women.

This oversubscription directly reflects a **structural shortfall in financial resources relative to need**, which is a core Article 8 concern. Even if the proposed budget increase materializes, experience shows it will still not suffice to meet the overwhelming demand. The core problem is not the lack of quality projects or capable implementers, but a persistent mismatch between legal and political commitments to meet the demand for preventing and combating violence against women across the EU.

The funded portfolio is heavily weighted toward **awareness-raising and research, particularly within youth and educational settings**, while operational measures that directly strengthen frontline women's specialised services receive comparatively limited support. Critical gaps persist, including the complete absence of projects on **primary and secondary prevention**, insufficient investment in helplines, shelters, rape crisis centres, trauma-informed counselling, and legal support, and underrepresentation of adult intimate partner violence interventions. These funding patterns risk reinforcing a cycle in which structural drivers of violence and survivor-centred frontline responses remain chronically under-resourced, undermining the EU's ability to meet its obligations under the Istanbul Convention.

Proposed future funding (2028-2034)

Under the European Commission's **proposal for the Multiannual Financial Framework (MFF) 2028–2034**, funding for equality and rights would be channelled through the new AgoraEU programme, which merges the current Citizens, Equality, Rights and Values Programme (CERV) with Creative Europe. The draft allocates EUR 3.593 billion to the CERV+ strand, signalling a nominal increase in funding for equality, rights, and non-discrimination. However, this increase remains contingent on Member State approval and may not materialise given current fiscal pressures at national level.

Even if adopted in full, the proposed CERV+ allocation would represent only approximately 0.18% of the total MFF, highlighting a stark mismatch between the EU's political commitments to gender equality and combating violence against women and the financial resources dedicated to these objectives. This raises serious concerns about the EU's ability to meet its obligations under Article 8 of the Istanbul Convention, which requires adequate and sustainable resourcing for prevention, protection, and support measures.

The proposed integration of CERV into the broader AgoraEU programme further risks **diluting the visibility and prioritisation of gender equality and ending violence against women**. While the draft regulation retains combating gender-based violence as an objective, gender equality is no longer a central programme goal but only one among multiple competing priorities. The Commission's emphasis on maximising synergies across AgoraEU's cultural, media, and civic strands may disadvantage organisations specialising exclusively in combating violence against women, particularly women's specialist services that depend on stable, targeted funding.



Moreover, the proposed MFF shifts funding priorities towards defence, security, competitiveness, and migration, while reducing the relative share allocated to social objectives and equality. Gender equality risks becoming marginalised within horizontal mainstreaming frameworks that rely primarily on expenditure tracking rather than binding objectives, earmarked funding, or gender-responsive budgeting mechanisms.

Without explicit **ring-fencing of funds for gender equality and the prevention of violence against women**, dedicated budget lines for women's specialist services, and guarantees of civil society participation in programme governance, the next MFF risks further weakening the EU's capacity to fulfil its obligations under the Istanbul Convention. **Sustained and targeted investment in feminist civil society organisations is essential to ensure that commitments to combating violence against women translate into tangible, long-term impact.**

Ensuring adequate and ring-fenced financial resources

Since its launch in 1997, Daphne funding has been a genuine success in preventing and combating violence against children, young people and women, and in protecting victims. The previous CERV Regulation recognised this legacy with a dedicated recital (Recital 13) affirming the need for an independent budget allocation for activities implementing the specific objective of preventing and combating all forms of gender-based violence. The current CERV+ proposal, however, lacks this explicit recital-level commitment, weakening the clarity and protection of Daphne's core purpose.

There is no unified or transparent system of earmarking and reporting gender equality expenditures at the EU MFF level; and separate budget lines for directives such as violence against women and domestic violence, pay transparency, work-life balance, or victims' rights do not exist. Instead, they are absorbed within larger social investment envelopes, making tracking and evaluation challenging. An EU gender expenditure tracking methodology was initiated in 2023, but reporting remains partial with continued lack of transparency.

This fragmented approach means that despite headline figures and policy priorities, the actual share of the MFF spent on gender equality, and more concretely on combating violence against women and girls, is both limited and difficult for civil society to assess. There is consensus among feminist civil society that more robust earmarking, improved tracking, and expanded funding, particularly for direct support to women's rights organisations and grassroots initiatives, are urgently needed. While the European Commission's efficiency agenda and programme consolidation may be appropriate in other policy areas, women's rights require a different approach.

Without dedicated, sustained, and ring-fenced financial investment in women's specialist services - run by and for women - the long-term sustainability of life-saving support for survivors is at risk. Rather than imposing rigid institutional service models, women's specialist services should be recognised and resourced as de facto one-stop centres, capable of providing coordinated, survivor-centred support at a pace determined by women's needs and safety.



Structural barriers preventing effective co-operation

Structural limitations in the EU Directive on combating violence against women have already translated into concrete funding practices that undermine effective cooperation with civil society, contrary to Article 9 of the Istanbul Convention. Recent CERV-DAPHNE calls illustrate how gaps in the legislative framework are operationalised in ways that systematically disadvantage women's specialist services, limiting their autonomy, capacity, and meaningful participation in EU-funded action.

In particular, the CERV-2025-DAPHNE call introduced a requirement for mandatory collaboration between civil society organisations and Member State authorities. This condition fails to account for the political reality in several Member States, where governments are hostile to feminist organisations and specialist women's services. In such contexts, enforced collaboration risks subordinating women-led organisations to state-driven, generic approaches to gender-based violence that conflict with the specialist, survivor-centred model required under the Istanbul Convention.

Rather than facilitating effective partnership, this requirement places women's specialist services in an untenable position. **In countries where public authorities actively defund or undermine feminist organisations, mandatory cooperation can become a mechanism of marginalisation rather than a pathway to meaningful collaboration, directly contradicting the Convention's obligation to recognise, support, and work effectively with NGOs.**

Similarly, the increased use of intermediary organisations in CERV-DAPHNE calls, while ostensibly intended to reach grassroots actors, has created additional structural barriers. Long-established feminist civil society organisations and sectoral networks report that their expertise is undervalued, as funding criteria prioritise administrative capacity over demonstrated gender expertise, a gender-transformative approach, and a proven track record in combating violence against women and girls.

In practice, these funding models centralise resources in larger, generic organisations while weakening specialist feminist organisations that deliver frontline, life-saving services. Short project timeframes (often six to twelve months) and low funding ceilings (as little as EUR 60,000 over three years) make sustainable service provision—particularly for shelters and intensive support services—unviable. Instead of strengthening cooperation with women's specialist services, these mechanisms introduce additional bureaucratic layers that delay or prevent direct, effective support to those best placed to assist survivors.

Undermining NGO advocacy and watchdog functions

Advocacy, watchdog functions, strategic litigation, campaigning and communication are indispensable activities for feminist civil society organisations to expose rights violations, contribute to holding institutions accountable, give voice to marginalised communities, and support survivors of violence against women and girls. These activities represent the core of how NGOs contribute to preventing and combating violence against women—not as ancillary functions, but as essential mechanisms for systemic change and accountability.



However, these activities face increasing restrictions and defunding at national levels. Worryingly, these tactics are no longer confined to national contexts but are increasingly replicated at the EU level, targeting in particular the advocacy work of CSOs. There is insufficient explicit protection in the proposed CERV+ Regulation to counter this trend. While the current CERV Regulation explicitly lists advocacy activities in Recital 22 and Annex 1, 6.b), the proposed CERV+ lacks this explicit protection, creating uncertainty about whether feminist organisations can continue this essential work with EU funding, especially in times of shrinking civic space and democratic backsliding ²³.

For survivors of violence against women and girls, advocacy and watchdog work often represents the only pathway to justice and systemic change. When advocacy is restricted or defunded, survivors lose access to justice and the mechanisms through which systemic failures are exposed and addressed are dismantled.

The failure to explicitly protect advocacy and watchdog functions in the CERV+ Regulation creates a critical gap in fulfilling Article 9 of the Istanbul Convention, which requires States to recognise and support the work of NGOs and civil society. This omission is particularly concerning given that these functions are under increasing attack across Europe. It also risks undermining the full implementation of Article 7 of the Convention, which requires States to adopt and implement comprehensive, coordinated policies to prevent and combat violence against women using all appropriate measures.

Inadequate thematic recognition of grassroots women's organisations and women's specialist services

The thematic priorities in CERV+ must reflect the real needs of communities and services on the ground. However, the current CERV+ resolution proposal fails to explicitly affirm the need for an independent budget allocation for activities implementing the specific objective of preventing and combating all forms of violence against women. Without this explicit recital-level commitment, there is dangerous ambiguity that risks gender-neutral interpretations of Daphne's scope and eligibility criteria. The regulation must include guarantees to preserve Daphne's dedicated purpose and ensure funding reaches its intended beneficiaries.

Furthermore, Recital 18 of the proposed resolution does not actively include prevention of violence against women, nor does it recognise the role of women's specialist services in preventing such violence. It also fails to ensure that all forms of discrimination and violence affecting women, including those facing multiple and intersecting forms of marginalisation, are adequately addressed.

WSS have been identified by GREVIO as the most effective and best-equipped actors to prevent and address gender-based violence. GREVIO emphasises that adequate and sustainable funding for these organisations is a fundamental requirement under Articles 8 and 9 of the IC, warning that without dedicated support for WSS, States risk diluting the gender-specific expertise essential for effective

²³ The Venice Commission's Joint Guidelines on the Freedom of Association state that: "Associations shall have the right to freedom of expression and opinion through their objectives and activities", and that "Associations shall have the right to participate in matters of political and public debate, regardless of whether the position taken is in accord with government policy or advocates a change in the law".



implementation of the Convention. As the Union advances implementation of both the Istanbul Convention and the EU Directive on combating violence against women and domestic violence, sustained support for feminist organisations and women's specialist services is essential to ensure all forms of gender-based violence are effectively prevented and combated. It is therefore crucial to ensure effective coordination of services supporting survivors of gender-based violence under CERV+, in line with the current CERV Regulation (Recital 13). CERV+ must thus explicitly include women's specialist services and women-led civil society organisations working with survivors to ensure the goals of the Convention and the Directive are fully realised.

The current CERV Regulation (Recital 12) and the Roadmap for Women's Rights emphasise that the Programme must cover the full scope of women's rights, including their health, bodily autonomy, and freedom from all forms of discrimination, including intersectional discrimination. Therefore, the proposed resolution's thematic lines must be comprehensive enough to address the multiple and intersecting forms of violence and exclusion that women face.

The weakening of this thematic recognition in proposed regulations represents a failure to adequately recognise NGO work as required by Article 9 of the Istanbul Convention, making it less visible and less protected within the broader programme architecture. As a result, this may also hinder the proper implementation of Chapter IV of the Convention on protection and support, particularly Article 18 on general obligations and Article 22 on specialist support services.

Multi-agency cooperation and failure to protect women's NGOs from hostile environment

The model of multi-agency cooperation promoted under the EU Directive on combating violence against women remains insufficiently aligned with the Istanbul Convention's approach, which recognises women's specialist services as central actors in coordinated prevention and protection responses. In practice, women's specialist organisations—despite their long-standing, gender-specific expertise in supporting survivors—risk being sidelined in favour of more generic victim-support structures. This weakens both the preventive and protective impact of multi-agency cooperation by marginalising the services best equipped to identify gendered patterns of violence, address structural inequalities, and build trust with women survivors.

Efforts by women's specialist services, including WAVE at EU level, to ensure that the Directive reflects the Convention's gender-specific and survivor-centred model have not been fully integrated into the EU's legislative and policy framework. As a result, EU-level approaches to multi-agency cooperation that do not explicitly require the structured involvement of autonomous women's specialist organisations risk reinforcing existing trends that marginalise feminist civil society and undermine effective implementation of the Convention.

This risk is exacerbated by a broader shrinking of civic space across the EU, in which feminist civil society organisations and women's rights defenders face increasing hostility, including disinformation campaigns, defamation, threats, harassment, Strategic Litigation Against Public Participation (SLAPPs), and restrictive regulatory or legislative measures. Research by the European Union Agency for Fundamental Rights (FRA) confirms that women's rights organisations and women human rights



defenders are among the groups most frequently targeted by threats and attacks, with young defenders and youth organisations facing particular vulnerabilities.

Despite these documented risks, the EU has not yet established sufficiently robust safeguards to protect feminist civil society organisations or to ensure an enabling environment for their participation in policymaking and implementation. This falls short of Article 9 of the Istanbul Convention, which requires Parties to recognise, encourage, and support the work of relevant NGOs and to establish effective cooperation with them. In practice, women’s organisations continue to face defunding, exclusion from decision-making, and hostile operating environments, undermining both the effectiveness of EU action against violence against women and the sustainability of women-led frontline services.

Gaps in data collection and research hinder evidence-based policymaking

Despite EU-wide efforts to systematically collect data on violence against women and domestic violence and support research, from the perspective of Article 11 of the Istanbul Convention, significant gaps remain. Current EU-level support for administrative data collection focuses predominantly on **criminal justice system data**, while **civil justice data**, data from **healthcare, social protection, migration, child protection, housing, and specialist support services** remains fragmented, inconsistent, or underdeveloped. This limits the EU’s ability to capture the full scope and impact of violence against women beyond reported crime.

Moreover, EU-supported data collection and research do not yet comprehensively cover all forms of violence addressed by the Convention. There are limited systematic efforts at EU level to collect prevalence data or support targeted research on **female genital mutilation (FGM), forced marriage, forced abortion, forced sterilisation**, and other specific harmful practices, despite their explicit inclusion within the Convention’s scope.

Differences in national methodologies, data definitions, and collection practices further undermine the **comparability and reliability of data across Member States**, posing a challenge for EU-wide monitoring and international benchmarking. Increased investment in methodological harmonisation and capacity-building—particularly through EIGE—is necessary to ensure that data collected under Article 11 is robust, comparable, and fit for policy use.

WAVE also highlights the **untapped role of women’s specialist services** in data collection and research. Frontline organisations regularly collect high-quality, survivor-centred data on service demand, risk patterns, repeat victimisation, and emerging forms of violence, yet their contributions remain insufficiently recognised, integrated, and resourced. Dedicated EU and national funding are needed to support data collection by women’s organisations, ensure ethical and trauma-informed practices, and integrate civil society evidence into official statistical and policy frameworks.

Finally, while EU-level data initiatives support evidence generation, it remains unclear to what extent collected data **systematically informs legislative development, funding allocation, and policy prioritisation**. Strengthening the link between data, policy formulation, and resource distribution is



essential to ensuring that Article 11 contributes not only to knowledge production, but also to more effective prevention, protection, and support measures across the EU.

Recommendations

1. Ensure a comprehensive, gender-responsive EU framework on violence against women

- Strengthen the implementation of the Istanbul Convention by ensuring a **comprehensive, intersectional, and gender-responsive approach** across all EU policies addressing violence against women.
- **Eliminate gender-neutral or insufficiently gender-sensitive approaches** that obscure the structural and gendered nature of violence against women and ensure full alignment with the Convention's understanding of violence as rooted in inequality between women and men.
- Reinforce the transformative objectives of the Convention by embedding women's rights, gender equality, and survivor-centred principles across EU legislation, policy design, and implementation.

2. Institutionalise the role of women's specialist organisations

- Ensure the **systematic, meaningful, and resourced involvement of women-led organisations** and women's specialist services in the transposition, implementation, monitoring and development of EU legislation on violence against women.
- Establish a **structured, participatory framework between the European Commission, Member States, and feminist civil society organisations**, recognising these actors as expert partners and agents of change, not merely stakeholders.
- Recognise, fund, and structurally **integrate women's specialist services into multi-agency prevention and response systems**, including in policy development, risk assessment, referral pathways, case management, and service coordination.

3. Guarantee sustainable and targeted funding

- Guarantee **sufficient, predictable, and long-term core funding** for feminist civil society organisations and women's specialist services to safeguard their operational sustainability and independence.
- **Reinstate and strengthen ring-fencing of the Daphne strand within the future CERV+ programme**, ensuring dedicated and protected funding for preventing and combating violence against women.



- Ensure that EU and national financial allocations explicitly prioritise women's specialist services and grassroots feminist organisations, rather than diluting funds across generic or non-specialised actors.
- **Prevent the crowding-out of women's civil society** by limiting competition between gender-specific initiatives and broader projects lacking demonstrated competence in violence against women and girls.

4. Strengthen coordination, accountability, and legal harmonisation

- **Strengthen EU-level coordination and monitoring mechanisms**, including clear mandates, accountability structures, and transparent reporting on implementation of the Istanbul Convention.
- Promote greater legal harmonisation across Member States to reduce fragmentation in prevention, protection, and victim support measures.
- Embed the Convention's principles - including intersectionality, survivor-centred approaches, and gender equality - across all relevant EU legal and policy instruments.

5. Secure gender equality and VAW priorities in future EU strategies and budgets

- Fully integrate the priorities of the 2025 Roadmap for Women's Rights into the post-2025 Gender Equality Strategy, ensuring continuity in combating violence against women and advancing gender equality.
- Prioritise primary prevention, targeted protection for vulnerable groups, and sustainable investment in feminist civil society within future EU gender equality and victims' rights strategies.
- Ensure the post-2027 Multiannual Financial Framework (MFF) includes earmarked, visible, and ring-fenced funding for gender equality and the elimination of violence against women, in line with Article 8 IC.

6. Improve data collection, research, and policy feedback loops

- **Strengthen harmonised, disaggregated data collection across Member States on all forms of violence** covered by the Istanbul Convention, including under-researched areas such as FGM, forced marriage, forced abortion, and forced sterilisation.
- **Expand data collection beyond criminal justice** to include civil justice, health, social services, child protection services, housing, migration, and specialist support systems.
- Provide **dedicated funding and institutional recognition for data collection and research conducted by women's specialist organisations**, ensuring ethical, survivor-centred, and practice-based evidence generation.



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- **Strengthen the link between data, development of EU law, acquis and policymaking, and resource allocation**, ensuring that evidence collected under Article 11 directly informs legislative priorities, funding decisions, and service planning.



2. Prevention

Assessment of EU measures in relation to the application of Article 12 to 16 of the IC

Article 12 of the Istanbul Convention: General obligations

Article 12 of the Istanbul Convention requires Parties to promote changes in social and cultural patterns of behaviour, eliminate gender stereotypes, and address structural inequality and unequal power relations between women and men as root causes of violence against women.

At EU level, a number of legal and policy instruments reflect growing recognition of the gendered nature of violence and the importance of prevention. The EU Directive on combating violence against women and domestic violence acknowledges that violence disproportionately affects women and girls and includes measures related to prevention, awareness-raising, education, and support for victims. Its recitals reference violence against women as a persisting manifestation of structural discrimination against women rooted in unequal gender power relations (Recital 10), harmful gender norms, stereotypes, and the gendered patterns of violence, and it establishes obligations for Member States in areas such as prevention, victim protection, and access to justice.

In addition, the EU Gender Equality Strategy 2020–2025 frames gender equality as a core EU value and identifies gender-based violence as a major barrier to women’s rights, participation, and economic independence. The Strategy includes commitments to combat harmful gender stereotypes, promote women’s economic empowerment, support equal participation in decision-making, and strengthen gender mainstreaming across EU policies. The 2025 Roadmap for Women’s Rights, adopted by the European Commission, further reinforces this policy direction by recognising gender equality as a foundation for democracy, social justice, and competitiveness, and by signalling continued EU action on gender-based violence and women’s rights in the post-2025 period.

Together, these initiatives demonstrate that the EU has taken steps to recognise the gendered dimensions of violence and to support prevention through awareness-raising, education, gender equality policies, and broader social and economic measures. They provide an important policy basis for addressing some of the social and cultural factors that contribute to violence against women.

Article 13 of the Istanbul Convention: Awareness raising

The EU has been carrying out awareness raising campaigns and programmes to prevent violence against women and domestic violence. Specific initiatives carried out by the **European Commission** and **European Parliament** can be highlighted in this regard, either related to specific dates such as the 8th of March or the 16 days of activism against gender-based violence, or even supporting campaigns like the “Orange the World” initiative, “ACT” (Advocacy, Coalition Building and Transformative Feminist Action) and the #SayNoStopVAW social media campaign, alongside the #ITakeMyHatOff campaign. All these initiatives aim to raise awareness and combat violence against



women through global advocacy, funding for victim support services, awareness campaigns and efforts to address stereotypes and promote gender equality.

Another relevant action taken by the European Commission is the establishment of an **EU network on the prevention of gender-based and domestic violence**, where the engagement of men and boys is identified as a key focus. The Network was established in 2023. It meets twice a year and consists of Member State officials and NGOs. WAVE is invited to send representatives every time the network meets. The aim of the network, as mentioned on its website²⁴ is to discuss new, emerging, or not sufficiently addressed needs for violence prevention, explore possible avenues to improve prevention, share knowledge and tools for effective risk assessment and detection of vulnerabilities and exchange existing good practices and lessons learned.

Commendable actions can be also noted in relation to initiatives carried out by the European Parliament, such as the European Gender Equality Week, first held in 2020. It brings together events and debates across various Parliament bodies and external stakeholders to advance women's rights and promote gender equality within the EU. Usually, such events are organised by the Committee on Women's Rights and Gender Equality (FEMM) and address a wide range of topics.

In the VAW Directive prevention is covered under Chapter 5 - Prevention and Early intervention, having two articles entirely dedicated to primary prevention, namely Article 34 - Preventive measures and Article 35 Specific measures to prevent rape and to promote the central role of consent in sexual relationships. Moreover, the Preamble of the Directive holds under points 73 and 75 that actions to prevent VAW and DV should be based on a comprehensive approach composed of primary, secondary and tertiary prevention measures; that appropriate preventive measures include awareness-raising campaigns, formal education by taking into account language barriers and different levels of literacy. Point 75 of the same Preamble calls that measures should aim at preventing the cultivation of harmful gender stereotypes in order to eradicate the idea of the inferiority of women or stereotyped roles of women and men.

When it comes to prevention measures listed in Article 34, the present article specifically mentions conducting awareness-raising campaigns or programmes aimed at persons from an early age, to challenge harmful gender stereotypes and to promote gender equality. Multi-agency cooperation is mentioned in paragraph 2 of the same article and specific consideration is dedicated to prevention of sexual exploitation, female genital mutilation, forced marriage and cybercrimes. Important reference is also made to the development of digital literacy skills and to the cooperation with intermediary service providers, to sexual harassment at work - where this constitutes a criminal offence under national law.

Although it lacks a provision harmonising the elements of the crime of rape, the VAW Directive nonetheless contains a provision on consent and education on consent in Article 35. The article stipulates that Member States shall take appropriate measures to promote changes in behavioural patterns rooted in the historically unequal power relations between women and men or based on

²⁴ <https://preventionbv.eu/>



stereotyped roles for women and men, particularly in the context of sexual relationships, sex and consent. Such measures should be based on the principles of gender equality and non-discrimination and on fundamental rights. The measures enshrined in the article are mainly related to awareness-raising campaigns, producing consent education materials that promotes the understanding that consent must be given voluntarily as a result of a person's free will and shall be disseminated with a view to informing the general public about existing measures on rape prevention.

Both articles require that, where relevant, the development of such programmes shall be in cooperation with civil society organisations.

The EU Victims' Rights Directive contains a provision on awareness-raising campaigns to "reduce the risk of victimisation, and minimising the negative impact of crime and the risks of secondary and repeat victimisation and minimising the negative impact of crime and risks of secondary and repeat victimisation, of intimidation and of retaliation, in particular by targeting groups at risk such as children, victims of gender-based violence and violence in close relationships". Actions include information and awareness raising campaigns and research and education programmes.

Article 14 of the Istanbul Convention: Education

The EU, through both its legislative framework and institutional initiatives, has taken action to promote the inclusion of teaching materials on equality between women and men, non-stereotyped gender roles, mutual respect, non-violent conflict resolution, and the right to personal integrity in formal and informal educational contexts.

Article 35 of the VAW Directive requires consent education, awareness campaigns and distribution of material about sexual integrity and bodily autonomy but does not specifically mention how such materials should be distributed.

The EU Gender Equality Strategy 2020 -2025 further commits to integrating gender equality in all education and training systems, encouraging non-stereotyped role models and gender-sensitive pedagogy.

Furthermore, there are specific funds being allocated from the European Commission for education projects under Erasmus+, the Citizens, Equality, Rights and Values Programme (CERV) and Horizon Europe, supporting teacher training, curriculum development and peer learning on gender equality and non-violence education.

Article 15 of the Istanbul Convention: Training of professionals

Article 36 of the Violence against Women Directive mandates both general and specialised training for different stakeholders. However, obligations related to these trainings are differentiated, according to the category of stakeholders supporting the victims. For example, police officers and court staff shall receive both general and specialist training and targeted information to support victims in a trauma, gender, and child-sensitive manner. When it comes to healthcare professionals, social services and educational staff, Member States only have the responsibility to promote such trainings or offer them. When it comes to lawyers, a recommendation can be made to those



responsible for training lawyers to make available general and specialist training. The Directive further mandates training to prevent and address sexual harassment at work, in both public and private sectors, as well as the obligation of Member States to encourage and support trainings for the media. Training shall include a section on coordinated multi-disciplinary cooperation to all allow for a comprehensive handling of referral cases.

The EU Victims' Rights Directive contains a provision on both general and special training of practitioners who "come into contact with victims" to increase awareness of their needs to be able to support them in an "impartial, respectful and professional manner". The Directive specifically targets the judiciary and legal professionals.

WAVE is aware of only one initiative undertaken by the EU—specifically by the European Commission—to support the national implementation of the Violence against Women Directive: the implementation workshops scheduled for 2025 and 2026. These workshops, held either in person or online, aim to assist Member States in the Directive's implementation process. The EU's legal service provides guidance on the transposition process to ensure that national measures comply with the standards set out in the Directive.

Apart from the actions mentioned above, WAVE is not aware of any other initiatives or actions taken by the EU, its institutions, bodies and agencies to ensure that initial and in-service training of relevant professionals is provided or strengthened in EU members.

Article 16 of the Istanbul Convention: Preventive interventions and treatment programmes

Article 37 of the VAW Directive requires Member States to establish intervention programmes aimed at preventing and minimising the risk of committing or reoffending in cases of violence against women (VAW) or domestic violence (DV). According to the same article, these programmes must be made available to persons who have already committed offences of VAW or DV. They may also be extended—at the discretion of each Member State—to individuals assessed as being at risk of committing such offences. In the case of rape offenders, participation in an intervention programme is presented only as a non-binding recommendation, encouraging but not requiring their involvement.

The preamble of the Directive adds an important clarification: tertiary prevention should focus on preventing reoffending and revictimisation, as well as managing the consequences of violence. It may include measures such as promoting bystander intervention, establishing early intervention centres, and offering intervention programmes.

Identified gaps and issues

The EU's current approach to **preventing VAWG remains fragmented and lacks a thorough understanding of what effective primary prevention requires**. Relevant policy and programming across all EU institutions and agencies is neither transparent nor well-coordinated. Agencies mandated to act on aspects of violence against women and domestic violence covered by the Convention, such as Eurofound (improvement of living and working conditions), Cedefop (professional training), EU-



OSHA (health and safety at work), ECDC (Disease prevention and control) or ENISA (cybersecurity) seem to not participate in any of the IC-related policy processes or programmes and do not cooperate with civil society organisations like WAVE and its members, neglecting a powerful potential for mainstreaming the prevention of violence against women across all EU competencies. Agencies such as EACEA and EREA could play an active role in systematically earmarking EU funding for awareness raising, prevention and research. However, their action seems to be limited to project funding that does not specifically aim at prevention activities as defined by the Convention.

There is an urgent need for robust, evidence-based primary prevention policies and programming.

Measures should include mandatory and comprehensive sexuality education, the promotion of gender equality, long-term investment in dismantling harmful norms and attitudes that perpetuate gender-based violence, and to effectively equip the population with the skills necessary not only to respond when violence has already occurred (recognising it, supporting victims, etc.), but also to effectively prevent it from arising in the first place, such as feminist self-defence tools.

WAVE notes an **overreliance on awareness-raising campaigns throughout the EU's actions but also when it comes to aspects enshrined in Chapter 5 of the VAW Directive**. Awareness-raising campaigns are often considered the default tool for preventing violence. However, decades of evidence show that such campaigns alone are not effective at reducing violence rates, including violence against women. Most campaigns focus on informing the public about different forms of VAWG and their consequences. Yet they often fail to address the root causes of violence—an essential step for real and lasting change. While well-designed campaigns can help shift attitudes, they rarely succeed in changing behaviour, largely because they do not foster the social skills needed for prosocial preventative action.

As a result, such activities do not adequately reduce women's and girls' risk of exposure to violence, abuse and exploitation, risks that stem from structural inequalities such as economic disparity, discrimination in education, healthcare, and limited access to social services. An overreliance on awareness-raising campaigns has also failed to confront the patriarchal norms, values, and behaviours that normalise misogyny, gender inequality, and disregard for women's and girls' rights.

Up until now, **most efforts have concentrated on secondary and tertiary prevention—mainly sharing information and, in some cases, attempting to shift attitudes— while primary prevention is all but neglected**. Furthermore, current policies tend to regard state institutions and women organisations as the primary actors in prevention, viewing citizens merely as targets or beneficiaries of these measures, rather than as active participants. However, it is citizens who are present at the moment and place where VAWG occurs, as potential victims, perpetrators, or bystanders, while institutions and CSOs can only intervene from a distance. This means that the enormous potential for social change through citizen participation remains largely untapped. **EU efforts to prevent VAWG are incomplete unless all three types of prevention (primary - secondary - tertiary) are addressed together.**

Furthermore, while initiatives such as the establishment of a European Network on the Prevention of Gender-Based and Domestic Violence are highly appreciated—particularly for bringing together diverse stakeholders, including women's organisations—the concrete outcomes of such meetings



remain unclear. It is not evident how these exchanges have contributed to the development of primary prevention activities. Based on the topics addressed during the Network's four meetings, WAVE notes that the discussions have primarily focused on areas related to secondary or tertiary prevention rather than on strategies directly linked to primary prevention, reproducing the unequal distribution of attention and resources.

More than 60.000 people work for the EU and its institutions and agencies. The EU therefore is responsible for preventing violence against women in the workplace and to mitigate the negative impact of violence experienced outside of the workplace on women's working conditions. #MeToo has drawn attention to sexual harassment and other forms of violence against employees in the European Parliament²⁵. However, apart from public statements and an insufficient training programme (which took seven years to adopt), nothing much has been done to change women's structural vulnerability, in particular of personal employees of MEPs, and survivors speaking out publicly experience direct and indirect retaliation. It remains unclear how the EU institutions and agencies handle their employer responsibilities and if there is a coordinated approach.

Limited Recognition of Structural Inequality as a Root Cause

Despite efforts described above, the EU's current legal and policy framework does not fully comply with the requirements of Article 12 of the Istanbul Convention, particularly in relation to addressing structural inequality between women and men as a root cause of violence.

While the EU Directive on combating violence against women recognises that such violence disproportionately affects women and girls, it fails to fully acknowledge structural gender inequality as its root cause or to explicitly frame violence against women as a form of discrimination—addressing this only briefly in Recital 10 of the Preamble. This represents a departure from the Istanbul Convention's understanding of violence against women as a manifestation of historically unequal power relations. The Directive prioritises criminal law harmonisation, victim protection, and service provision, but does not embed binding obligations to tackle the structural, economic, and social drivers of gender-based violence, limiting its transformative prevention potential under Article 12.

Although the Directive's recitals refer to harmful gender norms and stereotypes, these concepts are not consistently translated into operative legal provisions that require Member States to implement gender-transformative prevention measures. Moreover, as the Directive's Preamble serves primarily to provide context and guiding principles for interpretation, it does not have direct binding legal force like the operative articles. As a result, prevention risks focusing on awareness campaigns and individual-level interventions rather than systemic reforms in areas such as education, labour markets, economic independence, care responsibilities, political participation, and the redistribution of power and resources between women and men.

Similarly, while the Gender Equality Strategy and the Roadmap for Women's Rights articulate ambitious political commitments to gender equality, they remain largely strategic and non-binding, with limited measurable targets, enforceability, or dedicated resources to address the structural

²⁵<https://www.theparliamentmagazine.eu/news/article/has-the-european-parliament-done-enough-after-metooep>



drivers of violence against women. The absence of binding obligations and sustained funding weakens the EU's capacity to treat gender equality itself as a core prevention tool, as required under Article 12 of the Convention.

Taken together, the EU framework demonstrates important rhetorical recognition of gender inequality but falls short of embedding structural gender inequality as a central explanatory and preventive framework in binding law and implementation practice. Without stronger legal anchoring, concrete targets, and sustained investment in gender-transformative policies, EU prevention efforts risk addressing the symptoms of violence rather than its systemic causes.

Primary Prevention in the EU Violence against Women Directive

Chapter 5 of the Directive, titled "Prevention and early intervention", is placed relatively late in the overall structure, which signals that prevention is not treated as a primary priority by the drafters. Despite the explicit distinction made between primary, secondary and tertiary prevention, the chapter does not consistently follow this logic and instead conflates different approaches. As a result, primary prevention remains largely invisible or absent in the operative provisions, and the opportunity to require Member States to invest more substantially in primary prevention measures is left largely unused.

While **education** is clearly mentioned under **Article 34** and **Article 35** of the Directive, primary prevention is, again, the poor parent. Article 34 calls on Member states to develop awareness raising campaigns and programmes with the mission "to increase awareness and understanding among the general public of the different manifestations and root causes of all forms of violence against women and domestic violence, the need for prevention and, where appropriate, the consequences of such violence, in particular on children." These measures focus on awareness and attitudes rather than on building concrete skills to prevent violence in everyday situations, thus failing to operationalise how prevention should occur.

The call to "encourage all persons, especially men and boys, to act as positive role models to support corresponding behaviour changes across society" is a welcome step towards engaging wider society in prevention efforts. However, this engagement is again limited to the abstract societal level and does not include concrete preventative action in situations where women and girls are at risk of violence. As a result, such programmes and campaigns are unlikely to achieve the depth of behavioural change required to reduce violence before it occurs.

Within Article 34, only paragraph 6 on sexual exploitation and paragraph 8 on cyberviolence reflect a clearer primary prevention orientation, while the remaining provisions predominantly address secondary and tertiary prevention through information and awareness. Article 35, by contrast, concentrates on behaviour change in relation to rape, particularly by emphasising the centrality of consent, but does not extend comparable behaviour-change obligations to other forms of violence against women and girls. This suggests that the directive deems other forms of violence against women and girls as a fatality and only rape to be preventable. Also, the means Member States should



deploy to achieve behaviour change are insufficient because, again, limited to changing information and attitudes, but not skills.

In the same articles, there is no general provision on education on gender equality, education focussing on dismantling gender stereotypes or specific primary prevention education. Furthermore, even though Article 35 stipulates that measures taken by Member States shall be based on principles of gender equality and non-discrimination, as well as the central role of consent, it does not specifically mention that such criteria should be included in teaching materials and formal curricula at all levels of education. It only includes the obligation to develop consent education materials but leaves it up to Member States on how, where and in what forms such material should be distributed. Such a loophole is a missed opportunity in establishing concrete obligations for Member States to implement primary prevention measures that tackle the root causes of all forms of VAWG.

There is also no general provision on education on gender equality in the VAW Directive. Such a requirement would have been needed in a context where gender-neutral approaches, coupled with developments eroding women's rights, are an alarming trend gradually reframing the women's rights agenda and eroding mechanisms to prevent and combat VAWG.

When it comes to the role of women's organisations and their active involvement in the development and implementation of primary or other prevention activities, the Directive lacks a specific focus on the importance of collaborating with such organisations. It briefly mentions in Article 34(3) that "where relevant, programmes as referred to in the first subparagraph may be developed in cooperation with relevant civil society organisations, specialist services, the social partners, impacted communities and other stakeholders". Although the role of women's organisations could be interpreted as falling under these broader categories, the absence of explicit recognition of their contribution to preventing and combating violence against women leaves their involvement to the discretion of Member States. Given the prevalence of gender-neutral approaches in many national policies addressing violence against women and girls and the failure of Member States to lead effective primary prevention efforts while women's organisations develop such programmes with very limited resources, this oversight risks marginalising the expertise and influence of women's organisations in shaping effective prevention strategies and ensuring gender-sensitive implementation.

Article 36 of the Violence against Women Directive explicitly mandates training for professionals who support women victims of violence. Neither does the Directive address the training of primary prevention professionals, nor is primary prevention included in the contents of the professional training curricula covered by it. This means that women's specialist services providing primary prevention programmes need to invest their scarce resources in training their staff, while other professional groups will have neither the knowledge nor the skills to advise victims of violence on possibilities to effectively prevent violence. While the role of civil society organisations is acknowledged in paragraph 8 of the same article, this recognition is rather limited, leaving it to the discretion of Member States whether to involve CSOs in these activities. Moreover, the article does not acknowledge the crucial role of women's specialist services, which are frontline agents in the prevention and combating of violence against women, nor does it recognize them as key partners who should be engaged in such training initiatives. WAVE views this as a missed opportunity, particularly



regarding the European Commission's transposition workshops, where the involvement of women's specialist services is treated as optional rather than a mandatory element of multi-agency cooperation.

Article 37 of the EU Directive on violence against women reveals significant shortcomings when compared to the scope and intent of Article 16 of the Istanbul Convention. It places limited emphasis on the safety and well-being of victims as an overriding priority, failing to establish clear mandates for Member States to develop intervention programmes in close cooperation with specialist support services such as women's support organizations, law enforcement, the judiciary, probation, and child protection services. Moreover, the Directive risks shifting responsibility for behavioural change away from perpetrators and onto victims, creating a flawed dynamic that undermines victim safety and accountability of offenders.

Furthermore, WAVE highlights a problematic over-reliance on short-term perpetrator programmes, especially those that are brief, standardized interventions tied to sentence or penalty reductions for violence against women and girls or domestic violence. These one- to three-month certifications are inadequate for fostering genuine behavioural change and, when used as grounds for early release or reduced sentencing, can actually cause harm. Perpetrators may exit these programmes before true transformation occurs, increasing the risk of reoffending. More concerning, perpetrators may misuse such certificates to claim they have reformed, even when violence continues, which undermines victim credibility and protection, including in child custody cases. **Such reliance on superficial approaches, like abbreviated programmes or intervention certificate schemes, reflects a fundamental misunderstanding of prevention.** It confuses symbolic gestures with real prevention efforts and risks placing victims at greater danger while allowing cycles of violence to persist unchecked. Robust primary prevention, grounded in sustained behavioural and structural change, remains crucial.

To address these loopholes, perpetrator programmes should never be set up in isolation. They must operate in close collaboration with women's specialist victim support services and other relevant agencies, ensuring a coordinated and victim-centred approach as prescribed by the Istanbul Convention and its Explanatory Report. Funding for perpetrator programmes must be allocated separately and never at the expense of already under-resourced women's specialist services. Effective perpetrator work requires clear prioritization of victim safety, accountability for violent behaviour without justification or victim-blaming, and structured, monitored participation led by trained professionals. Additionally, perpetrator programmes must ensure survivor support is integral, avoid coercion, and avoid short-term or superficial interventions. Finally, these programmes must complement rather than compete with funding and resources for specialist victim support, operating as part of a holistic, collaborative strategy to prevent and reduce violence against women.

Identified promising practices

The EU has been actively progressing in mutual learning and the exchange of good practices on gender equality, including integration of gender perspectives into policies and programmes. Initiatives such



as the Mutual Learning Programme²⁶ facilitate peer-to-peer learning among member states, allowing for the dissemination of successful practices, such as gender budgeting, parliamentary gender quotas, and efforts to promote gender equality in research and academic environments. While these exchanges have fostered valuable insights and policy innovations, there remains room for improvement, particularly in ensuring the systematic participation of women's organisations. Currently, participation often depends on national governments selecting which independent experts and civil society actors to involve, which can limit the diversity of perspectives. To enhance effectiveness, EU initiatives should prioritize inviting a broader range of women's organisations, networks, and grassroots groups, ensuring inclusive representation and active participation from civil society in mutual learning processes. This approach would deepen the impact of the programmes, promote more comprehensive gender equality policies, and foster stronger civil society engagement across member states.

Recommendations

To ensure full compliance with Article 12 of the Istanbul Convention, the **EU should explicitly recognise structural inequality between women and men as a root cause of violence against women and embed this understanding into binding legal, policy, and funding frameworks.** Furthermore, the EU should significantly enhance its **focus and investment in primary prevention of violence against women and girls while continuing its work on secondary and tertiary prevention.** Achieving the necessary societal transformation to eliminate VAWG requires leveraging the full effectiveness of the three-pronged public health prevention approach. This demands a sustained political commitment to placing primary prevention at the core of efforts, with particular attention to intersectionality by ensuring that strategies address the specific needs of marginalized groups.

Investing in prevention—particularly in primary prevention—represents not only a moral imperative but also a sound economic strategy. In periods of economic constraint, it is even more critical to allocate resources to measures that yield the highest and most sustainable impact. The European Institute for Gender Equality (EIGE) estimates²⁷ the annual cost of gender-based violence to the EU at €366 billion, of which violence against women accounts for €289 billion. Despite these significant costs, funding for women's specialist services constitutes only around 0.4% of total expenditure—highlighting a systemic underinvestment in measures proven to be effective.

Evidence consistently demonstrates that prevention and specialist support services generate substantial social and economic returns. A French study on primary prevention found that every €1 invested results in savings of €84–€87 in societal costs, while analyses from Italy and the United

²⁶https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/gender-equality/who-we-work-gender-equality/mutual-learning-programme-gender-equality_en

²⁷https://eige.europa.eu/newsroom/news/gender-based-violence-costs-eu-eu366-billion-year?language_content_entity=en



Kingdom indicate that investment in women’s specialist services saves between €6 and €11 for every €1 spent—primarily through reduced expenditure on policing, social services, and healthcare²⁸.

To this end, the EU should:

1. Strengthen compliance with Article 12 of the Istanbul Convention to recognize structural inequality as a root cause of VAW.

- Integrate an explicit recognition of structural gender inequality as a driver of violence against women into the implementation of the VAW Directive and future EU legislation, ensuring alignment with the Istanbul Convention’s understanding of violence as a manifestation of historically unequal power relations.
- Ensure that the post-2025 Gender Equality Strategy and the Roadmap for Women’s Rights include binding, measurable, and adequately resourced commitments to reduce structural gender inequalities in areas such as education, employment, pay equity, care responsibilities, political participation, social protection, and media representation.
- Embed gender equality as a core violence-prevention strategy across all relevant EU policy areas, including education, labour, digital policy, migration, housing, health, and social policy, with clear accountability mechanisms and timelines.

2. Establish a coordinated EU framework for primary prevention for violence against women and girls

- Increase attention to and resources for primary prevention of VAWG, while maintaining efforts in secondary and tertiary prevention.
- Adopt a long-term political commitment centering primary prevention and addressing intersectionality by including marginalised groups such as migrant women, Roma women, women with disabilities, LGBTQI+ communities, and rural women.
- Task the Commission’s Gender Equality Unit with mapping existing policies, programmes, funding, and staff across EU institutions and agencies to identify opportunities to promote primary prevention of VAWG.
- Develop a coordinated EU policy on preventing and combating VAWG that includes staff and subcontractors, as well as those stationed internationally, based on mapping results and

²⁸ Nectoux, M. et al. (2010) 'Évaluation économique des violences conjugales en France', Santé Publique, 22(4), pp. 405-416. Emmi, V. and WeWorld Onlus et al. (2017) *Violenza sulle Donne. Non c'è più tempo. Quanto vale investire in prevenzione e contrasto. Analisi SROI delle politiche d'intervento*. Milan: WeWorld Onlus.
Women's Resource Centre (2011) *Hidden Value: Demonstrating the Extraordinary Impact of Women's Voluntary & Community Organisations*. London: Women's Resource Centre and Solace Women's Aid (2015) *Social Impact Report: Ascent Advice & Counselling, for Women and Girls Affected by Domestic and Sexual Violence*. London: Solace Women's Aid.



broad consultations with civil society organisations (CSOs), especially women’s specialist services.

- Ensure prevention policies explicitly prioritise primary prevention, while treating secondary and tertiary prevention as essential responses where prevention has not yet sufficed.

3. Strengthen evidence, evaluation and resourcing for effective primary prevention

- Develop a European evaluation system for primary prevention with clear indicators and outcome-focused methodologies measuring changes in attitudes, behaviours, and VAWG prevalence rather than just outputs.
- Require the European Institute for Gender Equality (EIGE) to include primary prevention data in Member States’ research and publish evidence-based guidelines (e.g., WHO’s RESPECT framework) to support Member States in implementing the VAW Directive.
- Increase, coordinate, and ring-fence funding for public authorities, women’s NGOs, and research to expand knowledge, scale promising programmes, develop quality standards, and train primary prevention professionals.
- Recognize awareness-raising campaigns as necessary but insufficient alone and promote long-term campaigns with specific messaging to encourage behaviour change and transform gender norms.

4. Recognise and resource women’s specialist services as key experts in primary prevention

- Leverage women’s specialist services’ expertise in evaluation and grant selection.
- Avoid unhealthy competition between universities, grassroots organisations, and women’s organisations.
- Promote cooperation among civil society organisations.
- Address power and size differentials so grassroots and vulnerable groups can participate equally.
- Safeguard funding for women’s and girls’ empowerment programmes separately from primary prevention funding aimed at men, boys, and communities.



3. Protection and Support

Assessment of EU measures in relation to the application of Articles 19 to 25 of the IC

Article 19 of the Istanbul Convention: Information

Article 19 of the Istanbul Convention requires that victims receive adequate and timely information about available support services and legal measures in a language they understand. Following its accession to the Istanbul Convention, the EU has taken a number of steps to align its legislation and policies with this obligation. In practice, challenges remain to ensure that these measures effectively reach women victims at national level, particularly through adequately funded, specialist women's support services.

At the legislative level, the Victims' Rights Directive (2012/29/EU) remains the central framework for ensuring compliance with Article 19. The Directive establishes victims' rights to information - including victims of violence against women - from their first contact with authorities, including referrals to specialist support services (Article 4), and to free interpretation and translation when they do not understand the language of criminal proceedings (Article 7). The ongoing revision of this Directive provides a crucial opportunity to address existing implementation gaps, particularly regarding gender-sensitive information provision.

The Directive (EU) 2024/1385 on combating violence against women and domestic violence (VAW Directive) represents a significant step towards more specific and comprehensive standards. It requires accessible information for victims at all stages of criminal proceedings and mandates that information be available in a language they understand (Recital 70). The Directive also emphasises accessible reporting channels, including digital tools, and the role of specialist support services in providing tailored information on legal advice and remedies. Importantly, it recognises the need for child-friendly and disability-accessible information and guidance for professionals engaging with victims.

Additional legal instruments also contribute to fulfilling the EU's obligations under Article 19. Directive 2011/36/EU on preventing and combating trafficking in human beings requires victims to receive information, assistance, and counselling as soon as a reasonable indication of trafficking exists, with access to interpretation and translation when necessary.

Article 22 of the Istanbul Convention: Specialist support services

The Victims' Rights Directive sets horizontal standards for all victims of crime when it comes to the right to access victim support services (Article 8) and the support provided by victim support services (Article 9). Article 8 paragraph 3 establishes the obligation of Member States to take measures to establish 'free of charge and confidential specialist support services in addition to, or as an integrated part of, general victim support services, or to enable victim support organisations to call on existing specialised entities providing such specialist support'. Furthermore, Article 9 of the Victim's Rights



Directive clearly distinguishes between the different types of victim support services, general services in paragraph 1 and specialist services in paragraph 3. As per Article 9 paragraph 1, general services shall provide information, advice and relevant support on accessing national compensation, information or direct referral to specialist services, emotional support where available and financial advice, while paragraph 3 clearly establishes that specialist support entails shelters or any appropriate interim accommodation as well as targeted and integrated support for victims with specific needs such as victims of sexual violence, or victims of gender-based violence (GBV).

The VAW Directive establishes specific standards for victims of violence against women to access specialist support services under Article 25. Member States must ensure that these specialist services - referred to in the Victims' Rights Directive - are available to all victims without requiring a formal complaint. Furthermore, Article 25 requires that such specialist services be provided as an integrated part of general victim support services, or, where this is not possible, that the two coordinate closely with each other. In view of the Directive, specialist services provide practical help (housing, education, childcare, training, financial and employment support), information on legal advice and legal aid, access or referral to medical, forensic and psychosocial/trauma care, specific support for cybercrime victims (including documenting the crime and removing harmful content), information and referral to women's services such as shelters, rape crisis and sexual violence referral centres, and referral to specialised services for victims at increased risk of violence, including rehabilitation and socio-economic integration after sexual exploitation.

The Directive further acknowledges the importance of women's specialist support services in its Preamble (particularly Recitals 58 and 59), emphasizing that such services should provide targeted and integrated support tailored to victims' specific needs. However, the Directive's framing minimises the central role of women's specialist services by positioning them as an optional "add-on" to general victim support services rather than as essential, autonomous pillars of support. The Preamble appropriately sets the context for interpretation but, from a legal perspective, does not grant binding status to the strengths of women's specialist services emphasized by the Istanbul Convention and WAVE's standards.

Article 23 of the Istanbul Convention: Shelters

Shelters and other appropriate interim accommodation are addressed both in Article 9(3)(a) of the Directive 2012/29/EU and in Article 30 of the Directive (EU) 2024/1385. Article 30 of the Violence against Women Directive requires Member States to assist victims of domestic violence and sexual violence, as well as victims at increased risk, by providing safe, easily accessible, adequate and appropriate accommodation in sufficient number, which must be accessible and able to accommodate the specific needs of women, including those of their children.

While the scope of Article 30 broadly reflects the standards set out in Article 23 of the Istanbul Convention, its material scope is more limited, as it restricts the obligation to victims of domestic violence, sexual violence, and those assessed as being at increased risk. As such, its reach does not fully extend to all forms of violence against women covered by the Convention.



Article 24 of the Istanbul Convention: Telephone Helplines

Article 29 of the VAW Directive establishes the obligation for Member States to ensure that state-wide telephone helplines are available free of charge, **24/7 and every day of the week**. Article 29 goes beyond the requirements of **Article 24 of the Istanbul Convention** by explicitly emphasising accessibility, including the obligation to ensure that helplines are accessible to persons with disabilities and that support is provided in a language end-users understand, including through telephone interpreting. The provision also recognises that support may be delivered through **ICT-based means** and requires Member States to conduct regular awareness-raising campaigns to inform the public about the existence of such helplines.

Paragraph 5 of Article 29 further encourages Member States to make use of the EU's harmonised helpline number **116 016**, in addition to any existing national numbers. The European Commission has promoted the EU-wide 116 016 helpline for victims of violence as a step towards more harmonised access to information and support across the Union. While this initiative may facilitate rapid access to multilingual assistance, feminist civil society organisations—including the WAVE Network—have raised concerns about the potential **centralisation of helpline services**. If implemented without adequate safeguards and sustainable funding for national and specialist helplines, such an approach risks weakening locally rooted, feminist, trauma-informed services with in-depth knowledge of national legal frameworks, referral pathways, and community contexts. Replacing or underfunding these services could ultimately undermine victims' access to accurate, context-specific, and trusted support.

Article 25 of the Istanbul Convention: Support for victims of sexual violence

At legislative level, the adoption of Directive (EU) 2024/1385 on combating violence against women and domestic violence represents the primary step taken by the EU to meet its obligations in relation to establishing specialist support for women victims of sexual violence. The Directive requires Member States to ensure the availability of rape crisis or sexual violence referral centres, which may form part of the national healthcare system, are geographically accessible and free of charge. It also obliges Member States to ensure accessibility for all women, including women with disabilities and migrant or refugee women.

The Victims' Rights Directive complements these obligations by requiring that victim support services be free of charge, confidential, and available in a language victims understand. However, in practice, provisions concerning specialist women's services are not sufficiently distinct from those governing general victim support services, a structural weakness that risks undermining the recognition, autonomy, and resourcing of feminist specialist organisations with the expertise to deliver gender-specific, trauma-informed, and intersectional support.



Identified gaps and issues

Chronic underfunding and lack of sustainable support for women's specialist services

Ensuring sustainable, long-term funding for women's specialist services is essential if the EU's obligations under Articles 19, 22, 23 and 25 of the Istanbul Convention are to be realised in practice.

Specialist civil society organisations play an irreplaceable role in providing timely, accurate, culturally competent information and support in languages victims understand. However, many of these services remain chronically underfunded and overstretched.

While EU funding mechanisms such as the Citizens, Equality, Rights and Values (CERV) Programme and its Daphne strand provide important project-based support, they do not substitute for stable, structural funding at national level, which is indispensable for maintaining shelters, helplines, rape crisis centres and specialist counselling services.

Following the EU's accession to the Istanbul Convention in October 2023, the Union has a legal and ethical obligation to ensure the availability of specialist women's services, shelters, and crisis centres for all women victims and their children, in line with Articles 22, 23 and 25 of the Convention. These provisions establish clear standards: access to specialist, tailored support (Article 22); adequate and accessible shelters in sufficient numbers (Article 23); and specialist services for survivors of sexual violence, including medical and forensic counselling (Article 25).

At legislative level, the VAW Directive requires Member States to ensure the availability of specialist services, women's shelters, and rape crisis or sexual violence referral centres that are geographically accessible, free of charge, confidential, and accessible to all women, including women with disabilities and migrant or refugee women. **This represents a significant step forward.**

However, **due to its restrictive legal basis, the Directive applies only where the forms of violence concerned are criminalised under EU or national law.** As a result, a large proportion of women victims who do not engage with the criminal justice system remain outside the guaranteed protection and support framework, contrary to the more inclusive standards of the Istanbul Convention.²⁹ Only around 13.9% of women who experience physical or sexual violence in the EU report the incident to the police³⁰, leaving the vast majority without assured access to specialist support.

Confusion between women's specialist services, general services and generic services

For the purposes of this report, WAVE distinguishes between women's specialist services (WSS), general services, and generic services, in line with the Istanbul Convention framework. **Women's specialist services**, as defined under Article 22 IC, provide gender-specific, survivor-centred support delivered by independent women's organisations. **General services** refer to broader public services accessible to survivors but not necessarily gender-specific. **Generic services** include broad-mandate

²⁹ European network of legal experts in gender equality and non-discrimination: EU law in light of the Istanbul Convention: legal implications after accession, Sara de Vido 2025, p 12

³⁰ Eurostat, FRA, EIGE, EU Gender-Based Violence Survey, 25 November 2024.



NGOs or institutional actors offering support to victims of all crimes without a feminist or gender-specific analytical framework.

The VAW Directive fails to clearly delineate the competences and distinct roles of WSS versus general and generic services, creating confusion that undermines effective victim protection and the complementarity between horizontal legislation (Victims' Rights Directive) and sector-specific legislation on violence against women. While the Victims' Rights Directive establishes minimum standards for all crime victims and clearly distinguishes general and specialist support, the VAW Directive conflates women's specialist services with general structures, neglecting their autonomous, feminist, survivor-centred mandate as affirmed by Article 22 IC and GREVIO's 2022 Mid-Term Horizontal Review.

Article 25(1) of the VAW Directive allows specialist support to be provided as "an integrated part" of general services or merely coordinated with them. This formulation enables Member States to **subsume women's specialist services within generic structures**, rather than mandating them as primary, autonomous providers, thereby risking the dilution of gender-specific expertise essential to addressing the dynamics of gender-based violence.

Article 25 further frames specialist support in overly broad terms - covering housing, education, childcare, employment and financial matters - aligning it closely with general victim support functions rather than recognising the distinct, feminist mandate of WSS under Article 22 IC. **The provision referring to "information on and, where appropriate, referral to women's support services" marginalises WSS as optional referral pathways rather than the core specialist response.**

Although Recitals 58 and 59 acknowledge the importance of women's specialist services, their vague and non-binding language allows Member States to claim compliance without establishing independent WSS as the standard. This falls short of GREVIO's clear position that independent women's organisations are indispensable for safe, confidential and rights-based support.

Gender-neutral approaches and insufficient specialist expertise

The Directive's failure to clearly distinguish WSS from general services risks promoting **gender-neutral models** that assume generic victim support expertise can be applied to violence against women cases with minimal training. This approach ignores the complex dynamics of crimes such as rape, sexual assault, coercive control, stalking and technology-facilitated abuse, which require specialist feminist-informed care.

Just as general medical care cannot replace gynaecological expertise, **generic victim services cannot replace women's specialist services**. These generic or centralised models are often introduced to cut costs or streamline state responses, rather than to meet survivors' needs, and frequently result in one-stop-shop systems that weaken the autonomy and effectiveness of WSS.



Risks to autonomy and informed consent in proactive referral mechanisms

Article 18 of the VAW Directive introduces a proactive referral approach whereby support services may contact victims following risk or needs assessments. While intended to improve access to support, this approach raises concerns where it is **not clearly anchored in women’s informed consent and self-determination**, principles that are central to women’s specialist services.

The Directive does not sufficiently clarify whether such proactive contact applies only to ex officio crimes or more broadly, and Article 25 allows contact irrespective of whether a formal complaint has been filed. Without clear safeguards, this risks undermining trust, safety, and voluntary engagement—cornerstones of effective feminist, trauma-informed support.

Helplines and the risk of centralisation under Article 29 VAW Directive

Article 29 mandates state-wide, free, 24/7 helplines and encourages the use of the EU-wide number 116 016 alongside national lines. While flexibility is intended, national women’s specialist services have expressed strong concerns that the promotion of a centralised EU number may **undermine established specialist helplines** by diverting resources and funding.

The 116 016 number, announced in 2022, has seen slow uptake and lacks evidence of effective practice. Experiences with large-scale helplines - particularly those operated by commercial call-centre providers - highlight risks of inadequate training, mishandled disclosures, secondary victimisation, and loss of trust. Article 29’s permissive language (“may be operated by specialist support services”) fails to prioritise WSS as primary operators, enabling Member States to default to generic or outsourced models that lack VAW depth, contrary to Istanbul Convention standards. Such a provision warrants scrutiny: it risks exacerbating funding shortfalls for proven national WSS helplines while promoting untested harmonisation that could fragment support ecosystems.

Problematic promotion of the one-stop-shop model

The Directive’s endorsement of the “one-stop-shop” approach under Article 25(4) reflects a model that is incompatible with the fundamental principles of women’s specialist support services (WSS). By prioritising physical co-location and centralised coordination within state-run systems, this approach disregards the safety, autonomy, confidentiality, and independence that are essential to effective support for women survivors of gender-based violence.

Co-location of police, social, justice, and victim support services undermines the autonomy of WSS and creates tangible safety risks. Women may encounter perpetrators within the same premises or be forced into contact with state authorities they fear, such as law enforcement or immigration services. These risks are sufficient to deter women from seeking support altogether, fundamentally undermining the purpose of protection and assistance measures.

The one-stop-shop model is based on a linear “care-path” approach that may be appropriate for children or for generic victims of crime but is ill-suited to women survivors of gender-based violence.



It treats survivors as passive recipients of coordinated intervention rather than as autonomous rights-holders capable of determining their own routes to safety and recovery.

In contrast, women's specialist services operate through a rights-based, empowerment-focused model that centres informed consent, trust, and voluntary engagement. Women decide if and when to seek counselling, shelter, legal advice, or engagement with criminal justice processes based on their own needs and readiness. GREVIO has consistently underlined that access to specialist support services must be voluntary and should never be imposed through automatic referrals or state-led coordination mechanisms.

Furthermore, one-stop-shop models disproportionately exclude women in vulnerable situations. Undocumented women or those with precarious residence status are far less likely to approach centres where police or immigration authorities are present, due to fears of detention or deportation. As a result, these models actively discourage some of the most marginalised women from seeking protection and support. Additionally, the centralisation of services inherent in one-stop-shop approaches often concentrates provision in capital cities or larger urban areas, leaving women in rural and remote regions without meaningful access to support. This exacerbates existing geographic inequalities in service availability.

The Directive's promotion of integrated or co-located services contradicts the standards articulated in **Article 22 of the Istanbul Convention** and its Explanatory Report, which require that specialist services be autonomous, women-centred, gender-sensitive, and delivered by organisations with specific expertise in violence against women. GREVIO has repeatedly emphasised that the independence of women's specialist services is essential to ensuring safety, confidentiality, and trust.

By replicating the hierarchical coordination model of the Victims' Rights Directive - placing general victim support services at the centre and treating WSS as ancillary - the Directive disregards decades of established practice across Europe. In many Member States, women's specialist services function as first points of contact, lead risk assessors, coordinators of local multi-agency networks, and providers of holistic, long-term support. By failing to ensure the distinct legal recognition, adequate resourcing, and operational independence of WSS, and by equating them with general victim support structures, the Directive represents a **regression from the standards set by the Istanbul Convention**, rather than a strengthening of them.

Recommendations

Persistent shortcomings must be addressed urgently. The risk of a centralised EU helpline undermining national specialist helplines, the weak recognition of women's specialist services in the Directive on combating violence against women (notably Article 25), and the continued underuse of European Protection Orders all illustrate that the EU's ambitions still fall short of women's lived realities. To uphold the spirit and requirements of the Istanbul Convention, the EU must move beyond policy declarations and ensure that information, protection, and support reach every victim through adequately funded, women-led, feminist, and accessible support systems in all Member States.



The Directive represents a significant legislative advance but misses a vital opportunity to fully integrate and affirm the role of women’s specialist services in preventing and combating violence against women and domestic violence. To align with the Istanbul Convention, EU law must explicitly recognise women’s specialist services as a core, autonomous component of victim support, clarify their distinct role vis-à-vis general victim services, and guarantee appropriate and sustainable resourcing. Doing so would strengthen the Directive’s effectiveness and ensure genuinely comprehensive, gender-responsive support for women victims.

To bring the Directive into full alignment with the Istanbul Convention and with WAVE’s standards and framework, the European Union should:

- **Explicitly recognise women’s specialist services as the primary providers** of gender-specific support for victims of violence against women and domestic violence, in line with Article 22 of the Istanbul Convention.
- **Guarantee the autonomy, independence, and dedicated funding** of women’s specialist services, ensuring they are not subsumed under or dependent on general or generic victim support structures.
- **Ensure that referral to, and contact with, support services remains strictly voluntary**, based on the informed consent, safety, and self-determination of the victim.
- **Remove or revise provisions endorsing mandatory or co-located “one-stop-shop” models** that undermine safety, confidentiality, autonomy, and women’s freedom of choice.
- **Establish clear and enforceable distinctions between horizontal (general) victim support legislation and sectoral (gender-specific) legislation**, preserving the complementarity envisaged by the Istanbul Convention.
- **Ensure the primacy of women’s specialist services in the operation and funding of helplines**, prohibit commercial outsourcing in the absence of rigorous specialist expertise, and closely monitor the implementation of the 116 016 number to prevent the defunding or displacement of proven national specialist helplines.

Without these clarifications and safeguards, the Directive risks diluting the feminist foundations of women’s specialist support services and compromising Member States’ obligations under the Istanbul Convention. This is a development that warrants close scrutiny and continued monitoring by GREVIO.



4. Violence against Women, Child Custody and Visitation Rights: Gaps in Implementation of Article 32 of the EU Directive on Violence against Women

While the present report does not explicitly examine **Chapter V of the Istanbul Convention (Substantive Law)** in detail, WAVE wishes to draw GREVIO's attention to a **highly pressing and systemic issue** affecting the majority of EU Member States: the harmful impact of violence against women on mothers and their children, particularly in the context of **child custody and visitation rights**.

Violence against women, violence against children, and the intersection between the two continue to be persistently overlooked in policy and practice across many European countries. Despite the clear obligations set out in **Article 31 of the Istanbul Convention (custody, visitation rights and safety)**, the recently adopted **EU Directive on combating violence against women and domestic violence** contains serious shortcomings in this area, notably in **Article 32 on the safety of children**.

Article 32 of the VAW Directive is framed in a way that is **structurally inconsistent with Article 31 of the Istanbul Convention** and risks consolidating already harmful national practices in custody and visitation proceedings. While the Istanbul Convention establishes a clear obligation to **systematically take violence into account** and to **prioritise the safety of both the victim and the children** in all decisions on custody and visitation, Article 32 of the Directive isolates the "safety of children" from the safety of their non-violent parent and from the dynamics of intimate partner violence. In doing so, it reproduces gaps that have been repeatedly identified at national level by GREVIO and by WAVE.

Article 31 of the Istanbul Convention explicitly regulates custody and visitation rights, requiring States to ensure that incidents of violence are taken into account when determining custody and visitation, and that the exercise of such rights does not jeopardise the rights and safety of either the victim or the children. In contrast, **Article 32 of the VAW Directive focuses exclusively on the "safety of children" in civil proceedings**, without any explicit reference to custody or visitation rights, nor to the safety of the abused mother. This reframing has significant consequences: it disconnects assessments of the child's best interests from the safety and rights of the mother; treats violence against women and violence against children as separate phenomena rather than interconnected harms; and risks perpetuating the presumption - already criticised by GREVIO - that parental contact and continuity should be preserved even in the presence of serious violence.

Article 32(1) of the VAW Directive requires that competent authorities have access to information on violence against women or domestic violence involving children "to allow that information to be taken into account" when assessing the child's best interests in civil proceedings. This obligation is **weak and conditional**, and the concept of the child's best interests is treated as if it were autonomous from the situation and safety of the non-violent parent, most often the mother.

This approach stands in stark contrast with **Article 31 of the Istanbul Convention**, which requires that the child's best interests be assessed **through the lens of safety and the history of violence**, and with



international human rights standards that require perpetrators' parental rights to be determined in light of women's and children's rights to life, physical integrity, and freedom from violence.

GREVIO's Mid-term Horizontal Review baseline evaluation reports (2022)³¹ and WAVE's analysis demonstrate that, at national level, this "child-only" interpretation of the best interest principle is already systematically misused. It is frequently invoked to prioritise maintaining contact with both parents, to disregard the fact that witnessing domestic violence constitutes **direct harm to children**, and to frame domestic violence as a private conflict that does not affect the perpetrator's parental rights. In practice, this has led, in several countries, to family courts ordering extensive contact or joint custody arrangements with fathers convicted of intimate partner violence. Such decisions are often justified on the basis of the child's presumed "right to both parents" and the alleged benefits of continued contact, despite clear evidence of safety risks and trauma symptoms affecting both mothers and children.

The core problem of Article 32(2) of the VAW Directive is that it institutionalises the use of so-called "safe places" that "allow safe contact between a child and a holder of parental responsibility who is an offender or suspect of violence against women or domestic violence, to the extent that the holder of parental responsibility has rights of access." This provision assumes, as a starting point, that perpetrators or suspects of violence will generally retain parental responsibility and access rights, and then builds an EU-level obligation around facilitating contact in neutral or supervised settings, rather than requiring the suspension or restriction of contact where safety is at stake.

Once again, the provision refers exclusively to the child's safety and omits any reference to the safety of the mother, despite the fact that access to the child in practice often entails continued access to, surveillance of, and control over the mother. This approach fails to reflect the dynamics of intimate partner violence, where perpetrators frequently use child contact to continue coercive control.

In many Member States, supervised visitation centres were originally developed for so-called "high-conflict" separations rather than high-risk domestic violence cases. WAVE and GREVIO³² have documented that such facilities often lack staff trained in coercive control and risk assessment³³, do not ensure effective separation between victim and perpetrator (for example in shared waiting areas), and can be used by perpetrators to monitor, harass, or intimidate the mother, including through the child, or to gather information about her whereabouts and support networks. National examples illustrate cases where contact in these purportedly "safe" settings has been used to locate shelters, continue threats and harassment, or, in the most extreme cases, as an opportunity to commit femicide. By recognising "safe places" in EU legislation without embedding clear and binding obligations to suspend or restrict access in cases of proven or serious alleged violence, Article 32 of

³¹ Mid-term Horizontal Review of GREVIO baseline evaluation reports (2022)

³² Ibid Mid-term Horizontal Review of GREVIO baseline evaluation reports (2022)

³³ See for example: WAVE (2022) Child Custody and Visitation Rights Paper, available upon request; <https://www.law.ox.ac.uk/the-family-justice-response-to-domestic-abuse-report>



the VAW Directive risks legitimising practices that have repeatedly been found unsafe in GREVIO evaluations.

At the same time, **Article 32 of the VAW Directive fails to acknowledge the realities of coercive control and legal systems abuse.** At national level, a persistent and well-documented pattern shows that perpetrators use family law proceedings and child contact arrangements as a continuation of coercive control over both women and children. Separation is widely recognised as one of the most dangerous periods for victims of domestic violence, yet Article 32 does not recognise that **any contact regime in cases of domestic violence can function as a vector for continued abuse** of both the child and the non-violent parent. The provision does not incorporate the understanding that **power and control dynamics must be central to assessing whether contact is compatible with safety**, nor does it recognise that ensuring the safety of the mother is a precondition for ensuring the safety and well-being of the child. Instead, Article 32 assumes that risks can be adequately managed through supervised contact in neutral settings, without squarely addressing the prior and fundamental question of **whether contact should take place at all** when domestic violence is established or credibly alleged. This approach is incompatible with the Istanbul Convention's requirement that the exercise of any custody or visitation rights must not jeopardise the rights and safety of victims and children. It leaves intact harmful national practices whereby courts continue to maintain joint custody or broad contact arrangements despite criminal convictions or active protection orders, reframe serious abuse as mere "conflict", and pressure mothers into mediation or enforced "cooperation", including through threats of losing custody.

The current framing of **Article 32 of the VAW Directive** also reinforces the conditions for the continued reliance on **"parental alienation" narratives** in domestic violence custody and visitation cases. By isolating the child's best interests from the situation and safety of the mother, and by emphasising the maintenance of contact with the abusive parent through so-called "safe places," the Directive fails to explicitly discourage or prohibit the use of **discredited concepts such as Parental Alienation (PA) syndrome** in the assessment of mothers' behaviour. As a result, courts and child protection services are likely to continue interpreting mothers' attempts to restrict unsafe contact as evidence of "alienation" rather than as **protective behaviour**. In practice, PA is frequently invoked by perpetrators and accepted by professionals to recast legitimate safety concerns as manipulative tactics, to divert attention away from allegations or evidence of violence, and to justify transferring custody to, or expanding contact with, abusive fathers. Mothers are then penalised for alleged non-compliance with visitation orders, including through custody withdrawal, financial sanctions, or even imprisonment. International and regional expert bodies have repeatedly warned that the use of "parental alienation" in domestic violence cases constitutes a continuation of coercive control through state institutions and amounts to a violation of women's and children's human rights. By failing to align Article 32 with **Article 31 of the Istanbul Convention**, the VAW Directive does not address this persistent and well-documented cross-country pattern and risks entrenching practices that undermine safety, justice, and the rights of women and children.

Taken together, these elements demonstrate that Article 32 of the VAW Directive is more permissive and less protective than Article 31 of the Istanbul Convention. In a context where GREVIO and WAVE have already documented the widespread underestimation of domestic violence in custody and



visitation decisions, the systematic misinterpretation of the child’s best interests as requiring “contact at all costs,” and the frequent use of parental alienation narratives to discredit protective mothers, the wording of Article 32 risks consolidating and legitimising these harmful practices rather than correcting them. As such, it represents a significant regression from the standards set out in Article 31 of the Istanbul Convention and fails to ensure the coherent, gender-sensitive protection of women and children required under the Convention.

Recommendations

To bring the Directive into full alignment with the Istanbul Convention, the European Union should:

- Amend Article 32 of the VAW Directive to explicitly align with Article 31 of the Istanbul Convention, by mandating that incidents of violence against women and domestic violence are systematically taken into account in all custody and visitation decisions, and that the exercise of such rights must not jeopardise the rights, safety, and well-being of either victims or children.
- Require Member States to recognise the safety of the non-violent parent—most often the mother—as an integral element of assessing the child’s best interests, and to explicitly reject any presumption of maintaining contact with both parents where domestic violence is established or credibly alleged.
- Mandate specialised, continuous training for judges, court-appointed experts, and child protection professionals on coercive control, trauma and its impacts on women and children, the gendered dynamics of domestic violence, and the interconnection between violence against women and violence against children, in order to prevent harmful practices such as the misuse of “parental alienation” narratives.



5. Migration and Asylum

Assessment of EU measures in relation to the application of Article 59 to 61 of the IC

Article 59 of the Istanbul Convention: Residence status

Article 59 of the IC aims to assure and protect migrant women from losing residence status when they leave violent relationships and provides grounds for autonomous residence permits in five specific situations, regardless of the duration of their relationship or the woman's economic situation: 1) dissolution of the marriage or relationship; 2) expulsion of the abusive spouse or partner on whom her residence status depends; 3) her stay in the country is necessary owing to her personal situation; 4) her stay in the country is necessary for the purpose of her co-operation in investigation or criminal proceedings; and 5) the loss of her residence status as a result of a forced marriage for which purpose she was removed from her country of residence.

The Istanbul Convention leaves the conditions for granting and the duration of an autonomous residence permit to national law. However, EU legislation undermines the very purpose of this safeguard. By narrowing the scope of Article 59, EU law weakens the level of protection that the Convention is intended to guarantee. The object and purpose of Article 59(1) is to ensure that migrant victims whose residence status depends on marriage or partnership are not forced to remain in abusive or violent relationships out of fear of losing their legal status. A restrictive interpretation of this provision, in addition to conditional requirements, unclear procedures, and inconsistent application of EU laws runs counter to its spirit, as it prevents victims from leaving situations of violence before such abuse becomes entrenched or escalates to the point of posing an immediate threat to their safety.

Article 60 of the Istanbul Convention: Gender-based asylum claims

Article 60 requires states to recognize gender-based violence against women as persecution under the 1951 Refugee Convention or serious harm for subsidiary protection. It mandates gender-sensitive interpretation of refugee grounds (e.g., "particular social group") and procedures, including support services.

Article 61 of the Istanbul Convention: Non-refoulement

The IC under Article 61 enforces non-refoulement for women at risk of gender-based violence, prohibiting expulsion to territories where such harm may occur. States must provide protection like accommodation, counselling, and specialist services.

EU law reflects these obligations through the **Qualification Directive (2011/95/EU)** and **CJEU jurisprudence EU's Qualification Directive (2011/95/EU)**. The Directive aligns by requiring the gender consideration in persecution assessments, recognizing women exposed to gender-based violence as a "particular social group." The CJEU has interpreted this consistently with the Istanbul Convention. In Case C-673/22 (Bulgarian referral, judgment 16 Jan 2024), the CJEU ruled that the Qualification



Directive (QD) must be interpreted consistently with the Istanbul Convention, recognizing gender-based violence as persecution under Refugee Convention Art. 1A(2), even for non-ratifying states like Bulgaria. Women constitute a "particular social group" if exposed to physical/mental violence, sexual/domestic violence due to gender in the origin country. A June 2024 CJEU ruling on Afghan women confirmed refugee status for all girls/women based on gender/nationality, deeming discriminatory measures (e.g. Taliban bans) cumulative persecution as justifying protection under the QD, consistent with Istanbul standards. These cases bind EU states, enhancing Article 60/61 implementation via uniform interpretation.

Identified gaps and issues

Directive 2013/33/EU (Recast) – Reception Conditions Directive (RCD) and Its Relevance for Istanbul Convention Articles 59–61

EU Directive 2013/33/EU, laying down standards for the reception of applicants for international protection (the “Reception Conditions Directive” or RCD), sets out minimum standards to ensure a dignified standard of living for asylum applicants. While the RCD does not regulate residence permits or asylum eligibility, its provisions are directly relevant to the implementation of Articles 59–61 of the Istanbul Convention (IC), which address residence status, gender-sensitive asylum procedures, and protection against refoulement. The Directive is therefore a key instrument for assessing the compliance of EU asylum systems with the gender-based violence (GBV) obligations monitored by GREVIO.

Articles 21 and 22 of the RCD require Member States to identify and address the specific needs of vulnerable applicants, such as survivors of torture, rape, or other serious forms of violence. Complementary provisions (Articles 17–19) oblige states to ensure adequate housing, material support, health care, and psychological assistance, while Articles 8–11 introduce procedural safeguards to prevent unlawful or harmful detention. These elements partially contribute to the implementation of Article 60(3) IC—requiring gender-sensitive asylum procedures—and Article 61 IC, which ensures protection against refoulement. However, despite these advances, the Directive’s overall framework remains gender-neutral, lacking a structural approach to women’s protection needs within the asylum and reception systems.

Structural and implementation gaps

A fundamental shortcoming lies in the **absence of formal links between reception conditions and specialized victim-protection mechanisms**. The RCD establishes no structured referral pathways connecting reception centres with domestic violence services, women’s shelters, or residency-protection frameworks. As a result, women identified as victims within asylum systems rarely receive appropriate referrals or support to access autonomous residence permits. The absence of safe, confidential spaces where women can disclose violence further prevents early identification of GBV and heightens risks of re-traumatisation.



The Directive also contains **no requirement for data collection on women needing independent residence status, making invisible the scale of VAW among asylum seekers and impeding evidence-based policymaking.** Vulnerability assessments—though mandatory in principle—remain inconsistent, superficial, or absent, as the RCD leaves their design entirely to national discretion. Without standardized tools, mandatory training, or gender-sensitive guidelines, staff often fail to detect experiences of sexual violence, exploitation, or domestic abuse. The RCD also lacks binding provisions requiring GBV or trauma training for officials responsible for registration, interviewing, or support, leaving frontline staff ill-prepared to identify and respond to survivors’ needs.

Gaps in Relation to Article 59 IC

Article 59 IC obliges States to provide autonomous residence permits to survivors of domestic violence and forced marriage, particularly when residence status depends on an abusive partner. The RCD falls entirely short of this obligation: it neither creates autonomous residence rights nor requires information to be provided to women about their potential eligibility under national law. Consequently, women whose residence depends on their spouse or family member often remain trapped in abusive relationships for fear of deportation. The absence of targeted information and referral mechanisms perpetuates the structural dependency of migrant and asylum-seeking women on violent partners.

Gaps in Relation to Article 60 IC

Article 60 IC mandates gender-sensitive asylum procedures that recognize violence against women as a form of persecution and ensure fair, trauma-informed interviews. While the RCD nominally acknowledges vulnerability, it does not impose binding obligations for gender-sensitive interviewing, the presence of female interviewers, or confidentiality safeguards that facilitate disclosure. This omission results in asylum processes that often fail to detect VAW as the basis of persecution, leaving women’s protection claims inadequately examined and their trauma unaddressed.

Gaps in Relation to Article 61 IC

Article 61 IC requires States to respect the principle of non-refoulement, ensuring that women are not returned to countries where they would face gender-based violence or other serious harm. The RCD, however, does not govern border or return procedures and therefore lacks gender-sensitive safeguards at the border. In fast-track or border procedures, women often undergo summary screening without privacy, trained staff, or a chance to present GBV-related protection needs. Moreover, as the RCD does not apply to Frontex operations, it cannot prevent pushbacks or coercive practices that expose women and girls to violence and unlawful returns. The Directive also permits the detention of vulnerable persons in “exceptional circumstances,” which in practice extends to pregnant women, survivors of rape or trafficking, and women suffering severe trauma—conditions that exacerbate vulnerability and increase the risk of forced returns.



Treaty-Based Limitations and Policy Implications

The Directive's gaps partly stem from its legal basis under Article 78(2)(f) of the Treaty on the Functioning of the European Union (TFEU), which limits EU competence to setting minimum standards on reception conditions. As asylum and migration policy are shared competences under Article 4(2)(j) TFEU, Member States may adopt higher standards but are not obliged to do so. The Directive's exclusion of Article 79 TFEU—which governs immigration and border management—further restricts its scope to include GBV-related protection or residence rights. These legal constraints result in a gender-neutral instrument unable to fulfil the Istanbul Convention's specific obligations: it does not ensure autonomous residence rights under Article 59, nor does it establish gender-sensitive asylum procedures under Article 60, or provides adequate safeguards against refoulement in line with Article 61.

Directive 2004/38/EC (Citizens' Rights Directive) and Directive 2003/86/EC (Family Reunification Directive)

Directive 2004/38/EC (Citizens' Rights Directive) and Directive 2003/86/EC (Family Reunification Directive) provide a partial but limited framework for meeting the protection obligations under Article 59 of the IC. Both Directives regulate the **residence rights of family members, including spouses and partners**, but they do so primarily from a free movement and migration control perspective, rather than from a human rights or victim protection standpoint.

Under Articles 12 and 13 of **Directive 2004/38/EC**, a family member who is the victim of domestic violence may retain residence rights in “particularly difficult circumstances.” However, these rights are contingent on narrow conditions—such as the duration of the marriage (at least three years, including one year in the host Member State), custody or access rights to children, or evidence of domestic violence—and remain further conditioned by economic requirements set out in Article 7. Victims must demonstrate self-sufficiency, economic activity, or comprehensive health insurance in order to retain their residence status.

This conditional framework stands in clear contrast to Article 59 IC, which obliges State Parties to grant autonomous residence permits to women victims of violence irrespective of marriage duration, economic activity, or dependency status. By conditioning protection on economic independence and narrowly defined family relationships, the Directive undermines the IC's victim-centred approach, which prioritises the safety, autonomy, and recovery of survivors over migration control objectives. The requirement to prove both the severity of abuse and economic self-sufficiency creates systemic barriers for victims—especially women experiencing psychological, financial, or coercive abuse—effectively trapping many in abusive relationships due to fear of residence loss or deportation. This outcome contradicts both the protective scope and non-discrimination principle of the Convention.

Beyond temporary residence, Articles 16(2) and 17(4) of Directive 2004/38/EC establish that family members who are third-country nationals may acquire permanent residence only after five years of continuous residence with the EU citizen, or in limited circumstances linked to the sponsor's death or employment status. These temporal and economic conditions fail to align with Article 59 IC, which



guarantees victims of gender-based violence an autonomous and renewable residence permit regardless of length of stay or employment situation. The absence of exemptions for victims of forced marriage or abduction under these provisions further highlights the structural gap between EU migration law and the Istanbul Convention. Although Article 17(4)(c) allows certain exceptions for spouses who lost nationality due to marriage, this clause is not a victim-protection measure and does not address situations of coercion or violence.

Directive 2003/86/EC on the right to family reunification establishes the framework for third-country nationals to reunite with their family members in the EU, but it does not provide adequate safeguards for migrant women who are victims of GBV and therefore falls short of the standards required by Article 59 of the Istanbul Convention. Originally conceived as a migration management instrument under the EU's competence in Article 79(2)(a) TFEU³⁴, it must now be reinterpreted in light of the EU's obligations under the Istanbul Convention so that existing rules are applied in a manner consistent with the Convention's objectives, including the duty to secure autonomous residence permits for victims of violence. This implies an obligation of harmonious interpretation, requiring EU secondary law to be read, as far as possible, in a way that upholds the protective standards of Article 59 IC within the scope of the Directive.

Directive 2003/86/EC nonetheless embeds several structural obstacles for women's protection. Article 7 allows Member States to condition family reunification on economic integration requirements, including proof of adequate accommodation, sickness insurance and "stable and regular resources" sufficient to support the family without recourse to social assistance, as well as compliance with national integration measures. Article 16 permits the rejection, withdrawal or non-renewal of residence permits where the underlying family relationship ends, without providing mandatory exceptions for victims of domestic or gender-based violence, so that a woman who separates from an abusive spouse risks losing her status unless she already enjoys an autonomous right of residence under Article 15.

While Article 15(3) foresees the possibility that Member States "may" lay down provisions granting an autonomous residence permit in the event of divorce, widowhood, or separation in "particularly difficult circumstances," Article 15(4) leaves the decision whether to grant such autonomous residence entirely to national discretion. The Directive does not recognise forced or child marriage as a specific ground for establishing or re-establishing residence status, nor does it address situations where a victim is coerced into leaving the territory and later seeks to return. This silence stands in clear contrast to Article 59(2)–(4) of the Istanbul Convention, which obliges State Parties to ensure that dissolution of family ties, separation, or the victim's departure from the marital home do not

³⁴ Chapter 2 'Policies on border check, asylum and immigration', Articles 77 to 80. For this analysis the competency to apply is on Article 79. 1. The Union shall develop a common immigration policy aimed at ensuring, at all stages, the efficient management of migration flows, fair treatment of third-country nationals residing legally in Member States, and the prevention of, and enhanced measures to combat, illegal immigration and trafficking in human rights. 2. For the purposes of paragraph 1, the European Parliament -EP- and the Council, acting in accordance with the ordinary legislative procedure, shall adopt measures in the following areas: (a) the conditions of entry and residence, and standards on the issue by Member States of long-term visas and residence permits, including those for the purpose of family reunification.



automatically result in loss of residence status and to provide a pathway to restore residence permits in cases of forced marriage and removal.

Taken together, the economic integration conditions in Article 7, the broad possibility to withdraw residence under Article 16 when the relationship ends, and the discretionary nature of autonomous residence permits under Article 15(3)–(4) create a protection gap for migrant women facing GBV. By tying residence security to the continuity of the family relationship and to the sponsor’s economic position, the Directive incentivises victims to remain in abusive relationships for fear of deportation and fails to reflect the Convention’s human-rights-based approach, which prioritises safety, autonomy and non-discrimination over migration control.

Therefore, migrant women do not have legal guarantee of obtaining an autonomous residence permit in cases of domestic violence in all EU countries. Women whose residence status depends on their abuser are often excluded from this possibility, regardless of the duration of their marriage or relationship. As a result, those who separate from an abusive spouse risk expulsion³⁵.

There is a lack of EU-level data on permits granted on these grounds. In cases where these permits are legally guaranteed, however, either there are no available statistics or data, on the granting or refusal of such residence permits or on extensions of stay³⁶ or the data is not disaggregated by sex or by the reason for which permits are issued³⁷, making it impossible to assess to what extent migrant women can realistically use this mechanism to leave abusive partners or spouses.

Besides, the protection is conditional on economic activity or cooperation with authorities. The granting of autonomous residence permits is heavily limited by discretionary powers of national authorities and restrictive interpretations around intimate partner violence and evidentiary requirements. Women are often required to provide extensive proof, such as police or court records, medical documents, or reports from social services or NGOs, which many cannot access. The scope of protection is further narrowed by requirements that violence be serious, repeated, and pose an imminent or “real and present” danger to the victim’s safety³⁸ or “unreasonableness” of continuing cohabitation is required to be proven³⁹, criteria that are particularly difficult to meet in cases of psychological or economic abuse, since non-physical forms of violence are often disregarded. Authorities frequently assume that separation from an abusive partner ends the risk of violence, which creates additional barriers for women seeking protection. Authorities may also expect survivors to cooperate fully in criminal investigations or proceedings⁴⁰, overlooking the realities of domestic violence, such as the fear of retaliation, the risk of escalation during legal processes, and the many challenges women face when filing or pursuing a complaint. Even where laws allow for permits

³⁵ See for example GREVIO Baseline report for Germany, available here: [baseline report](#).

³⁶ As per GREVIO’s Baseline report of Malta, [baseline report](#)

³⁷ As per GREVIO’s Baseline report of Germany, [baseline report](#)

³⁸ As per GREVIO’s Baseline report of Italy, [baseline report](#)

³⁹ As per GREVIO’s Baseline report of Germany, [baseline report](#)

⁴⁰ As in the case of Montenegro:

[https://hudoc.grevio.coe.int/eng#%7B%22grevioarticlenumber%22:%5B%22a59%22%5D%2C%22sort%22:%5B%22greviodocumentid%20ascending%2Cgreviopublicationdate%20descending%22%5D%2C%22greviosectionid%22:%5B%22GREVIO-Inf\(2018\)5_Montenegro_Baseline_Evaluation_Report_eng-49%22%5D%7D](https://hudoc.grevio.coe.int/eng#%7B%22grevioarticlenumber%22:%5B%22a59%22%5D%2C%22sort%22:%5B%22greviodocumentid%20ascending%2Cgreviopublicationdate%20descending%22%5D%2C%22greviosectionid%22:%5B%22GREVIO-Inf(2018)5_Montenegro_Baseline_Evaluation_Report_eng-49%22%5D%7D)



without pressing charges, this possibility is rarely realised in practice due to lack of specialist knowledge and capacity among social services. As a result, only a very small number of permits are granted compared to the scale of reported violence⁴¹. Moreover, delays in decision-making and the dismissal of non-physical forms of violence often force women to remain in abusive relationships. These practices severely undermine the protective purpose of the Istanbul Convention, leaving migrant women without a real guarantee of safety or independent residence.

On the Renewability of Residence Permits: This provision does not exist consistently in member countries' legislations⁴².

While **forced marriage** is now explicitly criminalised at EU level under Article 4 of the Violence against Women Directive (EU) 2024/1385, EU law does not address the residence-status consequences of this form of violence within the framework of EU migration coordination and implementation mechanisms. Although the granting of residence permits remains primarily within Member State competence, the EU has not adopted measures to ensure coherence, guidance, or minimum standards to support Member States in giving effect to Article 59(4) of the Istanbul Convention following EU accession.

In particular, EU migration instruments and related implementation frameworks do not explicitly acknowledge forced marriage as a situation requiring safeguards against loss of residence status or facilitating recovery of status. As a result, national provisions addressing forced marriage in the context of migration remain uneven, fragmented, and often framed in vague terms such as “serious reasons”, without explicit reference to forced marriage. This limits the practical effectiveness of Article 59(4), especially in Member States where no specific implementing provisions exist.

Where national measures are in place, their effectiveness is further constrained by restrictive conditions, such as short application deadlines and vague requirements related to “attachment” or “reintegration”. **In the absence of EU-level guidance, funding prioritisation, or monitoring mechanisms addressing these issues, implementation varies significantly across Member States, leaving many victims without effective protection against loss of residence status following forced marriage.**

These are highly problematic given the dynamics and impacts of domestic violence: violence often leads to fear and isolation, with abusers fostering dependence. As a result, migrant women on spousal sponsorship schemes may struggle not only to prove the violence, particularly if they have not involved law enforcement, but also to demonstrate the required “attachment” to the country. Where provisions on forced migration exist, concerns arise about whether sufficient financial resources and

⁴¹ DIRE's report to GREVIO regarding First Thematic Evaluation reveals that the result is extremely low uptake: in 2023, only 226 permits were issued under this provision, despite thousands of reported cases of violence against migrant women.

⁴² See the case for Belgium and Italy: Belgium

[https://hudoc.grevio.coe.int/eng#%7B%22grevioarticlenumber%22:%5B%22a59%22%5D%2C%22sort%22:%5B%22greviodocumentid%20ascending%2Cgreviopublicationdate%20descending%22%5D%2C%22greviosectionid%22:%5B%22GREVIO-Inf\(2020\)14%20Belgium%20Baseline%20Evaluation%20Report%20eng-49%22%5D%7D](https://hudoc.grevio.coe.int/eng#%7B%22grevioarticlenumber%22:%5B%22a59%22%5D%2C%22sort%22:%5B%22greviodocumentid%20ascending%2Cgreviopublicationdate%20descending%22%5D%2C%22greviosectionid%22:%5B%22GREVIO-Inf(2020)14%20Belgium%20Baseline%20Evaluation%20Report%20eng-49%22%5D%7D)

[Italy://hudoc.grevio.coe.int/eng#%7B%22grevioarticlenumber%22:%5B%22a59%22%5D%2C%22sort%22:%5B%22greviodocumentid%20ascending%2Cgreviopublicationdate%20descending%22%5D%2C%22greviosectionid%22:%5B%22GREVIO-Inf\(2019\)18%20Italy%20Baseline%20Evaluation%20Report%20eng-50%22%5D%7D](https://hudoc.grevio.coe.int/eng#%7B%22grevioarticlenumber%22:%5B%22a59%22%5D%2C%22sort%22:%5B%22greviodocumentid%20ascending%2Cgreviopublicationdate%20descending%22%5D%2C%22greviosectionid%22:%5B%22GREVIO-Inf(2019)18%20Italy%20Baseline%20Evaluation%20Report%20eng-50%22%5D%7D)



training are dedicated to preventing this crime and addressing the related risk of victims being forcibly returned to their countries of origin for the purpose of forced marriage. The level of commitment and support in this area is inconsistent across EU Member States⁴³.

Directive (EU) 2024/1385 on combating violence against women and domestic violence

The VAW Directive introduces some important safeguards for victims, but it does not fully meet the residence protection standards of the Istanbul Convention. In particular, it allows autonomous residence permits only in narrow circumstances linked to cooperation in criminal proceedings and adopts a very generalist approach to intersectional needs that obscures specific risks for different groups of women.

It enables the granting of autonomous residence permits to third-country national victims who cooperate with competent authorities in investigations or criminal proceedings (Article 35 EUD), strengthening protection against retaliation and enabling access to support. However, this possibility is tied to victims' cooperation and is not guaranteed solely on the basis of having experienced violence or facing serious safety risks, which falls short of the Istanbul Convention's requirement to provide autonomous and renewable permits on protection grounds alone. There is no obligation on Member States to grant residence permits in cases such as forced marriage, coercion, or other GBV situations where cooperation with law enforcement is not possible or not in the victim's best interests.

Article 33 on "targeted support for victims with intersectional needs and groups at risk" brings an explicit recognition that some victims face multiple and intersecting forms of discrimination, including women with disabilities, those with dependent residence status, undocumented migrant women, applicants for international protection, women fleeing armed conflict, homeless women, racial or ethnic minority women, women in prostitution, low-income women, detainees, and LGBTI persons. By grouping these highly diverse categories into a single provision, the Directive treats very different situations under one umbrella and fails to spell out tailored guarantees, specialised services, and protection pathways that respond to the distinct risks, barriers, and support needs of each group. This broad and undifferentiated listing reveals limited attention to the specific migration-related vulnerabilities of women with dependent status, undocumented women, or applicants for international protection, whose residence rights and safety often hinge directly on perpetrators' control.

Article 33 also foresees that victims who so request may be kept separate from persons of the other sex in detention facilities for third-country nationals subject to return procedures or accommodated separately in reception centres for applicants for international protection. Framing separation as an option that women must actively request effectively shifts responsibility for ensuring safety away from state authorities and onto GBV survivors, who may be unaware of this possibility, fear retaliation, or be unable to articulate such a request in practice. This approach risks normalising mixed or unsafe

⁴³ The latest report by Dire (based on [DIRE's report to GREVIO regarding First Thematic Evaluation](#)) states that: "With regard to forced marriage, this specific crime (regulated by Art. 558-bis of the Penal Code) has been included in the above-mentioned Art. 18-bis, but without being implemented through specific financial resources and training aimed at preventing the crime and the related risk of forced expatriation of the victims in the countries of origin for the purpose of forced marriage."



settings and fails to guarantee proactive, gender-sensitive placement decisions that take into account trauma, power imbalances, and the need for specialist, women-only accommodation where appropriate.

Despite its advances in criminalisation, victim support and intersectional framing, Directive 2024/1385 does not impose a clear duty on Member States to provide autonomous residence permits in cases of forced marriage, trafficking-like situations linked to marriage migration, or other serious threats to personal safety unconnected to cooperation in criminal proceedings. This omission creates a structural gap with Article 59 of the Istanbul Convention, which requires autonomous and renewable residence permits where the residence status of victims depends on that of the spouse or partner and where the dissolution of the relationship, separation, or return to the country of origin would expose them to further violence.

EU Pact on Migration and Asylum⁴⁴ and the Impact of EU Migration Policies beyond EU Borders

In addition to the existing gaps in EU legislation regarding the implementation of Articles 59, 60, and 61 of the Istanbul Convention, there is growing concern about increasingly coercive and hostile migration practices at EU level. These practices disproportionately affect migrant women escaping violence and often take place outside the EU's "official" borders, creating arguments of limited EU competence. Nevertheless, the human rights impact on migrant women in these contexts remains relevant for GREVIO's monitoring mandate.

A key development in this regard is the **new EU Pact on Migration and Asylum**, which will enter into force in June 2026 but is already in the implementation phase across Member States. Similar to earlier EU instruments, the Pact lacks the necessary and sufficient safeguards to address violence against women to be able to meet the standards established by the Istanbul Convention.

Screening Procedures (Regulation (EU) 2024/1356)

The Regulation requires that the vulnerability of all applicants for international protection be assessed within a few days by "specialised personnel" trained for this purpose. However, this obligation remains framed in generic terms, making both effective implementation and monitoring difficult. The provision does not adequately distinguish between different forms of vulnerability, nor does it establish tailored procedures based on identified needs, thereby increasing the risk of re-victimisation.

Especially for women who experience violence against women, the requirement for early disclosure is incompatible with the principle of self-determination and with survivor-centred approaches regarding timing, setting, and trust-building. Screening frequently takes place in border "hotspots" or transit settings that are unsuitable for safe disclosure. Moreover, the Regulation does not mandate specialised GBV training for screening staff, nor does it provide for the involvement of women's support services in the development or delivery of such training.

⁴⁴ https://home-affairs.ec.europa.eu/policies/migration-and-asylum/pact-migration-and-asylum_en



Border Procedures (Regulation (EU) 2024/1348)

Articles 27 and 28 require applications for international protection to be registered and examined “promptly,” often within a matter of days. The introduction of the “fiction of non-entry” and the possibility of detention in border or transit zones significantly restrict access to legal and psychosocial support. These accelerated procedures make it particularly difficult for women who experience violence and others with specific needs to obtain appropriate assistance and to present their claims effectively.

Safe Third Countries and Safe Countries of Origin

The Pact expands the use of “safe third country” concepts in line with a broader policy of externalising migration control. It allows for the return of asylum seekers to countries deemed safe, even where those countries are not meaningfully connected to the individual’s migration trajectory. This undermines the principle of individualised assessment and fails to account for the gendered risks women face along migration routes, including gender-based violence and violence against women in countries classified as “safe.”

The related concept of “safe countries of origin,” already present in Directive 2013/32/EU, has been widely challenged in national and European case law. In its judgment of 1 August 2025 (Joined Cases C-758/24 and C-759/24), the Court of Justice of the European Union reaffirmed that the designation of a country as “safe” must be subject to effective judicial review and cannot apply where protection is not guaranteed for the entire population and across the whole territory.

Despite this, the European Commission has proposed a first EU-wide list of safe countries of origin including, inter alia, Kosovo, Bangladesh, Colombia, Egypt, India, Morocco, and Tunisia. Many of these countries rank poorly in global gender equality indices and are widely documented as contexts where women experience high levels of GBV, discrimination, trafficking risks, and harmful practices such as child marriage and female genital mutilation.

Attention must also be drawn to EU candidate countries (including Albania, Bosnia and Herzegovina, Georgia, Moldova, Montenegro, North Macedonia, Serbia, Türkiye, and Ukraine), which may be treated as safe third countries on the basis that they are “working towards” meeting EU standards. Such reasoning does not ensure effective protection in practice, particularly for women at risk of violence.

Finally, while the Pact provides for judicial appeals against negative asylum decisions, appeal deadlines are extremely short, and appeals do not automatically suspend removal. This is at odds with the protection requirements set out in Articles 60 and 61 of the Istanbul Convention, particularly regarding access to protection and the principle of non-refoulement for women survivors of violence.



Recommendations

To bring EU legislation into full alignment with the Istanbul Convention, the European Union should:

- Strengthen its legislation to ensure that autonomous residence permits are guaranteed consistently across all Member States for migrant women regardless of their cooperation with authorities, employment status, or the type of violence they have experienced. Evidentiary requirements must be reasonable and reflect the dynamics and impacts of violence, acknowledging the specific challenges migrant women face in providing formal evidence—for example, difficulties in filing complaints, securing convictions against perpetrators, or accessing appropriate support services capable of issuing reports.
- Amend **Directive 2003/86/EC** to explicitly include **forced and child marriage**.
- Require **EU-wide data collection** on residence permits granted to survivors in order to effectively assess to what extent permits are granted.
- Fund women’s specialist services helping women navigate residence procedures.
- Ensure consistent standards across all Member States by requiring adequate financial resources, accessible pathways, monitoring, and consistent implementation across Member States, specialised training, and preventive measures to address forced migration and the risk of victims being forcibly returned to their countries of origin for the purpose of forced marriage. Legislation must explicitly protect victims from forced expatriation and ensure that those brought into another country for the purpose of marriage—and who subsequently lose their residence status in their country of habitual residence—are able to regain this status. All victims must also be guaranteed access to protection and support services, regardless of their country of origin.



Migration and Asylum outside the EU

WAVE wishes to bring to GREVIO's attention, as an additional element to the chapter on migration and asylum and notwithstanding that this matter does not fall under European Union competence, the specific situation of migrant women and the challenges they face in relation to the implementation of the Istanbul Convention in the United Kingdom and Türkiye, including persistent barriers to protection, support, and access to justice, and does so in light of the fact that the situation remains particularly concerning in both countries.

United Kingdom⁴⁵

The United Kingdom reserved the right not to apply Article 59 of the Convention. The reservation was entered upon ratification in 2022 with a legal validity until 1 November 2027.

In the UK, the Nationality and Borders Act 2022 and the Illegal Migration Act 2023 weaken protections for vulnerable asylum seekers, trafficking victims, and other migrant women. These laws restrict access to the National Referral Mechanism, particularly for those who disclose abuse at a "later" stage or who have had previous contact with the criminal justice system. In doing so, they disregard how violence affects women and overlook the widespread reality of criminal exploitation, which often leads to migrant women being wrongly criminalised. At their core, these laws prioritise punishment over protection. They create significant barriers to safe, rights-based support for Black and minoritised migrant women.

No recourse to public funds (NRPF): Immigration restrictions that deny access to public funds leave Black and minoritised migrant women at heightened risk of domestic abuse and other forms of violence against women. This vulnerability is compounded by systemic and institutional barriers, which are frequently and incorrectly framed as "cultural" issues. Women experience fear that police or healthcare providers may share their immigration information with authorities which then also deters them from filing a report and seeking help.

Black and minoritised migrant women facing multiple and complex needs, and experiencing intersecting forms of oppression, are often unable to work and excluded from public funds. Many are also recovering from severe trauma, including domestic abuse and other forms of VAWG. Their recovery is obstructed by ongoing structural barriers, and they may be re-traumatised through contact with immigration and criminal justice systems. This is further exacerbated by homelessness, poverty, and debt; continued exposure to abuse and exploitation; stigma; lack of access to appropriate language and interpretation services; cultural barriers; and discriminatory treatment.

The current UK government has now introduced an Immigration White Paper. The aim of the paper is to reduce migration by making it even more difficult to regularise status. The state and authorities will have stronger enforcement powers for the removal and deportation of migrants. Migrant women's rights and protections are further eroded due to gaps in protecting women subjected to VAWG and

⁴⁵ Banga, B., 2025. EU Directive on Violence against Women and Domestic Violence (2024/1385): Hibiscus Concerns and Emerging Issues. 18 August 2025.



by creating additional barriers to support. The situation remains concerning in the UK.

Recommendations:

- Extend the Domestic Violence Indefinite Leave to Remain (DVILR) and Destitution Domestic Violence Concession (DDVC) model for those on partner/spousal visas to all migrant victims and survivors of abuse regardless of their immigration status, to prevent them from being trapped in violent relationships due to no recourse to public funds.
- Extend the current three-month provision to six months under the DDVC to give victims the 'breathing space' to resolve problems by seeking advice and recover from abuse, and to encourage more refuge providers to accept referrals rather than turning victims/survivors away.
- Repeal measures in the Nationality and Borders Act 2022 and Illegal Migration Act 2023

Türkiye⁴⁶

Article 34 of the Law on Foreigners and International Protection (LFIP) regulates the conditions of family residence permits and, in the event of divorce, stipulates the issuing of residence permits for women "if it is established by the relevant court that the woman has been a victim of violence", removing the condition of having resided in Türkiye previously on a family residence permit for at least three years. Additionally, under Article 55 of LFIP, it is possible to classify the women experiencing violence in the scope of "individuals exempt from deportation". However, the Presidency of Migration Management, which is in practice in charge, does not have a separate unit providing counselling to such women. Therefore, it is observed in the applications of the women – who are in the country with family residence and who suffer violence – that they are not informed about their rights and the legal procedures, and they face the threat of losing the custody of their children and deportation when they want to move away from violence and get a divorce.

Due to the lack of a specialized mechanism supporting women in the event of deportation, women are frequently deported before being able to reach out to the relevant institutions. Furthermore, often they can only complain after returning to their countries of origin since they are unable to reach the authorities in time, if at all, to apply for exemption. They are confined and restricted, do not speak the language, and do not have the data and evidence to prove violence. In addition, the Regulations No. 29656, dated March 17, 2016, on the implementation of the Law on Foreigners and International Protection (LFIP), defines a special circumstance under the title "people with special needs" and committed to consider the "(...) people who suffered sexual assaults or other severe psychological, physical or sexual violence" under this category. Accordingly, it prioritises persons with special needs in the procedures for attaining legal status and to provide the necessary coordination for the elimination by public services of the damages suffered by such people due to the violence they

⁴⁶ Mor Çatı Women's Shelter Foundation, Shadow Report to be submitted to the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families – 2024
<https://en.morcati.org.tr/reports/shadow-report-to-be-submitted-to-the-committee-on-the-protection-of-the-rights-of-all-migrant-workers-and-members-of-their-families-2024/>



experienced. However, in practice, the protection of people with special needs is not prioritized, or the inter-institutional coordination allowing these people's access to social support mechanisms is not **available**.

Recommendations:

- Adopt a separate regulation within the Law on Foreigners and International Protection addressing violence against migrant and refugee women and children, including necessary amendments to ensure their protection and access to support mechanisms.
- Establish a multilingual, specialized unit under the Presidency of Migration Management to coordinate and implement activities related to violence against women, in line with the rights and obligations set out in the Law on Foreigners and International Protection.
- Implement widespread, multilingual awareness-raising initiatives targeting migrant women, informing them of their rights and available support mechanisms in cases of violence.