

DEPARTMENT
OF STATISTICS



SAPIENZA
UNIVERSITÀ DI ROMA



Funded by the
European Union

The SPEAK-UP Jean Monnet Module

a.a. 2021-2022

Department of
Statistical Science



SAPIENZA
UNIVERSITÀ DI ROMA

*Gender discrimination and violence:
Concepts and definitions in International
Legislation and EU Policies
Lesson 4*

Fiorenza Deriu

24th June 2022

3rd Lesson outline

- ✓ *Council of Europe Convention on preventing and combating violence against women and domestic violence (CETS No. 210), so-called Istanbul Convention*
 - *the negotiations*
 - *the main points*

- ✓ *The monitoring and evaluation process and tools*
 - *Grevio*
 - *Committee of the parties*
 - *the evaluation procedure*

- ✓ *EIGE Statistics on Violence against Women*



Funded by the
European Union



**Council of Europe Convention on preventing and combating
violence against women and domestic violence
CETS No. 210**

Istanbul Convention

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Istanbul Convention – 2011

The negotiations

- ✓ In **December 2008**, the **Council of Europe** set up an expert committee, the *Ad Hoc Committee for preventing and combating violence against women and domestic violence (CAHVIO)* composed of governmental representatives of Council of Europe member states.

- The **Council of Europe** is more of a **cultural institution** that is primarily concerned with developing and spreading the awareness on human rights to its members.

- The **European Union** is more of a **political entity** that acts as one unified nation in the bigger world market. It leans more on implementing economic policies.

Istanbul Convention – 2011

The negotiations

- ✓ The **CAHVIO met nine times** and in **December 2010**, it **finalised the draft text of the Convention** which was later adopted by the Committee of Ministers and **opened for signature in Istanbul on 11 May 2011.**
- ✓ Following its **10th ratification by Andorra on 22 April 2014**, it **entered into force on 1 August 2014**
- ✓ In **ITALY** with **Law 27th June 2013, n. 77**, the Istanbul Convention concerning Action against violence against women and domestic violence was ratified, and executed

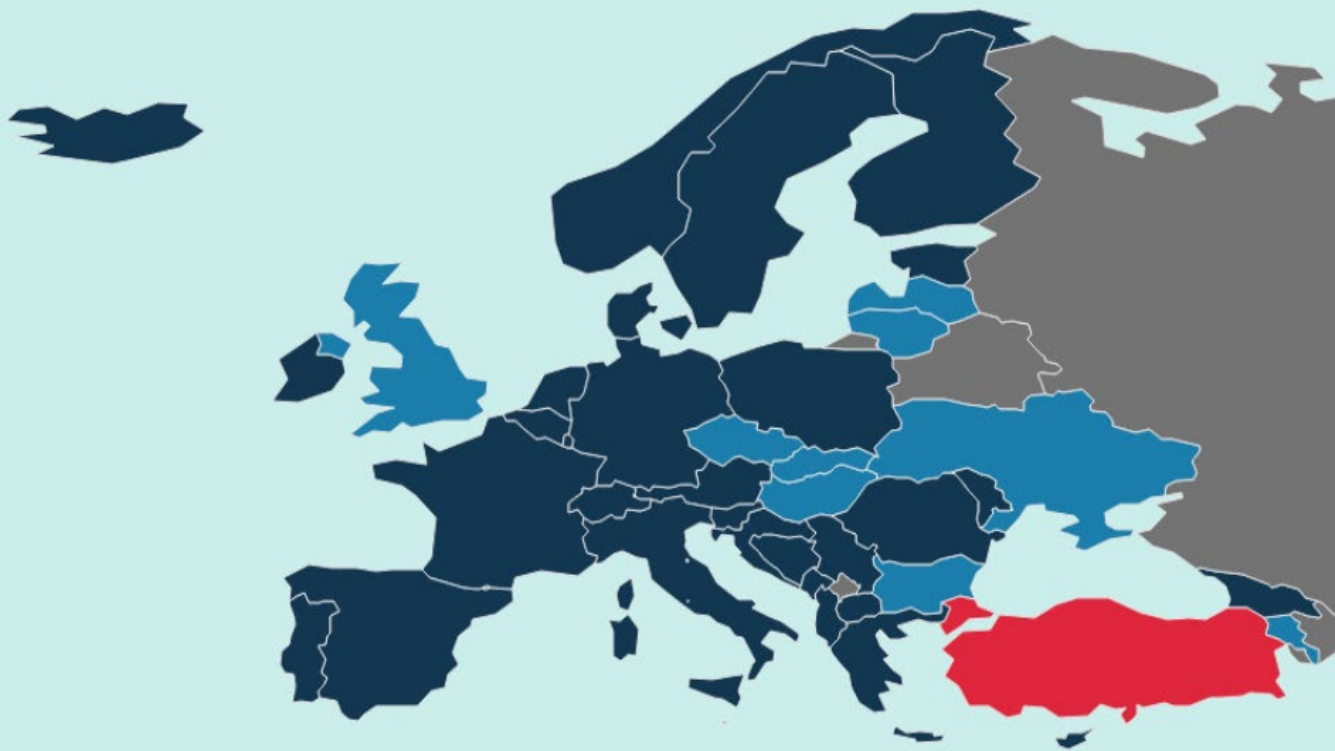


Türkiye signs on 11/05/2011, ratifies on 14/03/2012, enter into force on 01/08/2014

Istanbul Convention – 2011

The status of ratification

The Council of Europe's Istanbul Convention on violence against women



Countries that signed but not ratified the C.

- UK
- Armenia
- Bulgaria
- Czech Rep.
- Hungary
- Latvia
- Lithuania
- Slovakia
- Ukraine

● Ratified/In force ● Signed but not ratified ● Not signed ● Withdrawn

*The EU as a whole signed the convention on 13/06/2017, but has not yet ratified it; source = [Council of Europe](#) (last updated 10/05/22)

Signatures and ratifications of Treaty 210

ITALY

Signature 27/09/2012

Ratification 10/09/2013

Entry into force 01/08/2014

No reservations

No declarations

TÜRKIYE

Signature 11/05/2011

Ratification 14/03/2012

Entry into force 01/08/2014

Denunciation 22/03/2021

Denunciation into force 01/07/2021

TÜRKIYE Denunciation

- ✓ **Denunciation** contained in a Note Verbale from the Permanent Representation of Türkiye to the Council of Europe, dated 22 March 2021, registered at the Secretariat General on 22 March 2021

The Republic of Turkey withdraws from the Council of Europe Convention on preventing and combating violence against women and domestic violence (CETS No. 210) done at Istanbul on 11 May 2011, pursuant to Article 80 thereof.

Definition of Gender Based Violence

- ✓ The **Istanbul Convention**, as the benchmark for international legislation on tackling gender-based violence, **frames gender-based violence** and **violence against women** as a gendered act which is *‘a violation of human rights and a form of discrimination against women’*.
- ✓ Under the Istanbul Convention acts of **gender-based violence** are emphasised as resulting in *‘physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercive or arbitrary deprivation of liberty, whether occurring in public or in private life.’*

Definition of Domestic Violence

- ✓ All acts of physical, sexual, psychological or economic violence that **occur within the family or domestic unit**, irrespective of biological or legal family ties, or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence as the victim.

Evidences on gender-based violence

Gender-based violence
more common than you think

In the European Union, since the age of 15:

1 in 3

women has experienced
physical and/or
sexual violence

1 in 2

women has experienced
sexual harassment

1 in 20

women has been **raped**

1 in 5

women has experienced
stalking



95%

of victims **trafficked**
for **sexual exploitation** in the EU are women

Different forms of violence

- ✓ The Istanbul Convention (Council of Europe, Convention on preventing and combating **violence against women and domestic violence**), defines violence against women as falling under four key forms: **physical, sexual, psychological and economic**
- ✓ These different forms are **not mutually exclusive** and multiple incidences of violence can be happening at once and reinforcing each other.
- ✓ Inequalities experienced by a person related to their race, (dis)ability, age, social class, religion, sexuality can also drive acts of violence. This means that while women face violence and discrimination based on gender, **some women experience multiple and interlocking forms of violence.**

Istanbul Convention – 2011

The four pillars



**The
four
pillars**

PREVENTION

PROTECTION

PROSECUTION

CO-ORDINATED POLICIES

Istanbul Convention – 2011

PREVENTION



Istanbul Convention – 2011

PROTECTION



PROTECTION

The safety and needs of victims and witnesses must be at the heart of all protective measures adopted by a country. Their rights include:



Istanbul Convention – 2011

PROSECUTION



Istanbul Convention – 2011

COORDINATED POLICIES



CO-ORDINATED POLICIES

If a country has ratified the Istanbul Convention, it will have to undertake the following actions:



RESEARCH AND DATA COLLECTION



INTER-AGENCY CO-OPERATION



WHOLE SOCIETAL RESPONSE



SUPPORT AND WORK WITH CIVIL SOCIETY AND NGOS



COMPREHENSIVE LEGISLATION AND GENDER-SENSITIVE POLICIES



CO-ORDINATE ACTION AND MONITOR IMPLEMENTATION



FUNDING FOR POLICIES AND SUPPORT SERVICES



HUMAN RIGHTS-BASED POLICIES

Istanbul Convention – 2011

Additional themes



GENDER PERSPECTIVE

**4
additional
themes**

**MIGRANT WOMEN, WOMEN ASYLUM
SEEKERS, WOMEN REFUGEES**

NGOs

CHILDREN

Istanbul Convention – 2011

Gender perspective

- ✓ Violence against women and domestic violence cannot be addressed without **looking at gender equality issues**. Women may be subjected to violence because of their gender. Certain types of violence, in particular domestic violence, affect women disproportionately.
- ✓ Consequently, the convention frames the eradication of violence against women and domestic violence in a context of **achieving de jure and de facto equality**. Its Preamble recognises the **structural nature of such violence**, which is both a cause and a **consequence of unequal power relations between women and men** and which limits the full advancement of women.
- ✓ To overcome inequality, the convention requires **states to implement gender equality policies and to empower women**. It is not about treating women as helpless victims but about making sure **they can rebuild their lives**.

Istanbul Convention – 2011



- ✓ While the focus of the convention is on all forms of violence against women, which includes domestic violence committed against women, the **convention also recognises that there are other victims of domestic violence, such as boys and men.**
- ✓ This may include **gay men, transgender men or men that do not conform to what society considers to constitute appropriate behaviour.** States can choose whether or not to apply the convention to these victims of domestic violence. Applying a gender perspective to these groups of victims is equally important.

Istanbul Convention – 2011



- ✓ **Many forms of discrimination**, harmful practices and gender stereotypes **are the starting point for violent behaviour**. For this reason, the convention specifically **tackles gender stereotypes** in the areas of awareness-raising, education, the media and the training of professionals.
- ✓ It also creates the obligation to ensure that both protective and support measures as well as investigations and judicial proceedings be based on a gendered understanding of violence. The concept of gender is thus firmly embedded in the convention.

Istanbul Convention – 2011

Specific minority groups

- ✓ **Migrant women**, with or without documents, and women asylum-seekers are particularly **vulnerable to gender-based violence**. Although their reasons for leaving their country vary, as does their legal status, both groups are at increased risk of violence and face similar difficulties in overcoming it.
- ✓ For this reason, **the convention prohibits discrimination on the grounds of migrant or refugee status** when it comes to implementing its provisions. It also requires that measures be taken to prevent such violence and support victims while taking into account the needs of vulnerable persons.
- ✓ Moreover, the convention devotes **an entire chapter** to women migrants and asylum-seekers facing gender-based violence. It **contains a number of obligations that aim at generating a gender-sensitive understanding of violence against migrant women and women asylum-seekers**.

Istanbul Convention – 2011

Specific minority groups

- ✓ It is important to note that women seeking asylum have specific protection concerns and worries that are different to those of men. In particular, **women may be fleeing gender-based violence but may be unable or unwilling to disclose relevant information during a refugee determination process** that does not respect cultural sensitivities.
- ✓ Furthermore, **unaccompanied women are often exposed to sexual harassment and sexual exploitation** and are unable to protect themselves. In order to address the particular issues linked to women asylum-seekers, the convention establishes the obligation to introduce gender-sensitive procedures, guidelines and support services in the asylum process. Introducing a gender perspective into procedures allows for differences between women and men to be taken into account.

Istanbul Convention – 2011

NGOs

- ✓ In many member states, **the overwhelming majority of services** for victims of domestic violence, but also services for victims of sexual violence, stalking, forced marriage and others, **are run by non-governmental or civil society organisations.**
- ✓ These organisations have a **long-standing tradition of providing shelter, legal advice, medical and psychological counselling.** They also run **hotlines** and other essential services. However, many such services experience **funding insecurity** and operate in small geographic areas only. In most countries, the overall number of available services does not match the demand of victims.
- ✓ Often, this is because the provision of services is not considered a necessity, but a voluntary activity of NGOs.

Istanbul Convention – 2011

Children

- ✓ **Exposure to physical, sexual or psychological violence and abuse has a severe impact on children.** It breeds fear, causes trauma and adversely affects their development.
- ✓ **Violence against women and domestic violence** in its direct or indirect form **can have harmful consequences for their health and lives.**
- ✓ In the case of domestic violence it is acknowledged that children do not need to be directly affected by the violence to be considered victims as **witnessing domestic violence is just as traumatising.**

Istanbul Convention – 2011

Children

- ✓ The convention covers various forms of violence against women and domestic violence. Victims of such violence are typically girls and women of all ages.
- ✓ Boys and men, however, may also fall victim of certain types of violence that fall within the scope of the convention, in particular domestic violence and forced marriage. States are encouraged to extend the application of the measures set out in the convention to boys and men.
- ✓ **Provision explicitly for children:** in prevention, protection, and prosecution

Istanbul Convention – 2011

Monitoring bodies

- ✓ The Istanbul Convention sets up a monitoring mechanism to assess how its provisions are put into practice and to provide guidance to states parties.
- ✓ This monitoring mechanism consists of two distinct, but interacting, bodies:
 - A.** an independent expert body, the **Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)**, which is composed of 15 members. GREVIO draws up and publishes reports evaluating legislative and other measures taken by states parties to give effect to the provisions of the Convention;
 - B.** a political body, the **Committee of the Parties**, which is composed of representatives of the Parties to the Istanbul Convention. On the basis of GREVIO's reports, the Committee adopts recommendations concerning the measures to be taken to implement the findings contained in GREVIO's report. It also supervises the implementation of its own recommendations.



Funded by the
European Union



The monitoring mechanism of the Istanbul Convention

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

The two main pillars of the monitoring system of the Convention

An **independent expert body**, the **Group of Experts** on Action against Violence against Women and Domestic Violence (GREVIO), which was initially composed of 10 members and is now subsequently enlarged to **15 members following the 25th ratification**

The **task of GREVIO** is to monitor the implementation of the Convention by the Parties. **GREVIO may also adopt**, where appropriate, **general recommendations** on themes and concepts of the Convention.

A **political body**, the **Committee of the Parties**, which is composed of representatives of the Parties to the Istanbul Convention.

The Committee of the Parties follows up on GREVIO reports and conclusions and **adopts recommendations to the Parties concerned**. It is also responsible for the election of GREVIO members.

The two main types of monitoring procedures

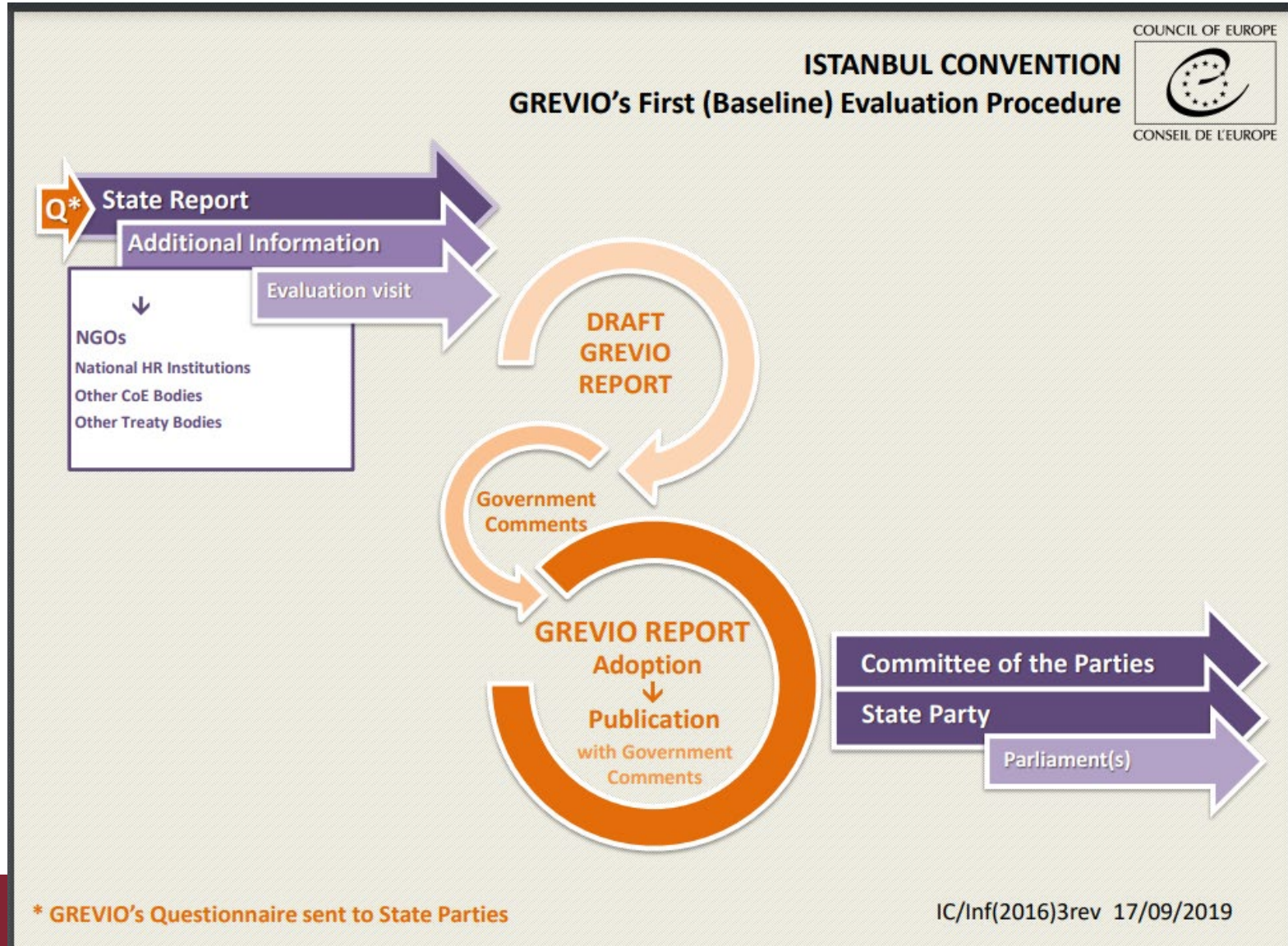
a) **Country-by-country evaluation procedure**

The country-by-country evaluation procedure begins with a first assessment, to be followed by evaluation rounds.

b) **special inquiry procedure**

It may be initiated by GREVIO when there is reliable information indicating that action is required to prevent a serious, massive or persistent pattern of any acts of violence covered by the Convention.

Istanbul Convention – 2011



Istanbul Convention – 2011

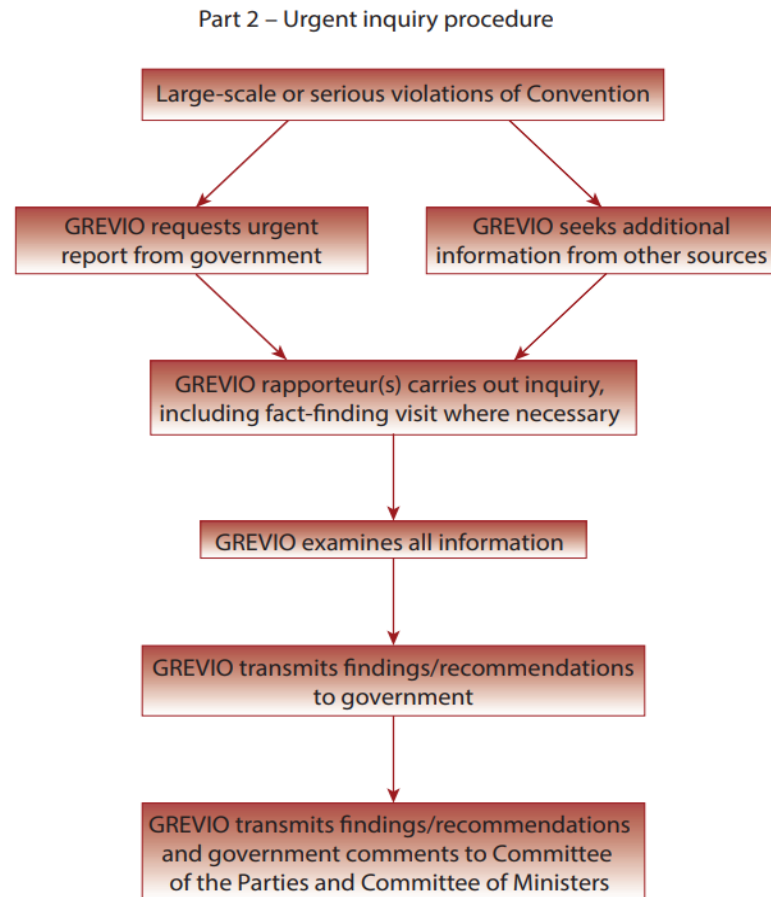


In such a case, GREVIO may request the urgent submission of a special report by the Party concerned.

Taking into account the relevant information at its disposal, GREVIO may designate one or more of its members to conduct an inquiry and to report back.

Where warranted and with the consent of the Party, the inquiry may include a country visit.

The monitoring mechanism of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)



Istanbul Convention – 2011

The role of the Parliament

- ✓ One major innovation of the Istanbul Convention is the obligation placed on the Parties to invite their parliaments to participate in the monitoring process and to submit the reports of GREVIO to them.
- ✓ Similarly, and for the first time, the Istanbul Convention foresees a significant role for the Parliamentary Assembly of the Council of Europe, which is invited to take stock of the implementation of the Convention at regular intervals.

Istanbul Convention – 2011

The role of the NGOs in the first evaluation procedure

- ✓ NGOs active in preventing and combating violence against women are key actors in the implementation of the Istanbul Convention which is why, under the Convention, state parties have a legal obligation to recognise, encourage and support their work and to establish effective co-operation with them (Article 9).
- ✓ NGOs are also major partners in monitoring the implementation of the Convention.

Istanbul Convention – 2011

The role of the NGOs in the first evaluation procedure

- ✓ The Group of Experts (GREVIO) **recognises the important role which NGOs play in this field** and made it clear in its Rules of Procedure (Rule 35) that NGOs and other members of civil society are vital sources of information and that **all information received from NGOs will be treated as confidential** by GREVIO. NGOs are therefore strongly encouraged to give their input and share their concerns at any time.
- ✓ When starting its first (baseline) evaluation of a particular country on the basis of its questionnaire, GREVIO will, whenever possible, invite NGOs working in that country to provide relevant information.

Istanbul Convention – 2011

The Confidentiality

- ✓ NGO information received by GREVIO is treated as confidential, unless otherwise decided by GREVIO on request of the NGO concerned.
- ✓ The same rule of confidentiality applies to views and information shared with GREVIO's delegations during country visits
- ✓ GREVIO aims to protect its NGO sources and, as a matter of principle, will not indicate NGO sources in relation to its findings

Istanbul Convention – 2011

The Committee of the Parties

- ✓ In accordance with Rule 10 of the Committee of the Parties' Rules of the Procedure, any relevant communication submitted to the Committee via the Secretariat will be brought to the attention of the Committee.
- ✓ Since 2018, the Committee of the Parties has been adopting – on the basis of GREVIO's findings - recommendations to states parties to further the implementation of the convention. States parties are given a period of three years to implement such recommendations and report back to the Committee using a standardised reporting form.



Funded by the
European Union



And now...

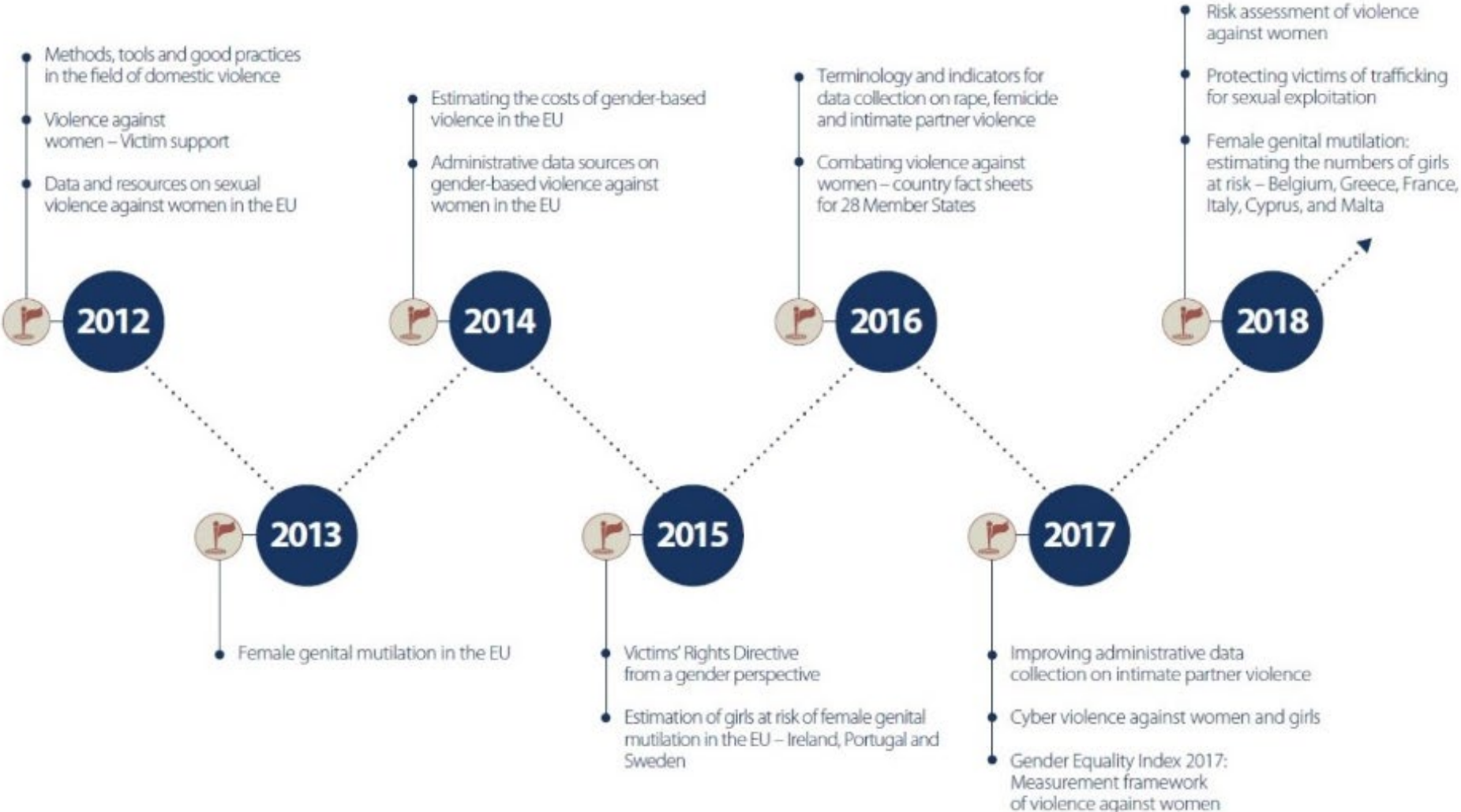
Let's give a look to some EIGE's statistics

on Violence against Women

The EIGE's Gender Based Violence work



Main milestones



The EIGE's Gender Based Violence



Indicators matters of concern

A lack of evidence to assess violence against women

- ✓ No score is given to Italy in the domain of violence, due to a lack of comparable EU-wide data.
- ✓ During the COVID-19 pandemic, restrictions on mobility and increased isolation exposed women to a higher risk of violence committed by an intimate partner.
- ✓ While the full extent of violence during the pandemic is difficult to assess, media and women's organisations have reported a sharp increase in the demand for services for women victims of violence.



The EIGE's Gender Based Violence

Indicators matters of concern

- ✓ Eurostat is currently coordinating a survey on gender-based violence in the EU but not all Member States are taking part.
- ✓ EIGE, together with the EU's Fundamental Rights Agency (FRA), will collect data for the remaining countries to have an EU-wide comparable data on violence against women.
- ✓ Data collection will be completed in 2023, and the results will be used to update the domain of violence in the Gender Equality Index 2024

The EIGE's Gender Based Violence

Femicide

- ✓ In **2018, over 600 women were murdered by an intimate partner**, a family member or a relative in 14 EU Member States, according to official reports.
- ✓ In Italy, 73 women were killed by their partners in 2018. Italy does not provide data on the number of women killed by their family members or relatives.


Source: Eurostat, 2018

The EIGE's Gender Based Violence Femicide



FEMICIDE: Name it, count it, end it.
Femicide is the killing of women and girls because of their gender. It can be:

1. Political

- Death of women by police persecution
 - Unsafe abortion-related death
 - Killing due to risky working conditions
 - Denial of healthcare for reproductive reasons
- 

2. Cultural

- So-called honour killing
 - Dowry-related killing
 - FGM-related death
 - Female foeticide or infanticide
 - Killings related to sexual orientation and gender identity
 - Racist femicide
 - Killing as result of misogynist attitudes/social practices
- 



3. Criminal

- Trafficking related killing
 - Organised crime
 - Gang killing
- 

4. Sexual

- Non-intimate sexual killing
 - Killing of women involving sexual violence
- 

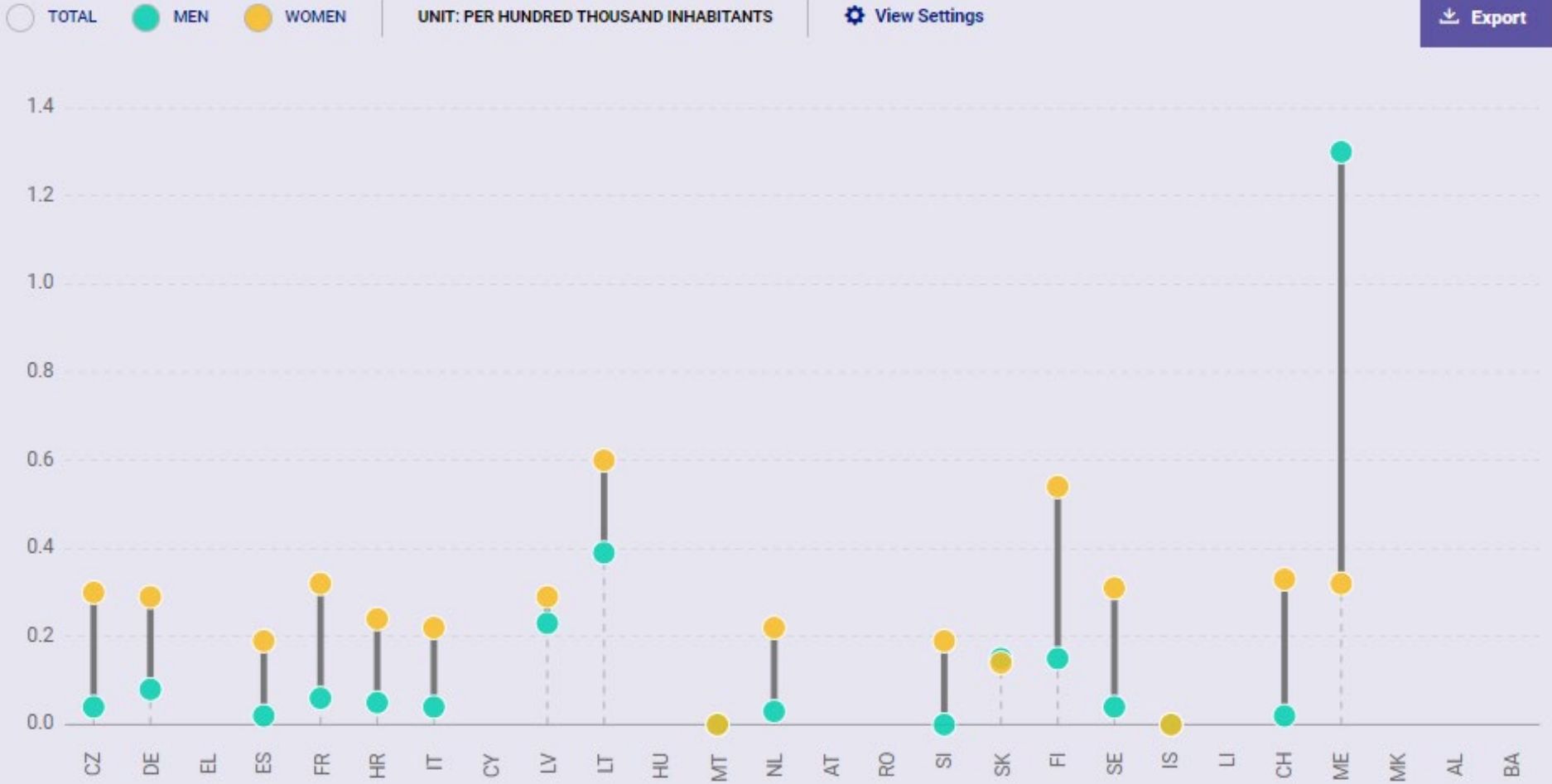
5. Interpersonal

- Killing of women by (ex-) partner or spouse/result of intimate partner violence
 - Killing of women by family members
 - Femicide 65+
- 

What does 'the killing of women and girls because of their gender' mean?

It means that some women are killed because of sexist attitudes and practices in our societies.

Intentional homicide victims by victim-offender relationship and sex – number and rate for the relevant sex group – intimate partner



The EIGE's Gender Based Violence



Physical and/or sexual violence

- ✓ No data is available on cases of physical and/or sexual violence experienced by women that happened at home
- ✓ 7 % of lesbian women and 5 % of bisexual women were physically or sexually attacked in the past five years for being LGBTI

Source: FRA's Fundamental Rights Survey and LGBTI Survey II, 2019

The EIGE's Gender Based Violence



Harassment

- ✓ 14 % of women experienced harassment in the past five years, and 8 % in the past 12 months
- ✓ 16 % of women with disabilities experienced harassment in the past five years, and 9 % in the past 12 months

Source: FRA's Fundamental Rights Survey, 2019

The EIGE's Gender Based Violence



Cyberviolence

- ✓ 6 % of women were subjected to cyber harassment in the past five years, and 3 % in the past 12 months
- ✓ Among women aged 16-29, 11 % experienced cyber harassment in the past five years, and 5 % in the past 12 months

Source: FRA's Fundamental Rights Survey, 2019



The EIGE's Gender Based Violence Female Genital Mutilation (FGM)

- ✓ From 15 % to 24 % of the 76 040 girls in the migrant resident population were at risk of female genital mutilation in 2016

Source: EIGE, 2018

Thank you!

Contact details:

fiorenza.deriu@uniroma1.it

<https://corsidilaurea.uniroma1.it/it/users/fiorenzaderiuuniroma1it>