5/2014

ADVOCACY NEWS

SOROPTIMIST INTERNATIONAL OF EUROPE

A MESSAGE FROM YOUR ADVOCACY TEAM!

In the wake of an intensive and fruitful agenda at the Council of Europe, the OSCE and the European's Women Lobby, our Advocacy Team and its Representatives are delighted to share with you this "Special Issue" entirely devoted to the Istanbul Convention.

We hope you enjoy reading it!

Elena Savu, *Vice President for Advocacy*

Maria-Elisabetta de Franciscis, *President Elect & Head of Programme & Advocacy*

In this Special Issue we focus on… The Istanbul Convention!

An Introduction to the Istanbul Convention

Dear Soroptimists all over Europe, we can rejoice: A major breakthrough has been reached to protect women from violence: **The Council of Europe's Convention on preventing and combating violence against women and domestic violence** otherwise known as the **Istanbul Convention** can enter into force!

The prerequisite has been met that at least 10 Council of Europe member states have ratified it. It is the first legally binding instrument in Europe to combat and prevent violence against women and it is really very, very far-reaching. It covers a multitude of measures that the governments have to implement in order to prevent violence, to protect victims, and to prosecute perpetrators. A Council of Europe monitoring group, called GREVIO, will follow up the implementation in the different countries that have ratified the **Istanbul Convention**. However, the sad point about it is that still 35 out of 47 Council of Europe member states have to ratify it, and thus are not yet bound by it. It will take many more years until all over Europe zero-tolerance for violence against women and domestic violence is a reality. Constant pressure from NGOs like Soroptimist will be necessary so that governments give priority to the ratification of the Istanbul Convention and to its rapid and full implementation.

Bettina Hahne CoE Representative



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NGOS AND THE ISTANBUL CONVENTION:

- All institutions **welcome** and **encourage** the participation of civil society and NGOs
- They deal with governments but **need NGO input to understand the situation on the ground**
- NGOs as **reliable and invaluable source of information** they can't otherwise get
- NGOs can have their say through:
  - "Shadow" reports
  - Written statements
  - Oral statements
  - Panels and debates
  - Parallel events
  - Urgent appeals
  - "Hallway diplomacy"
- NGOs are encouraged to collaborate with other civil society organizations
- NGOs **should campaign to force governments for ratification**: writing letters to ministers and bureaucrats for immediate adoption
- NGOs **should be engaged in social media** with promotional documents that introduce the Convention.



Françoise Ferey, CoE Representative

CONSEQUENCES OF RATIFICATION:

'This is a defining moment for women in Europe for whom the home is a place of danger. This treaty will oblige governments to take concrete steps to help women and girls facing violent attacks.'

Gauri van Gulik, global women's rights advocate

Upon ratification, a country becomes legally bound to the policy of the three Ps: **Prevention**, **Protection** and support of victims, and **Prosecution** of offenders. The legal system must be adjusted at all levels: criminal, civil and administrative. For instance, administrative law must accommodate revised procedures and practices, cooperation must be increased among institutions, and the appropriate support structures must be designed and put in place.
Two immediate consequences of the entry into force of the Istanbul Convention will be:

1. *The creation of a formal framework for fighting Violence Against Women*

The Convention can be implemented only through sustained political will, partnerships with civil society and women's organizations who can intensify their actions, advocate and hold duty bearers accountable for their commitments and obligations.

2. *The development of a comprehensive gender-based approach*

The enforcement of the Convention's provisions links the general problem of Violence Against Women to more specific women's issues such as women's economic empowerment, political participation, and providing access to education and health, including sexual and reproductive health .

Elena Savu, SIE Vice President Advocacy

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CHALLENGES TO RATIFICATION

It is generally assumed that it is usually easy and politically wise to sign a convention while it's a much more difficult process to get State complete the ratification process. Yet the troubled history of the Istanbul Convention confirms a different reality. There are only 23 States who have signed it and of these only 12 have ratified it.



Signing a convention does not only represent ideological support for a cause but binds the State from that moment onwards from taking actions or implementing laws which go against the "spirit of the treaty". Thus signing a convention binds States although not as much as ratification. The two legal moments are separate because it is up to the legislative bodies of each country to authorize the ratification of the convention. The internal law of authorization implies the evaluation of the costs the State will face to implement the treaty. From a passive role (not to go against the spirit of the convention), the State has to move to an active role (providing services to implement).

Those States which have ratified the Istanbul Convention will now have to - just to give some examples - approve laws sanctioning crimes against women; open shelters; train law enforcement and medical/paramedical and legal operators. Once a State has signed and ratified a convention it is placed under scrutiny by the international community and monetary sanctions can be inflicted if it is found guilty on the passive and/or active side of its commitments.

Maria-Elisabetta de Franciscis, President Elect



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CHALLENGES TO IMPLEMENTATION!

Once a country has ratified the Istanbul Convention, many steps are required for its implementation. Criminal law has to be changed. Compulsory awareness building programmes for judges and legal staff and police force need to be created. Social services must be strengthened and adequate funds provided for help-lines and shelters.

But most important for preventing violence against women is awareness building in all strata of society, and women and girls need to learn to detect the first signs of a violent attitude in their partner.

Not all countries have yet the same legal standards and cultural norms. As an example, marital rape in Lithuania is still not criminalised either in Criminal Code or in the new Republic of Lithuania Law on protection against domestic violence.

Many of the abovementioned measures will take a long time to be put in place and their functioning will incur a lot of resistance. Council of Europe member states have a vast cultural and social diversity and many cultural norms will require a long time to change, especially in countries that have in their past been isolated from outside influences.

That is why the assistance of NGOs on the ground will be very important to report violations of the Istanbul Convention and to tackle the opinion and attitude changes that are necessary for the elimination of violence against women and domestic violence.

Renate Smith-Kubat, EWL Representative

FURTHER READING!

THE REPS & THE WHOLE SIE ADVOCACY TEAM RECOMMEND SOME FURTHER READING:

The Council of Europe Latest News on the Istanbul Convention

The Council of Europe Convention on preventing and combating violence against women and domestic violence here

The Council of Europe full list of signatories

HAVE COMMENTS?

This is YOUR newsletter! If you have a comment, document, link, or anything else that you would like us to communicate in an upcoming edition of the newsletter, please share it with us!
Feel free to send your news to :
programme@soroptimisteurope.org
The Advocacy Newsletter will come out four times per year.

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EUROPEAN WOMEN'S LOBBY
LOBBY EUROPÉEN DES FEMMES

SAFE FROM FEAR
SAFE FROM VIOLENCE

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE