



erechos fundamentales
Основни права
Cearta bunúsacha
Grundläggande rättigheter

Grondrechten
Direitos fundamentais
Temeljne pravice
Alapvető jogok

Pamattiesības
Základné práva
Prawa podstawowe
Droits fondamentaux
Põhioigused

Pagrindinés teisēs
Temeljna prava
Perusoikeudet
Drittijiet f
Θεμελιώδη

Fundamental rights

Colloquium
Základní práva

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Session I.c: Harnessing our collective capacity to end violence against women

Aim of the session

The aim of this session, in the context of a shifting space for civil society, is to address the importance of co-operation between Member States, European institutions and NGOs in combating violence against women, with the Istanbul Convention as a guiding light.

The session takes the form of a roundtable discussion. To enable as many discussants to take the floor as possible, please keep your interventions to 2 minutes.

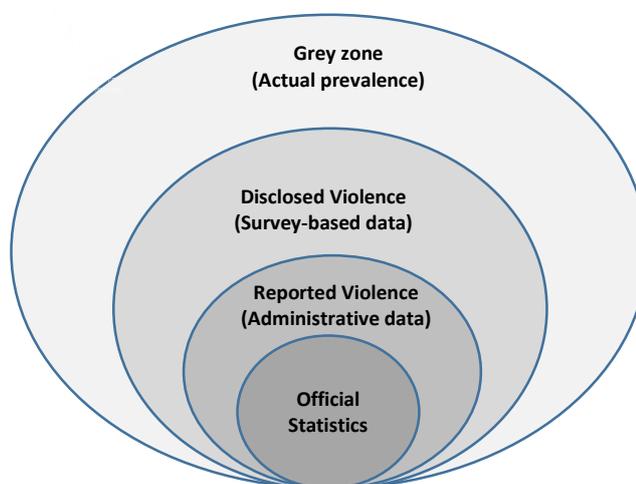
Issues for discussion

- What is, from your perspective, the most urgent issue to address, and if there was one action you could take to improve the situation, what would it be?
- What is the best approach to improve the exchange of information between non-governmental organisations and public institutions (such as the police, or justice or health sectors) so they can better respond to violence and properly meet the needs of victims?
- What are the first lessons learnt from GREVIO's work and experiences of Member States when preparing for the implementation of the Istanbul Convention in the area of cooperation? How should civil society and NGOs be best involved in accordance with the requirements of the Istanbul Convention?
- How can the coherence and complementarity of international organisations and the different legal frameworks be best achieved?

Background

This paper considers the importance of cooperation between Member States, European institutions and NGOs in combating violence against women, with particular attention to the role of the Istanbul Convention as a catalyst.

Violence against women is widespread and occurs in many forms. It happens at home (WHO, 2016), in the workplace, on the street and, increasingly, in cyber space (EIGE, 2017). Population surveys provide an estimate of the extent of violence against women based on “disclosed” violence – the experiences victims are willing to share and administrative data providing information on incidences of violence reported to police and public institutions. The actual prevalence of violence against women in society still remains largely a ‘grey zone’ (EIGE, 2015). The survey carried out by the Fundamental Rights Agency of the EU (FRA, 2014) estimates that one in three women in the EU has been a victim of violence in her lifetime, and that one in 20 women has been raped. Specialised support for women survivors still remains insufficient (EIGE, 2015a) and the estimated cost of gender-based violence against women in the EU is almost 226 billion euros (EIGE, 2014).



The intersectional dimension

Violence against women and girls also has a distinctive intersectional dimension: according to the FRA survey of 2014, the prevalence of violence against women is 10 percentage points higher for women with health problems or disabilities than for women without these conditions. Equally, refugee women are exposed to high risks of sexual violence (WHO, 2016). Support actions and legal frameworks in these areas need to take into account violence aspects when addressing needs and fighting discrimination, and vice-versa: frameworks on combating and preventing violence, and organisations working in this area, need to take into account the needs of specific groups of women.

Converging and interrelated policy frameworks

A major driver for action at the national level is the Istanbul Convention. 15 EU Member States are already party to the Convention and the EU signed it on 13 June 2017 as a first step to become a party to the Convention alongside its Member States.

At multilateral level, violence against women is addressed by the United Nation's Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), where it was felt that there was a need to develop the connection between discrimination against women, gender-based violence, and violations of human rights and fundamental freedoms. To this end, general Recommendation No 19 was adopted in 1991. Equally, the UN Commission on the Status of Women (CSW) addressed the phenomenon in dedicated conclusions, and the elimination of violence against women and girls is a target of the Sustainable Development Goal # 5 on achieving gender equality.

In addition to Human Rights based instruments, international organisations also address the phenomenon from a sectoral angle, such as the International Labour Organisation (ILO) that has launched standard-setting work to strengthen cooperation between relevant actors in tackling violence and harassment (ILO, 2017), or the UN Habitat's "Safer Cities" initiative (UN Habitat, 2012).

At EU level, several legal and policy instruments address specific dimensions of violence against women. This includes the Common European Asylum System and a gender-sensitive asylum policy. Trafficking in human beings is one of Europol's mandated crime areas and the work of the European Agency for Safety and Health at Work (EU-OSHA) can be used for raising awareness and exchanging information and good practices on safety and health at work. The EU promotes the UN Convention on the Rights of Persons with Disabilities to tackle the issue of violence against women and girls with disabilities. Many other EU areas can contribute to tackling violence against women – ranging from sports and education, health policy, to regional and social policy.

Multi-level and multidisciplinary action – the example of the Istanbul Convention

Multilevel cooperation and involvement of all relevant actors is a guiding principle of the Convention. Art. 1 highlights the need to promote international cooperation. An entire chapter is dedicated to the need for 'Integrated policies and data collection'. Cooperation to promote 'awareness raising campaigns or programs' is emphasized (Art. 13). As part of the general obligations on 'protection and support' all relevant state and non-state actors are to cooperate in order to protect and support victims (Art. 18). As part of investigation, prosecution, procedural law and protective measures, the 'possibility for governmental and non-governmental organisations and domestic violence counsellors to assist and/or support victims' has to be provided (Art.55). Chapter VIII is dedicated to 'International cooperation' (Art.62-65).

The need for cooperation and recognition of actors in combating criminalised forms of violence against women is also part of existing EU acquis. EU law provides, for example, for transportability of protection orders when moving to another Member State under Directive 2011/99/EU on the European Protection Order and Regulation (EU) No. 606/2013 on mutual recognition of protection measures in civil matters. The rules put in place by the EU Directive 2011/36/EU on trafficking in human beings provide for cross-border cooperation as well.

Data on violence against women

Comprehensive and comparable data – both prevalence and administrative data – are needed to assess the effectiveness of EU policies that aim to eliminate this phenomenon. Identified data gaps and challenges in producing and collecting data on violence against women hinder this pursuit. EIGE is working towards establishing a common future measure of violence against women and has developed uniform definitions and indicators to regularly measure the incidence of rape, femicide, and intimate partner violence (EIGE 2017a).

References

European Commission (2016). *Special Eurobarometer 449: Report on Gender-based Violence*. Retrieved from: <https://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/ResultDoc/download/DocumentKy/75837>

European Institute for Gender Equality (EIGE) (2014). *Estimating the cost of gender-based violence in the European Union*. Retrieved from: <http://eige.europa.eu/sites/default/files/documents/MH0414745EN2.pdf>

European Institute for Gender Equality (EIGE) (2015). *Gender Equality Index 2015: Measuring gender equality in the European Union 2005–2012*. Retrieved from: <http://eige.europa.eu/sites/default/files/documents/mh0215616enn.pdf>

European Institute for Gender Equality (EIGE) (2015a). *Beijing +20: The 4th Review of the Implementation of the Beijing Platform for Action in the EU Member States*. Retrieved from: <http://eige.europa.eu/sites/default/files/documents/MH0414886ENN.PDF>

European Institute for Gender Equality (EIGE) (2017). *Cyber violence against women and girls*. Retrieved from: <http://eige.europa.eu/rdc/eige-publications/cyber-violence-against-women-and-girls>

European Institute for Gender Equality (EIGE) (2017a). *Administrative data collection on rape, femicide and intimate partner violence in EU Member States*. Retrieved from: <http://eige.europa.eu/rdc/eige-publications/administrative-data-collection-rape-femicide-and-intimate-partner-violence-eu-member-states>

European Union Agency for Fundamental Rights (FRA) (2014). *Violence against women: an EU-wide survey. Main results report*. Retrieved from: <http://fra.europa.eu/en/publication/2014/violence-against-women-eu-wide-survey-main-results-report>

International Labour Organisation (ILO) (2017). *Ending violence and harassment against women and men in the world of work*. Retrieved from: http://www.ilo.org/ilc/ILCSessions/107/reports/reports-to-the-conference/WCMS_553577/lang-en/index.htm

UN HABITAT (2012). *Safer Cities Programme*. Retrieved from: <https://unhabitat.org/urban-initiatives/initiatives-programmes/safer-cities>

World Health Organization (WHO) (2016). *Sexual Violence against Refugee Women on the move to and within Europe*. Retrieved from: http://www.euro.who.int/__data/assets/pdf_file/0018/319311/9-Sexual-violence-refugee-women.pdf?ua=1

World Health Organization (WHO) (2016a). *Violence against women: Intimate partner and sexual violence against women Fact sheet*. Retrieved from: <http://www.who.int/mediacentre/factsheets/fs239/en/>

Documents

Fourth World Conference on Women: Beijing Declaration (1995). Retrieved from: <http://www.un.org/womenwatch/daw/beijing/platform/declar.htm>

General recommendations made by the UN Committee on the Elimination of Discrimination against Women (1992). Retrieved from: <http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm>

Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (1994). Retrieved from: <http://www.oas.org/juridico/english/treaties/a-61.html>