



TEXTS ADOPTED

P9_TA(2023)0047

Council of Europe Convention on preventing and combating violence against women and domestic violence: EU accession

European Parliament resolution of 15 February 2023 on the proposal for a Council decision on the conclusion, by the European Union, of the Council of Europe Convention on preventing and combating violence against women and domestic violence (COM(2016)0109 - 2016/0062R(NLE))

The European Parliament,

- having regard to the Commission proposal for a Council decision on the conclusion, by the European Union, of the Council of Europe Convention on preventing and combating violence against women and domestic violence (COM(2016)0109),
- having regard to Council Decision (EU) 2017/865 of 11 May 2017 on the signing, on behalf of the European Union, of the Council of Europe Convention on preventing and combating violence against women and domestic violence with regard to matters related to judicial cooperation in criminal matters¹,
- having regard to Council Decision (EU) 2017/866 of 11 May 2017 on the signing, on behalf of the European Union, of the Council of Europe Convention on preventing and combating violence against women and domestic violence with regard to asylum and non-refoulement²,
- having regard to the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), which entered into force on 1 August 2014³ and was signed by the European Union on 12 June 2017,

¹ OJ L 131, 20.5.2017, p. 11.

² OJ L 131, 20.5.2017, p. 13.

³ <https://rm.coe.int/168008482e>

- having regard to the Treaty on European Union (TEU), in particular Articles 2 and 3 thereof, and to the Treaty on the Functioning of the European Union (TFEU), in particular, Articles 8, 10, 19, 83, 153 and 157 thereof,
- having regard to the Charter of Fundamental Rights of the European Union (the 'Charter'), which entered into force together with the Treaty of Lisbon in December 2009, and in particular to Articles 1, 2, 3, 4, 6, 21, 23 and 31 of the Charter,
- having regard to Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal opportunities and equal treatment of men and women in the access to and supply of goods and services¹, which defines and condemns harassment and sexual harassment,
- having regard to Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation², which defines direct and indirect discrimination, harassment and sexual harassment,
- having regard to Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA³ (the Victims' Rights Directive),
- having regard to the 2014 report of the European Union Agency for Fundamental Rights (FRA) on violence against women⁴,
- having regard to the case-law of the European Court of Human Rights (ECtHR), and in particular, its judgments on domestic violence and violence against women, in particular *Opuz v Turkey*⁵, *Y and Others v Bulgaria*⁶, *Landi v Italy*⁷, *M.C. v Bulgaria*⁸, *Yazgül*

¹ OJ L 373, 21.12.2004, p. 37.

² OJ L 204, 26.7.2006, p. 23.

³ OJ L 315, 14.11.2012, p. 57.

⁴ FRA, 'Violence against women: an EU-wide survey. Main results report', 3 March 2014.

⁵ <https://hudoc.echr.coe.int/fre?i=001-92945>.

⁶ <https://hudoc.echr.coe.int/fre?i=001-216360>.

⁷ <https://hudoc.echr.coe.int/fre?i=001-216854>.

⁸ <https://hudoc.echr.coe.int/fre?i=001-61521>.

*Yılmaz v Turkey*¹, *V.C. v Slovakia*², *P. and S. v Poland*³ and *J.L. v Italy*⁴,

- having regard to the Council of Europe Convention for the Protection of Human Rights and Fundamental Freedoms, signed in Rome on 4 November 1950, and in particular to Articles 2, 3, 8 and 14 of, and Protocol No 12 to, the Convention,
- having regard to the Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) baseline evaluation reports and, in particular, the reports on Austria, Belgium, Denmark, Finland, France, Italy, Malta, Netherlands, Poland, Portugal, Romania, Slovenia, Spain and Sweden, including the lists of proposals and suggestions made by GREVIO and recommendations by the Committee of the Parties,
- having regard to the GREVIO General Recommendation No 1 on the digital dimension of violence against women, adopted on 20 October 2021,
- having regard to GREVIO's Mid-term Horizontal Review of GREVIO baseline evaluation reports⁵ of February 2022,
- having regard to the Explanatory Report to the Council of Europe Convention on preventing and combating violence against women and domestic violence of 11 May 2011,
- having regard to the Council of Europe report entitled 'Overview of studies on the costs of violence against women and domestic violence',
- having regard to the issue paper of the Council of Europe's Commissioner for Human Rights of 4 December 2017 entitled 'Women's sexual and reproductive health and rights in Europe',
- having regard to the Vienna Declaration and Programme of Action adopted by the 1993 World Conference on Human Rights,
- having regard to the Beijing Declaration and Platform for Action adopted by the Fourth World Conference on Women on 15 September 1995, and to the subsequent outcome documents adopted at the United Nations Beijing +5 (2000), Beijing +10 (2005), Beijing +15 (2010), Beijing +20 (2015) special sessions and the

¹ <https://hudoc.echr.coe.int/fre?i=001-103214>.

² <https://hudoc.echr.coe.int/fre?i=001-93532>.

³ <https://hudoc.echr.coe.int/fre?i=002-7226>.

⁴ <https://hudoc.echr.coe.int/fre?i=002-13282>.

⁵ Council of Europe, *Mid-term Horizontal Review of GREVIO baseline evaluation report*, February 2022.

political declaration on Beijing +25 (2020) of the United Nations Commission on the Status of Women (CSW),

- having regard to the provisions of the UN legal instruments in the sphere of human rights, in particular those concerning women's rights, such as the UN Charter, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and its Optional Protocol, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the 1951 Convention relating to the Status of Refugees and the principle of non-refoulement, and the UN Convention on the Rights of the Child,
- having regard to the CEDAW Committee General Recommendations 12, 19, 33 and 35 on violence against women,
- having regard to the 2018 Report of the UN Special Rapporteur on Violence Against Women, its causes and consequences on online violence against women and girls from a human perspective,
- having regard to the International Labour Organization (ILO) Violence and Harassment Convention (No 190) of 2019, which entered into force on 25 June 2021, and to its Violence and Harassment Recommendation (No 206),
- having regard to the UN Convention on the Rights of Persons with Disabilities, to which the EU is a State Party, including the 2015 Concluding Observations of the United Nations Committee on the Rights of Persons with Disabilities (UNCRPD) to the EU, which calls on the EU to accede to the Istanbul Convention as a way to protect women and girls with disabilities from violence,
- having regard to Sustainable Development Goal 5 on achieving gender equality and empowering all women and girls,
- having regard to the 1993 United Nations Declaration on the Elimination of Violence against Women,
- having regard to the United Nations General Assembly 2020 Resolution entitled 'Intensification of efforts to prevent and eliminate all forms of violence against women and girls',
- having regard to the Commission communication entitled 'A Union of Equality: Gender Equality Strategy 2020-2025' (COM(2020)0152),
- having regard to the Commission communication of 24 June 2020 entitled 'EU Strategy on victims' rights (2020-2025) (COM(2020)0258),

- having regard to the Commission communication of 12 November 2020 entitled ‘Union of Equality: LGBTIQ Equality Strategy 2020-2025’ (COM(2020)0698),
- having regard to the Commission’s proposal of 8 March 2022 for a directive of the European Parliament and the Council on combating violence against women and domestic violence (COM(2022)0105),
- having regard to the 2021 report of the European Institute for Gender Equality (EIGE) entitled ‘The costs of gender-based violence in the European Union’, as well as to the EIGE Gender Equality Index Reports published since 2013,
- having regard to the commitments made at the Generation Equality Forum of July 2021,
- having regard to its resolution of 26 November 2009 on the elimination of violence against women¹,
- having regard to its resolution of 5 April 2011 on priorities and outline of a new EU policy framework to fight violence against women²,
- having regard to its resolution of 25 February 2014 with recommendations to the Commission on combating violence against women³,
- having regard to its resolution of 26 October 2017 on combating sexual harassment and abuse in the EU⁴,
- having regard to its resolution of 12 September 2017 on the proposal for a Council decision on the conclusion, by the European Union, of the Council of Europe Convention on preventing and combating violence against women and domestic violence⁵,
- having regard to its resolution of 13 February 2019 on experiencing a backlash in women’s rights and gender equality in the EU⁶,
- having regard to its resolution of 4 April 2019 seeking an opinion from the Court of Justice on the compatibility with the Treaties of the proposals for the accession by the European Union to the Council of Europe Convention on preventing and combating violence against

¹ OJ C 285 E, 21.10.2010, p. 53.

² OJ C 296 E, 2.10.2012, p. 26.

³ OJ C 285, 29.8.2017, p. 2.

⁴ OJ C 346, 27.9.2018, p. 19.

⁵ OJ C 337, 20.9.2018, p. 16.

⁶ OJ C 449, 23.12.2020, p. 102.

women and domestic violence and on the procedure for that accession¹,

- having regard to its resolution of 28 November 2019 on the EU's accession to the Istanbul Convention and other measures to combat gender-based violence²,
- having regard to its resolution of 21 January 2021 on the EU Strategy for Gender Equality³,
- having regard to its resolution of 11 February 2021 on challenges ahead for women's rights in Europe: more than 25 years after the Beijing Declaration and Platform for Action⁴ ,
- having regard to its resolution of 16 September 2021 with recommendations to the Commission on identifying gender-based violence as a new area of crime listed in Article 83(1) TFEU⁵,
- having regard to its resolution of 6 October 2021 on the impact of intimate partner violence and custody rights on women and children⁶,
- having regard to its resolution of 14 December 2021 with recommendations to the Commission on combating gender-based violence: cyberviolence⁷,
- having regard to its resolution of 15 December 2021 on equality between women and men in the European Union in 2018-2020⁸,
- having regard to its resolution of 24 November 2016 on the EU accession to the Istanbul Convention on preventing and combating violence against women⁹,
- having regard to Opinion 1/19 of the Court of Justice of the European Union (Grand Chamber) of 6 October 2021 on the Istanbul Convention¹⁰,
- having regard to Rule 105(5) of its Rules of Procedure,

¹ OJ C 116, 31.3.2021, p. 7.

² OJ C 232, 16.6.2021, p. 48.

³ OJ C 456, 10.11.2021, p. 208.

⁴ OJ C 465, 17.11.2021, p. 160.

⁵ OJ C 117, 11.3.2022, p. 8.

⁶ OJ C 132, 24.3.2022, p. 27.

⁷ OJ C 251, 30.6.2022, p. 2.

⁸ OJ C 251, 30.6.2022, p. 23.

⁹ OJ C 224, 27.6.2018, p. 96.

¹⁰ ECLI:EU:C:2021:198.

- having regard to the joint deliberations of the Committee on Civil Liberties, Justice and Home Affairs and the Committee on Women's Rights and Gender Equality under Rule 58 of its Rules of Procedure,
 - having regard to the interim report of the Committee on Civil Liberties, Justice and Home Affairs and the Committee on Women's Rights and Gender Equality (A9-0021/2023),
- A. whereas gender equality is a core value of the EU, enshrined in Article 2 TEU and stressed in Article 23 of the Charter, and must be mainstreamed in all EU policies, activities, and programmes; whereas the European Institute for Gender Equality (EIGE) has noted that the European Union will take around 60 years to reach gender equality at the current pace; whereas the eradication of gender-based violence and especially violence against women and girls is a prerequisite to achieving real gender equality;
 - B. whereas gender-based violence is violence directed against a person because of that person's gender or violence that affects persons of a particular gender disproportionately; whereas 'violence against women' is understood as a violation of human rights and a form of discrimination against women and means all acts of gender-based violence that result in, or are likely to result in physical, sexual, psychological, structural or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life, as per the definition of the Istanbul Convention; whereas liberty and equality give women the means to fulfil their true potential;
 - C. whereas Article 3 of the Istanbul Convention defines 'gender-based violence' as 'violence that is directed against a woman because she is a woman or that affects women disproportionately', and 'gender' as 'the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men';
 - D. whereas one in three women in the EU, totalling around 62 million women, have experienced physical and/or sexual violence and whereas more than half of women (55 %) in the EU have experienced sexual harassment at least once since the age of 15¹; whereas a new survey by the European Union Agency for Fundamental Rights (FRA) is being conducted to update this data; whereas the latest estimated cost of gender-based violence and intimate partner violence in the European Union has increased by around one third, and the estimated cost of gender-based violence is EUR 366 billion per year²; whereas there are still many types and aspects of gender-based violence where data remains insufficient; whereas in its 2022 Gender

¹ European Union Agency for Fundamental Rights, 2014.

² European Institute for Gender Equality, 'The costs of gender-based violence in the European Union', Publications Office of the European Union, Luxembourg, 2021.

Equality Index¹ EIGE found that the data still falls short of reflecting the extent of gender-based violence in the EU;

- E. whereas gender-based violence, particularly that committed against women and girls, is both a cause and a consequence of the structural inequalities which are rooted in gender stereotypes and power asymmetries including those in the private, social, public and economic sphere; whereas gender-based violence, both online and offline is the most severe manifestation of gender inequality and discrimination, and has a severe direct and indirect impact on victims and their children with possible long-term physical, sexual, emotional and psychological consequences, constituting as such a public health issue, as well as causing economic and financial harm; whereas gender-based violence is a violation of women's human rights, and is a serious obstacle to the participation of women in social, public and political life and in the labour market and prevents women from fully enjoying their rights and fundamental freedoms;
- F. whereas gender-based violence can affect many fundamental rights enshrined in international and European human rights instruments, including the Charter, such as the right to human dignity (Article 1), the right to life (Article 2), the right to the integrity of the person (Article 3), the prohibition of torture and inhuman or degrading treatment (Article 4), the right to liberty and security (Article 6), the right to freedom from discrimination, including on the grounds of sex (Article 21), and the right to an effective remedy and to a fair trial;
- G. whereas gender-based violence, particularly that committed against women and girls is a structural and widespread problem throughout Europe and the world, which involves victims and perpetrators irrespective of their age, education, income, social status, cultural backgrounds and while anybody can be an indirect victim of gender-based violence, women and girls are disproportionately affected by all forms of such violence;
- H. whereas women and girls in particular, in all their diversity, are targeted by gender-based violence and experience varying and intersecting forms of discrimination, which have an compounding negative impact; whereas some groups of women and girls, such as migrant women, women refugees and asylum seekers, women and girls with disabilities, and Roma women, are at risk of multiple discrimination and are therefore even more vulnerable to violence; whereas the diversity of women and the risks of intersecting forms of discrimination should be taken into consideration; whereas LGBTIQ+ persons may be victims of gender-based violence because of their sexual orientation, gender, gender identity, gender expression or sex characteristics; and whereas the Istanbul Convention stipulates that all its provisions, in particular measures to protect the rights of

¹ EIGE, Gender Equality Index, 2022.

victims, must be secured without discrimination on any grounds such as sex, gender, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, sexual orientation, gender identity, age, state of health, disability, marital status, migrant or refugee status, or other status;

- I. whereas these intersecting and multiple forms of discrimination should be taken into account when giving access to justice and related services; whereas women should be granted specialist support services in the implementation of protection measures;
- J. whereas 'rape culture', which consists of a series of beliefs that encourage male sexual aggression and supports gender-based violence, is still a widespread problem throughout Europe and the world, manifesting itself in the normalising or trivialising of sexual violence, rape and sexual harassment, and is rooted in gender stereotypes, sexism, misogyny and the unequal distribution of power between genders;
- K. whereas the level of gender equality is often indicative of, and serves as a first warning of, the deteriorating situation of fundamental rights and values, including democracy and the rule of law, in a given society; whereas the present decade is witnessing a visible and increasingly organised attack on, and oppressive backlash against, gender equality, women's and girls' rights and the rights of LGBTIQ+ persons, which is manifesting itself particularly in a number of Member States as well as elsewhere in the world, and which has led to a visible increase in online and offline violence against women and LGBTIQ+ persons;
- L. whereas the EU must take all necessary measures to promote and protect the right of all women and girls to live free from violence; whereas the COVID-19 pandemic led to increased domestic violence and violence against women; whereas more than 45 % of women worldwide have reported that they or a woman they know has experienced some form of violence and 65 % of women have reported experiencing it in their lifetime; whereas European countries saw either a sharp or a constant increase in reported cases of femicides; whereas access to essential services such as emergency accommodation and telephone assistance has decreased, confirming the even more urgent need to adopt concrete measures to combat such violence after the lessons learned from the pandemic;
- M. whereas gender-based violence, committed in particular against women and girls, may take many forms such as physical assault, sexual violence, including rape, female genital mutilation, femicide, trafficking of women and girls for the purposes of sexual exploitation, sexual harassment, 'honour crimes' and forced marriages, marital captivity, forced sterilisation, forced abortion, as

well as the denial of safe and legal abortion, obstetric and gynaecological violence, institutional violence, vicarious violence, economic violence that occurs within the family and/or domestic unit, stalking, bullying and harassment, hate speech, both online and offline, and various forms of cyberviolence; whereas gender-based violence against LGBTIQ+ women includes additional forms of sexual violence, such as 'corrective' rape and sexual harassment, female and intersex genital mutilations, forced sterilisation of trans and intersex people and conversion therapy;

- N. whereas differences in Member States' laws and policies have led to a divergence in the extent to which women are protected against gender-based violence such that women do not have equal protection against gender-based violence across the EU; whereas in some Member States the denial of safe and legal abortion has led to the death of a number of women in recent years¹; whereas the ECtHR has ruled on several occasions that restricting access to abortion, where provided for in national law, and lack of implementation of legally permitted access, violates human rights, and hence it constitutes a form of gender-based violence in that context; whereas in some Member States women's rights organisations are being harassed and persecuted for assisting victims of inhumane abortion laws²;
- O. whereas gender-based violence continues to be an underreported crime in the European Union; whereas 67 % of women interviewed in the 2014 FRA survey stated that they did not report serious incidents of partner violence to the police or any other organisation³;
- P. whereas stereotyping and gender bias in the justice system together with the lack of gender-sensitive, effective and speedy prosecution, legal frameworks, judicial systems, and measures to provide protection, support and reparations impair women's access to justice and foster a lack of trust in law enforcement, a lack of information on how to take action and report such occurrences and a lack of adequate social and medical services are frequent reasons for not reporting gender-based violence;
- Q. whereas specific groups subject to gender-based violence, such as racialized women, women with disabilities, migrant women and LGBTIQ+ persons, face additional barriers to access to justice;
- R. whereas, in many cases, the victim may be subjected to degrading comments, repeated exposure to the perpetrator, victim blaming and

¹ <https://www.hrw.org/news/2022/10/22/two-years-polands-abortion-crackdowns-and-rule-law>.

² <https://www.hrw.org/news/2019/02/06/poland-womens-rights-activists-targeted>.

³ FRA, 'Violence against Women: every day and everywhere', 5 March 2014.

repeated interrogation by law enforcement officials or police, which exacerbates their fear of reporting the violence they have suffered, and increases the risk of re-victimisation or secondary forms of victimisation;

- S. whereas the 1993 United Nations Declaration on the Elimination of Violence against Women and the Beijing UN Platform for Action defined violence against women as any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life; whereas the UN Committee on the Elimination of Discrimination against Women (CEDAW) defines gender-based violence as violence which is directed against a woman because she is a woman or that affects women disproportionately; whereas CEDAW underlines that gender-based violence is a form of discrimination that seriously inhibits women's ability to exercise their rights and freedoms on the basis of equality with men and thus constitutes a violation of their human rights;
- T. whereas ending gender-based violence has been included by the Commission as a key priority in the Gender Equality Strategy 2020–2025 with a set of concrete proposals to ensure effective prevention of gender-based violence and domestic violence, among them the conclusion of the EU's accession to the Istanbul Convention and ensuring its swift ratification and implementation by EU Member States;
- U. whereas only a mix of policies combining legislative and non-legislative measures, and measures to facilitate victims' access to housing and employment, including providing shelter for victims, as well as financial autonomy and equal participation of women in all areas of society, can significantly reduce violence against women and girls as well as other forms of violence such as that towards LGBTIQ+ persons and its consequences;
- V. whereas civil society, and in particular women's organisations and those working on gender equality make a very important contribution to preventing and combating all forms of violence and their work should be recognised, encouraged, supported and adequately funded, including through the possibility to apply for and receive State and EU funding, so that they can carry out their work in the best way possible;
- W. whereas the Istanbul Convention is the most effective, powerful and comprehensive tool to date to prevent and combat a wide range of forms of violence against women and domestic violence at European level and beyond; whereas the Convention offers guidance to States Party and their respective national authorities to give an adequate multidisciplinary response to violence against women and domestic

violence through the four pillars: prevention, protection of survivors and reparation, prosecution of perpetrators and integrated policies; whereas countries that have ratified the Convention have intensified prevention efforts and improved investigations and prosecutions as well as protection services for women and girls who are victims of violence¹; whereas the immediate accession of all Member States to the Istanbul Convention would contribute to the development of an integrated policy, thereby ensuring equal protection through a binding instrument overcoming the differing policies and legislations across Member States, and to the promotion of international cooperation in the fight against all forms of violence against women and domestic violence, which is particularly important during times of war and humanitarian and displacement crises, as is highlighted by the situation of women and girls fleeing Ukraine;

- X. whereas the Istanbul Convention is a mixed agreement that allows for accession by the EU in parallel to accession by its Member States; whereas this has been confirmed by the opinion of the Court of Justice of the European Union² (CJEU);
- Y. whereas the accession of all Member States to the Istanbul Convention would support a coordinated approach in fighting violence against women, together with existing or future related measures at EU level, such as the proposal for an EU directive on combating violence against women and domestic violence, and the Victims' Rights Directive;
- Z. whereas violence against women, including domestic violence, is often considered a private matter and is thus too easily tolerated; whereas in fact it constitutes a cross-border, systemic violation of fundamental rights and a serious crime that must be prevented and prosecuted, therefore Member States should collaborate closely to fight it together; whereas all women and girls in the European Union should benefit from the same level of protection against gender-based violence irrespective of the Member State in which they find themselves; whereas all Member States have signed the Istanbul Convention, but only 21 have ratified it; whereas six Member States – Bulgaria, Czechia, Hungary, Latvia, Lithuania and Slovakia – still have not ratified the Convention; whereas the EU's accession to the Convention does not exempt Member States from national ratification; whereas the EU must take all necessary measures, in cooperation with its Member States to protect and promote the right of all women and girls to live free from gender-based violence; whereas the Polish Government has announced its intention to

¹ 'Towards a Europe Free from Male Violence Against Women and Girls', European Women's Lobby (Reference: <https://womenlobby.org/IMG/pdf/ic-2.pdf>).

² ECLI:EU:C:2021:832.

withdraw from the Convention in 2020 and whereas the matter still lies with the Polish Constitutional Court;

- AA. whereas impunity for the perpetrators of crimes against women still persists and must be eradicated by ensuring their prosecution and appropriate conviction, which is needed to break the vicious circle of silence for the victims of violence, and that women and girls who are survivors of violence receive the support, redress and recognition they need from law enforcement and the judicial system especially in the case of those living in rural areas where protection services for victims are non-existent or very limited; whereas it is important to guarantee adequate access to specialised services, including healthcare or safe accommodation services, regardless of the stage of prosecution proceedings; whereas it is fundamental to provide appropriate rights- and gender-sensitive training, procedures and guidelines for all practitioners and law enforcement officers, including judges, public prosecutors, judicial staff, forensic experts, service providers, workplace managers and other professionals dealing with victims of all acts of gender-based violence to avoid discrimination and re-victimisation;
- AB. whereas gender-based violence, particularly that committed against women and girls, has been recognised by the international community and should be addressed comprehensively, and despite all the efforts which have been made by international organisations, civil society, and state authorities to eradicate gender-based violence, it remains pervasive and manifests itself in new forms such as cyberviolence, cyber harassment, cyberstalking and non-consensual sharing of intimate material through social media; whereas cyberviolence against women and intimate partner cyberviolence have become increasingly common in recent years, especially after the COVID-19 pandemic; whereas, in the European Union, 4 % to 7 % of women have experienced cyber harassment, while between 1 % and 3 % have experienced cyberstalking¹; whereas globally the World Wide Web Foundation survey² conducted in 2020 among respondents from 180 countries revealed that 52 % of young women and girls have experienced online abuse such as the sharing of intimate images, videos or messages without their consent, mean and humiliating messages, abusive and threatening language, sexual harassment and false content, and 64 % of respondents stated that they know someone who has experienced harassment, abuse or violence;

¹ European Parliamentary Research Service (EPRS) study entitled 'Combating gender-based violence: Cyber violence - European added value assessment'.

² World Wide Web Foundation, 'Survey - Young people's experience of online harassment', 2020.

- AC. whereas efforts to eradicate gender-based violence, particularly that committed against women and girls, are often contested or weakened in the name of tradition, culture, religion or fundamentalist, populist ideologies or far right movements, and false narratives and disinformation are spread, for example, presenting claims about the Istanbul Convention that it aims to ‘erase the traditional family’ and ‘promote gender ideology and homosexuality’; whereas these groups use disinformation and populist rhetoric to pressure politicians and spread false fears among citizens;
- AD. whereas exposure to physical, sexual, psychological or socio-economic violence and abuse has a severe impact on victims, their families, relatives and society as a whole; whereas national custody laws should take the best interest of children into account when determining whether perpetrators should be granted custody or visitation rights¹;
- AE. whereas Türkiye, the first country to sign and ratify the Convention, decided to withdraw from it six years later and has not been a State Party to the Convention since 1 July 2021; whereas the European institutions have condemned this step backwards, which constitutes a dangerous precedent for other States Party; whereas in June 2022 Ukraine became the 36th State to ratify the Convention, while defending its territory from Russia’s unjustified, unprovoked and illegal war of aggression; whereas rape and sexual violence against women and girls are being used as weapons of war in the conflict; whereas the Convention entered into force on 1 November 2022 and its prompt implementation should support the Ukrainian authorities’ efforts to deal with atrocities committed by Russian soldiers against women and children, and tackle gender-based violence; whereas Ukraine’s ratification while at war should serve as an example for all Member States which refuse to ratify it or do not consider it a priority;
1. Welcomes the fact that on 4 March 2016 the Commission proposed the EU’s accession to the Istanbul Convention, the most comprehensive legally binding instrument on preventing and combating violence against women and gender-based violence, including domestic violence, at international level;
 2. Welcomes the EU’s signature of the Istanbul Convention on 13 June 2017; regrets that six years later the EU has still not ratified the Convention due to the refusal of a few Member States in the Council of the EU; notes, however, that the legal uncertainty caused by limiting the scope of the EU’s future accession to certain provisions of the Convention, namely provisions on judicial cooperation on criminal matters, asylum and non-refoulement, as well as the concerns about the internal procedure in view of the

¹ GREVIO, ‘3rd General Report on GREVIO’s Activities’, June 2022.

ratification of the Convention were answered by the CJEU in its opinion of 6 October 2021; urges the Council to act according to this decision and not to delay the EU's accession to the Istanbul Convention any longer; reiterates that the Istanbul Convention should be understood as the minimum standard required to eradicate gender-based violence and that the Union should also pursue additional legislative and non-legislative measures in this regard;

3. Reaffirms its commitment to pursuing a comprehensive approach to call for the eradication at EU level of all gender-based violence committed against women and girls in all their diversity and against LGBTIQ+ persons on the grounds of their sexual orientation, gender identity, gender expression and sex characteristics and to ensure the follow-up of its recommendations, which have been proposed in a number of resolutions;
4. Strongly condemns all forms of gender-based violence against women and girls and against LGBTIQ+ persons; strongly affirms that the denial of sexual and reproductive health services and rights including the right to safe and legal abortion, is a form of violence against women and girls; reiterates that women and girls must have full control over their bodies and sexualities; highlights that the ECtHR has ruled on several occasions that restrictive abortion laws and a lack of implementation violate the human rights of women; notes with deep concern and condemns the fact that, in some Member States, such as Slovakia, Poland and Hungary, women's sexual and reproductive rights, especially the right to safe and legal abortion, are under constant threat; points out that access to abortion in Italy is slowly being eroded, that on 22 October 2020, the illegitimate Constitutional Tribunal of Poland introduced a de facto abortion ban, that abortion is banned in Malta, and that medical abortion during early pregnancy is not legal in Slovakia and is not available in Hungary; welcomes the initiatives of some Member States, such as France, to enshrine the right to abortion in their constitutions in order to protect this fundamental right; reiterates its call to include the right to safe and legal abortion in the EU Charter of Fundamental Rights; calls on all Member States to guarantee universal access for all to a full range of sexual and reproductive health services, including comprehensive age-appropriate sexual education, family planning, modern contraceptive methods, and the right to safe and legal abortion;
5. Recalls its resolution of 12 September 2017 for the conclusion of the Istanbul Convention by the European Union, and deplores the fact that women and girls are often exposed to domestic violence, sexual harassment, psychological and physical violence, stalking, sexual violence, rape, forced marriage, female genital mutilation, forced abortion, forced sterilisation, trafficking for the purposes of sexual exploitation and other forms of violence; stresses that the Istanbul Convention lays down that culture, custom, religion, tradition or so-

called 'honour' cannot justify any acts of violence against women; calls on the Commission and Member States to refer to the Istanbul Convention's definition on violence against women in their relevant legislation accordingly;

6. Recalls that the Istanbul Convention applies both in times of peace and in situations of armed conflict; recalls that the Rome Statute of the International Criminal Court of 17 July 1998 criminalises several forms of sexual violence as crimes against humanity and war crimes;
7. Recalls that according to the Vienna Convention on the Law of Treaties, the consent of a State to be bound by a treaty may be expressed by signature, and that parties to an international agreement may not invoke the provisions of their national law to justify the non-execution of a treaty;
8. Points out that also women with disabilities and parents of children with disabilities have encountered obstacles in reporting violence and gaining access to the justice system, including, as reported by GREVIO, the inaccessibility of police premises, a lack of training on stereotypes among law enforcement officials, as well as the lack of information in accessible formats about the assistance to victims of violence and the services available;
9. Calls on the Commission to ensure the full integration of the Convention into the EU legislative and policy framework; calls on all Member States to ensure full implementation of measures stemming from the Convention in their national laws and policies; strongly condemns the attempts in some Member States to revoke measures already taken to implement the Istanbul Convention and combat violence against women and domestic violence; calls, furthermore, on the Member States to ensure proper implementation and the allocation of adequate financial and human resources to preventing and combating gender-based violence, as well as empowering women and girls, and protecting victims and enabling them to be compensated, especially in the case of those living in areas where protection services for victims are non-existent or very limited;
10. Calls on the Commission and Member States to appropriately address, through legislative and non-legislative initiatives amongst others, custody and visitation rights of children, civil consequences of forced marriages, stalking, as well as denial of reproductive rights and access to reproductive healthcare and to protect the victims, who can experience serious trauma leading sometimes even to suicide;
11. Calls on the Member States to implement preventive measures, including increased primary prevention of gender-based violence, which has to start with gender-sensitive education programming directed at both girls and boys from an early age and continue

through focused lifelong education, as well as a victim-centred approach to support services and protection measures for survivors such as financial assistance, psychological support, helplines, shelters and access to social housing, and 'safe leave', as well as measures helping victims to continue living in their homes safely, such as restraining orders for perpetrators and specialist support for children;

12. Stresses the importance of promoting cooperation on gender-based violence between Member States through the exchange of best practices; calls on the Commission and the Member States to organise and carry out information campaigns regarding the Istanbul Convention and its provisions, to support partnerships between authorities and civil society organisations and run joint programmes to facilitate the implementation of its provisions;
13. Asks the Commission and the Member States to ensure appropriate gender-sensitive training, procedures and guidelines, as well as specialist support and protection measures, with a victim-centred approach for all professionals involved, including law enforcement agencies, the judiciary and public prosecutors, to ensure early detection of victims, avoid deficient risk assessments, as well as to prevent discrimination, traumatisation or re-victimisation during judicial, medical and police proceedings; calls in particular for EU-wide minimum standards for law enforcement in this area; points out the key role of the Istanbul Convention in enhancing Member States' capacities in this field; calls for the improvements necessary to encourage the reporting of such crimes;
14. Recalls that the Istanbul Convention remains the international standard and a key tool in eradicating violence against women and other forms of gender-based violence, including domestic violence; points out that criminal justice can only be one part of a comprehensive and integrated response to violence against women and other forms of gender-based violence, encompassing prevention, protection and prosecution; stresses the advantages of the Istanbul Convention's structure, which follows a holistic, comprehensive and coordinated methodology for addressing the issues of violence against women and gender-based violence, including domestic violence, in all its physical, sexual, psychological and economic forms, based on a four pillar approach including all aspects from prevention, to protection, prosecution and coordinated policies; notes that Member States have a responsibility to combat impunity in the cases of violence against women and other forms of gender-based violence, including domestic violence, and to preserve the dissuasive function of penalties and prosecutions;
15. Highlights the Istanbul Convention's victim-centred approach, addressing violence against women and domestic violence from a wide range of perspectives, by providing for measures such as

prevention of violence and treatment programmes teaching perpetrators of domestic violence to adopt non-violent behaviour in interpersonal relationships in order to prevent further acts of violence, the fight against discrimination, through victim protection and support, the protection of children, the protection of women asylum seekers and refugees, as well as through criminal law measures to combat impunity, by the introduction of risk assessment procedures and risk estimation and better data collection, as well as through awareness-raising campaigns and programmes, including in cooperation with national human rights and equality bodies, civil society and non-governmental organisations;

16. Notes that the Istanbul Convention benefits from 10 years of functioning and practice through its unique monitoring and implementation system through GREVIO; stresses the importance of this process of interactive exchange between GREVIO and the participating members; recognises the immense amount of work done by GREVIO in monitoring the implementation of the Convention and calls on all parties to follow their country-specific recommendations; urges the Member States to take GREVIO's recommendations into account and to enhance their legislation by bringing it into line with the Istanbul Convention's provisions;
17. Calls on Member States to take into account the conclusions and good practices set out in GREVIO's mid-term review of its baseline evaluation reports¹ and use them to give new momentum to the Convention's proper implementation and enforcement to improve Member States' national frameworks for the prevention and combating of gender-based violence, including their national laws;
18. Recalls that, in order to ensure effective implementation of the Istanbul Convention, a two-pillar monitoring mechanism was established consisting of GREVIO, which conducts a country-by-country report, and the Committee of the Parties;
19. Acknowledges the importance of the Istanbul Convention during the COVID-19 pandemic to help Member States tackle the alarming increase in gender-based violence, considered to be a 'shadow pandemic'; praises the efforts of some Member States to establish additional prevention measures as well as protection and support services during the pandemic; calls, however, in this regard for the setting up of a specific EU protocol on violence against women in times of crisis and emergency, to complement the measures enshrined in the Istanbul Convention and enhance the readiness of the European Union to address gender-based violence in these specific situations;

¹ GREVIO, 'Mid-term Horizontal Review of GREVIO baseline evaluation reports', February 2022.

20. Takes note of the CJEU opinion of 6 October 2021, following up on Parliament's request, which allows the Council to proceed with the ratification of the Istanbul Convention by the European Union without a prior common agreement; considers that the European Union could and should now ratify the Convention;
21. Emphasises that the EU's accession will provide a coherent European legal framework for the EU's internal and external policies to prevent and combat violence against women and girls, domestic violence and other forms of gender-based violence, to protect and support victims and to provide effective reparations, as well as bring about better monitoring, interpretation and implementation of EU laws, programmes and funds relevant to the Convention, together with better collection of comparable disaggregated data at EU level; also considers that by acceding to the Convention, the EU will lead by example and will become a more effective promoter of women's rights worldwide;
22. Points out that the EU's accession will also allow more comprehensive collection of data on gender-based violence at EU level; notes that GREVIO has emphasised the scale of gender-based violence and in particular the importance of evidence-based policymaking and it highlights the need to establish a system to collect data regularly, and undertake surveys on all forms of violence against women and girls; welcomes Eurostat's current efforts to coordinate a survey on gender-based violence in the EU planned for 2023 to update the latest European Union's data on gender-based violence from 2014 and, in this regard, asks all Member State parties to the Convention to cooperate and take part in it;
23. Regrets and strongly condemns the political instrumentalisation of the Convention by some Member States; calls for a constructive dialogue and effective cooperation in the short, medium and long term with various institutions, authorities and civil society actors, as well as with the Council and Member States in cooperation with the Council of Europe to address Member States' reservations, objections and concerns and clarify misleading and false interpretations of the Istanbul Convention within many Member States, such as the alleged promotion of 'destructive gender ideologies', in order to make progress in this area and make the ratification of the Istanbul Convention by all Member States and the EU institutions a reality; urges Member States to speed up negotiations on the ratification and implementation of the Istanbul Convention and to strongly condemn all attempts to reverse measures already taken in implementing the Istanbul Convention and in combating violence against women;
24. Calls on the Commission and the Council to ensure that Parliament will be fully involved in the Convention's monitoring process after EU accession to the Istanbul Convention; notes the importance of

proceeding with a swift agreement on a code of conduct concerning cooperation between the EU and its Member States for the implementation of the Convention, which should also involve civil society organisations, particularly women's rights organisations;

25. Recalls that the EU's accession to the Istanbul Convention does not exempt Member States from national ratification of the Convention; points out that while all Member States have already signed the Istanbul Convention, six have not yet ratified it, namely Bulgaria, Czechia, Hungary, Latvia, Lithuania and Slovakia; condemns the backlash against gender equality, women's rights and the Istanbul Convention in some Member States, for example in Poland, where the Prime Minister requested an examination of the constitutionality of the Convention before the Constitutional Tribunal; strongly condemns the attempt to denounce the Istanbul Convention by submitting a formal request to work on the withdrawal of the Convention by the Minister of Justice in Poland; notes that in Slovakia, the National Council refused to ratify the Convention in 2020 and asked the Slovak President to retract the country's signature, but notes that the President decided to not proceed with the retraction; calls on national authorities to fight against disinformation and launch awareness campaigns to dispel all doubts about the Convention and its benefits for society as a whole; underlines that the EU's accession to the Istanbul Convention does not exempt Member States from national ratification and thus urges the remaining six Member States that have not already done so, to ratify the Convention without delay; strongly condemns any attempt by Member States to withdraw from the ratification itself;
26. Strongly condemns all initiatives seeking to replace the Istanbul Convention with any alternatives such as the so-called family treaty in Poland, which are based on values that diverge fundamentally from human rights and gender equality rights and would not serve as an effective instrument in combating domestic and intimate partner violence;
27. Condemns the growing opposition to the Istanbul Convention in some Member States and the attempts to disparage the Convention and its positive impact on the eradication of gender-based violence; strongly condemns all disinformation campaigns about the Istanbul Convention aiming to evoke fears in society about its allegedly 'destructive impact on the family'; stresses that such disinformation campaigns are often coordinated, funded and organised by ultra-conservative groups and far right movements, among others, as well as by anti-gender movements from outside of the EU; reiterates, in this regard, its strong condemnation of the smear campaigns against the Convention as a rejection of the internationally agreed zero-tolerance norm for violence against women and other forms of gender-based violence; highlights that Member States should further

increase their efforts to counter false narratives regarding the Convention;

28. Underlines that there are no legal obstacles to the Council's proceeding to ratify the Convention, as a qualified majority is sufficient for its adoption; reiterates its call on the Council to urgently conclude the EU ratification of the Istanbul Convention on the basis of a broad accession without any limitations, and to advocate its ratification by all Member States; calls on Member States to confirm their political will to combat violence against women and girls and therefore, to take this decision and not allow a few Member States to influence the gender equality agenda in the Council; recalls, furthermore, the commitment of the President of the Commission to defend the ratification in her address to the plenary of the European Parliament on the conclusions of the European Council meeting of 25-26 March 2021 and on the outcome of the EU-Türkiye meeting of 6 April 2021;
29. Welcomes the Commission's proposal for a directive on combating violence against women and domestic violence, and highlights the need to ensure, as a minimum, the standards of the Istanbul Convention; points out that it will be the first EU act specifically addressing gender-based violence, thus helping to harmonise Member States' differing approaches towards violence against women and domestic violence and to lay down common minimum standards for its prevention, for the protection of victims and survivors of gender-based violence and for ensuring their access to justice; stresses that this legislative act is complementary to the Convention rather than substituting for it, as it only covers some of its parts, and the Convention remains an essential tool for the EU strategy to address gender-based violence;
30. Denounces the fact that more and more women and girls are victims of gender-based violence on the internet and on social media; notes that the implementation of the Convention should be followed by specific legislative measures on gender-based cyberviolence, recognising and preventing this specific form of gender-based violence, criminalising the acts of gender-based violence perpetrated in the online space; welcomes in this regard, the inclusion of some forms of gender-based cyberviolence as criminal offences within the Commission's proposal for a directive on combating violence against women and domestic violence, namely non-consensual sharing of intimate or manipulated material, cyberstalking, cyber-harassment, and cyber-incitement to violence or hatred;
31. Calls on the Commission to draw up a holistic EU strategy on combating violence against women and gender-based violence that includes a comprehensive plan to prevent and combat all forms of gender inequalities, integrating all EU efforts to eradicate violence against women;

32. Notes that the inclusion of gender-based violence as a particularly serious crime with a cross-border dimension ('euro-crime') – which is one of the priorities of the Commission President's political guidelines – would have been a more appropriate and effective legal basis for the European Commission's proposed directive on combating violence against women and domestic violence; reiterates its call on the Council to activate the passerelle clause by adopting a unanimous decision identifying gender-based violence as one of the areas of crime listed in Article 83(1) TFEU;
33. Considering the extent and gravity of gender-based violence and sexual harassment in the workplace, calls on the Member States to ratify and implement the ILO Violence and Harassment Convention (No 190);
34. Recognises the pivotal role of and incredible amount of work performed by civil society organisations, in particular women's and other human rights organisations, including those working on protecting the rights of women belonging to minorities and other vulnerable groups, in preventing and combating violence against women and girls and other forms of gender-based violence, and their efforts to provide assistance to the victims of gender-based violence; calls on the Member States and the Commission to support these activities by providing sufficient reliable, and sustainable human and long-term financial resources, including through the Citizens, Equality, Rights and Values (CERV) programme in order to support civil society actors providing support to victims of gender-based violence, working to eradicate gender-based violence, and to prevent and combat violence against women and domestic violence, as well as the specific services helping victims, particularly regarding access to justice and specialised shelters as referred to in the Istanbul Convention explanatory report and the GREVIO mid-term horizontal review;
35. Calls on Member States to continue and strengthen the protection of children who are victims of or witness episodes of domestic and intimate partner violence; in particular condemns the use, assertion and acceptance of non-scientific theories and concepts in custody cases to minimise domestic violence in civil proceedings, and deny child custody to the mother and grant it to the father accused of gender-based violence;
36. Urges the Council to ensure the EU's swift ratification of the Istanbul Convention without further delay; further urges the Council to also ensure a broad EU accession of all Member States to the Convention without any limitations;
37. Instructs its President to forward this resolution to the Council, the Commission, the Member States and the Parliamentary Assembly of the Council of Europe.

