



3rd UpCare training: Domestic Violence against Women. Introduction to Concepts and Approaches. Theoretical Framework under the Istanbul Convention.

Law 4531/2018 - Government Gazette 62/A/5-4-2018

Law 4531/2018:

- I. Ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence and adaptation of Greek legislation,
- II. Incorporation of Framework Decision 2005/214/JHA, as amended by Framework Decision 2009/299/JHA, regarding the implementation of the principle of mutual recognition of financial penalties, and
- III. Other provisions under the jurisdiction of the Ministry of Justice, Transparency, and Human Rights, and other provisions.

Introduction

The Istanbul Convention, also known as the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, was signed in Istanbul in 2011. Its primary objective is to prevent and combat violence against women, ensure the protection of victims, and hold perpetrators accountable. The Convention entered into force on August 1, 2014. By March 2019, 46 countries, including Greece, along with the European Union, had signed the Convention, expressing their commitment to its principles.

In Greece, the Convention was ratified by the Hellenic Parliament and has the legal force as stipulated in Article 28, Paragraph 1 of the Constitution, as referenced in Law 4531/2018 - Government Gazette 62/A/5-4-2018. Various regulations have been established to fulfill the requirements set by the Istanbul Convention, including:



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- A. Strengthening criminal legislation to address crimes against women, such as female genital mutilation, harassment, and "honor crimes."
- B. Abolishing the provision in Article 339, Paragraph 1, Element B, which exempts sexual offenders of children from prosecution if they are married to the victim, as provided in Section 3 of the Penal Code.
- C. Amending Law No. 3500/2006 on domestic violence to ensure its broader and more effective implementation.
- D. Amending Law No. 3811/2009 on the Greek Compensation Authority to facilitate victims' access to compensation guaranteed by the said law.
- E. Amending Law No. 2168/1993 on firearms to prevent individuals accused or convicted of domestic violence offenses from obtaining licenses.
- F. Providing protection from deportation for foreign nationals who report domestic violence to the competent authorities.
- G. Designating the General Secretariat for Gender Equality as the monitoring body for the Convention.

The Istanbul Convention is a groundbreaking agreement aimed at curbing violence against women and protecting children in a world striving for gender equality and the safety of vulnerable individuals. This comprehensive framework, ratified by multiple countries, addresses various forms of violence and outlines steps towards achieving justice, support, and prevention. This text highlights the unique aspects of the Istanbul Convention, shedding light on the types of violence against women and illustrating its impact on the protection of children's rights.

Types of violence against women

According to the Istanbul Convention, violence against women encompasses a range of complex issues. It goes beyond physical abuse and includes economic, sexual, and psychological forms of aggression. The convention recognizes the importance of



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comprehensive approaches to ensure the safety and well-being of women, acknowledging these multifaceted characteristics.

- **Psychological abuse:** The Istanbul Convention acknowledges that psychological abuse can have deep and lasting effects on women's mental health. It includes behaviors that undermine a woman's autonomy and self-esteem, such as coercion, control, humiliation, and intimidation.
- **Sexual violence:** The convention addresses sexual violence as a pervasive problem, encompassing acts such as rape, sexual assault, harassment, and forced marriage. It emphasizes the need to support survivors, hold perpetrators accountable, and challenge social norms that perpetuate such violence.
- **Economic violence:** The Istanbul Convention emphasizes the importance of addressing economic abuse and recognizes economic dependence as a means of control. This form of violence includes withholding financial resources, limiting employment opportunities, and exerting economic control, which traps women in abusive relationships.

Protection of children

The Istanbul Convention recognizes that children often witness and experience violence within the context of domestic abuse. It emphasizes the importance of protecting their rights and providing necessary support to break the cycle of violence.

The convention acknowledges that children who witness violence against their mothers may suffer harmful consequences. It calls for measures to protect children from witnessing such violence, provide support services, and raise awareness about the long-term effects.

- **Child abuse:** The Istanbul Convention highlights the need to protect children from all forms of violence, abuse, and neglect. It promotes integrated child protection systems that encompass prevention, intervention, and support for child victims.



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The impact and implementation of the Istanbul Convention

Since its establishment, the Istanbul Convention has contributed to significant progress in combating violence against women and protecting children's rights. Countries that have ratified the convention have implemented legislative and policy reforms to align with its provisions, promoting a coordinated approach to prevention, protection, and prosecution.

The convention has encouraged the creation of specialized support services for survivors, including helplines, shelters, counseling, and legal assistance. It has also enhanced international cooperation to combat cross-border forms of violence against women and child trafficking.

In conclusion, the Istanbul Convention represents a critical tool in the global fight against gender-based violence and the protection of children. Recognizing the various forms of violence against women and emphasizing the importance of child protection, the convention has ushered in a new era of legal frameworks and collective responsibility. As more countries embrace and implement the Istanbul Convention, we move closer to a world where all women and children can thrive without violence and abuse.



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