

Free Society Institute
M.K. Paco g.
Vilnius, Lithuania

Strasbourg, 14 June 2018

Dear Madam, dear Sir,

I refer to the letter addressed to the Secretary General of the Council of Europe, Mr Thorbjørn Jagland, signed by 333 NGOs in 9 member states of the Council of Europe, received on 26 April and the letter, in almost identical terms, addressed to me as Executive Secretary to the monitoring mechanisms of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the "Istanbul Convention"). The Secretary General has asked me to reply to the concerns you have expressed in your letter.

In the first instance, I would recall that the Istanbul Convention has been widely recognised, both in Europe and indeed on a global level, as the "gold standard" on preventing and combating violence against women and domestic violence. Almost every single member state of the Council of Europe has signed the Istanbul Convention and 31 of our member states have ratified the treaty. In addition, the European Union has signed the convention and is working towards its ratification.

Furthermore, I would inform you that, in response to your letter, the Secretary General has received letters of support from over 5.000 NGOs and NGO umbrella organisations in our member states. These letters were also transmitted to the Secretariat of the Istanbul Convention.

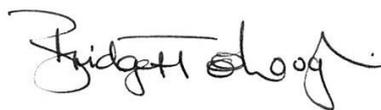
The Istanbul Convention, with its ground-breaking, holistic approach to the prevention and combating of the violence which is perpetrated against women simply because they are women, effectively provides essential tools to uphold the basic human right of women to live a life free from violence.

This is indeed the very heart of the aims and purpose of the Istanbul Convention – to eliminate gender based violence. It is not the first instrument of its kind to use such a definition. Indeed, violence against women has been defined on a global level as gender-based violence for over 30 years – as evidenced for example in the CEDAW General Recommendations 19 and 35.¹

You indicate in your letter that the definition of "gender" in Article 3 c of the Istanbul Convention differs from the definition of "gender equality" in EU Treaties, the latter referring to equality between women and men. Clearly these are two different concepts and are applied in light of the purposes of the respective treaties.

Finally, with regard to your proposals for revisions of the Convention; as regards a treaty which has already (albeit relatively recently) entered into force, the only competent entities which can interpret its provisions and/or negotiate any amendments to it are the parties to that convention.

Yours faithfully,



Bridget T. O'Loughlin

Executive Secretary of the monitoring mechanism of the Council of Europe Convention on preventing and combating violence against women and domestic violence

¹ See **General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19**

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9. The concept of 'violence against women' in general recommendation No. 19 and other international instruments and documents has emphasised that this violence is gender-based. Accordingly, this document uses the expression 'gender-based violence against women', as a more precise term that makes explicit the gendered causes and impacts of the violence. This expression further strengthens the understanding of this violence as a social - rather than an individual- problem, requiring comprehensive responses, beyond specific events, individual perpetrators and victims/survivors.