



Violence against women still widespread - implementation of the Istanbul Convention should be strengthened

The Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) came into force in Finland on 1 August 2015. In December 2017, the national implementation plan for the Convention was approved for the period 2018–2021. The implementation of the Convention has already been successfully carried out, such as increasing the number of shelters and opening SERI support centres. The measures are not, however, sufficient. More must be done by the next government term at the latest.

The Human Rights Delegation urges the government to:

- combat violence against women using legislative measures such as renewing **the sexual crime legislation**
- ensure **sufficient, long-term resources** for the implementation of the Istanbul Convention by authorities at different levels of government and by non-governmental organisations that are involved in carrying out the objectives of the Convention.
- ensure **the sufficiency and coverage of the services and measures**, taking into account also the needs of **highly vulnerable** women and girls as well as the geographic scope.
- appoint **an official national monitoring body** which is responsible for the independent monitoring and supervision of activities to combat violence against women, and which **reports to Parliament** once every parliamentary term on the progress and problem areas regarding implementation, and stimulates discussion in society about the topic.
- Invite **non-governmental organisations** to participate in the committee for the combating of violence against women and domestic violence.
- increase for all age groups and professional fields **human-rights-based training** on how to recognise domestic violence and violence against women and how to help the victims, and focus general training of attitudes on men and boys in particular.

Finland has often received reprimands from international treaty monitoring bodies regarding issues relating to violence against women and domestic violence. Finland submitted in the spring its first report on implementation of the Istanbul Convention to the GREVIO expert monitoring body, which is currently carrying out a visit to Finland and will give its recommendations for 2019.

For the period 2018–2019, Finland is holding the presidency of the Council of Europe. On the international level, Finland is a strong defender of women's rights and an opponent of violence against women. In order to maintain the credibility of the government's human rights policy, the required attention must be given to the domestic implementation of the Istanbul Convention.

The Human Rights Delegation functions as a statutory national cooperative body of fundamental and human rights actors and deals with fundamental and human rights issues of a far-reaching significance and principal importance. Finland's National Human Rights Institution consists of the Human Rights Centre, the Human Rights Delegation and the Parliamentary Ombudsman.

Background memorandum regarding the statement of the Human Rights Delegation on 3 October 2018

The Council of Europe Convention on preventing and combating violence against women and domestic violence (**Istanbul Convention**) came into force in Finland on 1 August 2015¹. The Convention covers all forms of gender-based violence against women and girls. It is also applied in Finland to men and boys who are victims of domestic violence. The Convention emphasises the prevention of violence, but also includes responsibilities to protect and help victims and to punish perpetrators of violence.

In December 2017, **the national implementation plan for the Convention** was approved for the period 2018–2021². The plan contains 46 measures to be carried out by different branches of government. **The plan does not include its own funding**, but rather the projects are funded by the ministries annual budgets – which are shrinking due to spending cuts – or by the organisations' own funds. In contrast, the budget for Sweden's equivalent implementation plan is approx. €58 million (600 million SEK)³. The coordinating body for the measures (the committee for the combating of violence against women and domestic violence, NAPE) – which has the task of monitoring and assessing the plan's implementation, collecting data and providing information on anti-violence measures – operates without its own funding.

According to the extensive report published by the EU Agency for Fundamental Rights in 2014, **violence against women is especially common in Finland**⁴. Domestic violence also affects children in many ways. According to research carried out in 2017 by the Central Union for Child Welfare⁵, as many as 40% of parents have at some point used violence against their children for discipline purposes. According to a report published by the Ministry of the Interior in May 2018, violence against women is currently the second most serious factor affecting general safety⁶. A fifth of women in relationships have experienced violence from their partner. Around 30% of young women and girls are worried about sexual violence. Sexual violence, domestic violence, violence in close relationships, sexual harassment, and the quiet acceptance of all of these is disturbingly widespread in Finnish society. The future review published by the Ministry of the Interior in June 2018 states that violence hotspots include women who suffer repeated violence in close relationships and that, because of this, gender equality is not fulfilled with regards to personal safety.⁷

Stronger interventions are needed to combat violence against women, and legislative measures should be part of these. One effective measure would be a **comprehensive assessment of sexual crime legislation** and legislative changes such as the addition of lack of consent to the statutory definition of rape, as was done in Sweden in May 2018. It would also be important to **speed up the criminal process**, especially for under-age victims, and to guarantee more than just professional legal help to victims and their close relatives. **The human rights based training**

¹ <https://www.finlex.fi/fi/sopimukset/sopsteksti/2015/20150053#idp450673232>

² http://valtioneuvosto.fi/artikkeli/-/asset_publisher/1271139/istanbulin-sopimuksen-toimeenpanosuunnitelma-valmis-vuosille-2018-2021

³ <https://www.regeringen.se/49c72d/globalassets/regeringen/dokument/socialdepartementet/jamstalldhet/sveriges-rapport-om-europaradets-konvention-om-forebyggande-och-bekampning-av-vald-mot-kvinnor-.pdf>

⁴ <http://fra.europa.eu/en/publication/2014/violence-against-women-eu-wide-survey-main-results-report>

⁵ <https://www.lskl.fi/verkkokauppa/piiskasta-jaahypenkkiin/>

⁶ http://intermin.fi/artikkeli/-/asset_publisher/selvitys-turvallisuudessa-on-isoja-eroja-eri-vaestoryhmien-valilla

⁷ http://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/160894/12_TUKA_SM_WEB.pdf?sequence=1&isAllowed=y

of professional personnel is essential.

Domestic **structures for fundamental rights and human rights** are fragmented and under resourced. Overseers of legality (the Parliamentary Ombudsman and the Chancellor of Justice) and special ombudsmen (ombudsmen for non-discrimination, equality, children and data protection) have many special statutory duties, including matters relating to human trafficking, torture, and inappropriate treatment as well as the implementation of the rights of disabled people. Violence against women and domestic violence rarely come up in their activities. For this very reason, the Human Rights Centre has directed resources towards dealing with this topic.

Women belonging to minority groups and sexual and gender minorities are hardly visible at all in the implementation plans, services and legislation relating to the prevention of and follow-up work for violence against women and domestic violence. Research indicates, for example, that disabled women and immigrant women suffer violence 2 to 3 times more often than women belonging to the majority population. Sámi, Roma, language minorities and other minorities, the disabled, asylum seekers and immigrants, the paperless and women and girls belonging to different kinds of “closed” communities, as well as minorities within minority groups, all easily end up outside of services and information channels. The requirements of the Istanbul Convention are not fully realised, for example, in terms of processing the individual applications of residence permits submitted by victims of domestic abuse.

Key requirements for quality services are geographical coverage, cultural sensitivity, and consideration of the customer’s background and language. The following government term should involve the carrying out a wider study of the status and needs of especially vulnerable women and girls in cooperation with the individuals and organisations that represent them.

The Convention does not make mention of a national and independent **implementation monitoring body or reporting process**. There is, however, a clear need for these. Action should be taken to investigate how the national and independent monitoring, supervision and reporting on the implementation of measures to combat violence against women and domestic violence could be arranged within the current framework and how the **obligation to provide parliamentary participation** specified in the Convention could be handled in a sufficiently effective manner.

The large contribution made by organisations towards service provision is not visible in the official structures. Although the organisations’ work is taken into account in the guidelines, they are lacking both the opportunity for influencing official proceedings and the right to participate in the national coordinating body (NAPE), although organisations do in fact participate in the subdivision. Consideration and greater emphasis must also be given to **the role of the media and public figures in effecting attitude change**, improvements in the status of women and equality, the elimination of violence against women and hate speech, and the promotion of non-discrimination among different members of society.

Finland has repeatedly received **reprimands from international convention monitoring bodies** regarding issues relating to violence against women and domestic violence. Recommendations have been issued by bodies such as the UN Human Rights Committee (2013), the UN CEDAW Committee that monitors the Convention on the Elimination of All Forms of

Discrimination against Women (2014), the UN CAT Committee that monitors the implementation of the Convention against Torture (2016), and the UN Human Rights Council during the UPR process in 2017. The CEDAW Committee also issued its first resolution in March 2018 regarding a **personal complaint** submitted against Finland, stating that the authorities had not taken the necessary measures to protect the complainant and their children from domestic violence when deciding on custody of the children.

Despite the limited resources, successful efforts have already been made to carry out the Istanbul Convention and its implementation plan. For example, **the number of safe houses has increased and their funding has been transferred to the state, an emergency telephone service has been set up** and the operations of multi-disciplinary **SERI support centres has been initiated and expanded**. These are all important steps towards equal and non-discriminatory safety. However, these measures are not sufficient for the successful implementation of the Istanbul Convention. More must be done by the next government term at the latest.

Finland submitted in the spring its first report on implementation of the Istanbul Convention to the GREVIO expert monitoring body, and the Human Rights Centre submitted its report in June⁸. GREVIO is currently carrying out a visit to Finland, meeting with different actors and giving Finland its recommendations for 2019.

Given that Finland will hold the presidency of both the EU and the Committee of Ministers of the Council of Europe during 2018 and 2019, it is also of great political importance that the implementation of the Istanbul Convention moves forward. On the international level, Finland is a strong defender of women's rights and an opponent of violence against women. This can be seen in its development cooperation, for example. In order to reduce violence against women, improve the status of victims of violence, and maintain the credibility of the government's human rights policy, it is necessary to finally give the implementation of the Convention the attention it requires.

⁸ https://www.coe.int/fr/web/istanbul-convention/finland?p_p_id=56_INSTANCE_hXkoY75OGWcN&p_p_lifecycle=0&p_p_state=normal&p_p_mode=view&p_p_col_id=column-4&p_p_col_pos=1&p_p_col_count=2