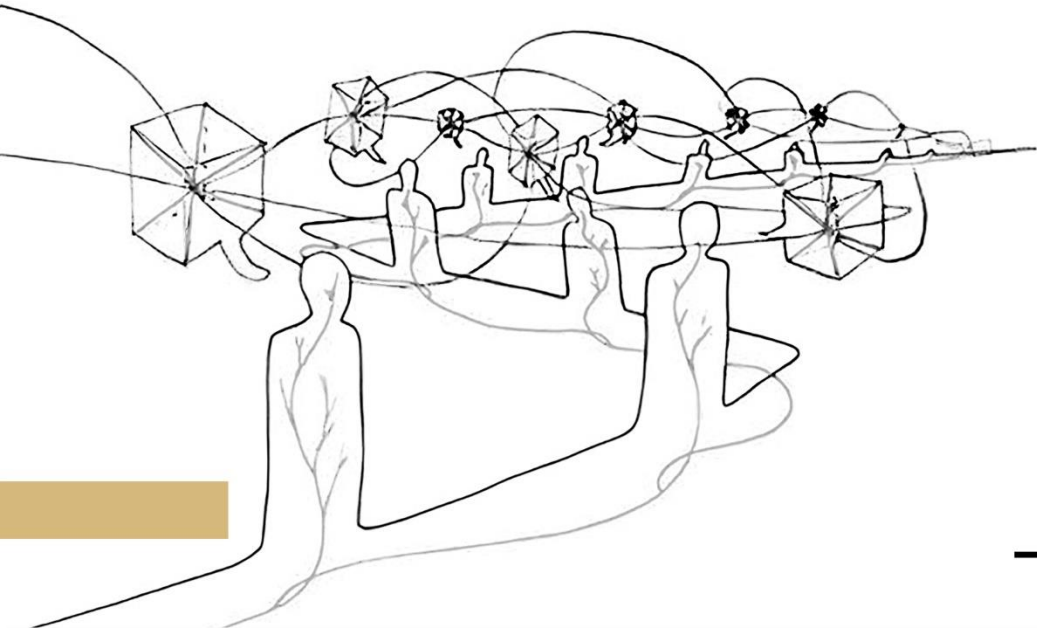


COMMITMENTS TOWARDS GENDER-BASED VIOLENCE AT INTERNATIONAL LEVEL

Olena Kharytonova, GREVIO member

**COMMITMENTS TOWARDS
GENDER-BASED VIOLENCE
AT INTERNATIONAL LEVEL**

**COMMITMENT TO GENDER
EQUALITY**



01

Continuity

02

Rhizomality

03

Desired cooperation

04

Global openness

CONTINUITY

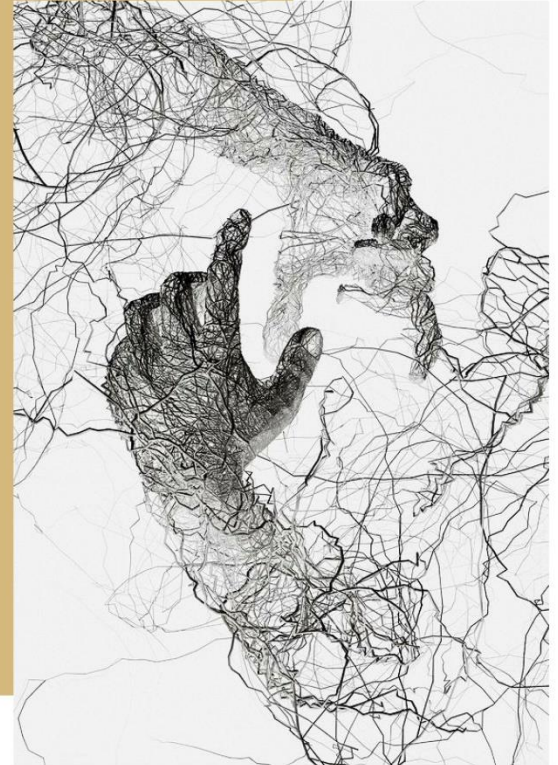
Evolutionary approach (the ECHR Preamble)

“The main aim of the Convention is to strengthen the protection for victims by assuring them of the highest level of protection (para 364, the Explanatory report to the Istanbul Convention)

ECHR *lex generalis*

v

Istanbul Convention *lex specialis*

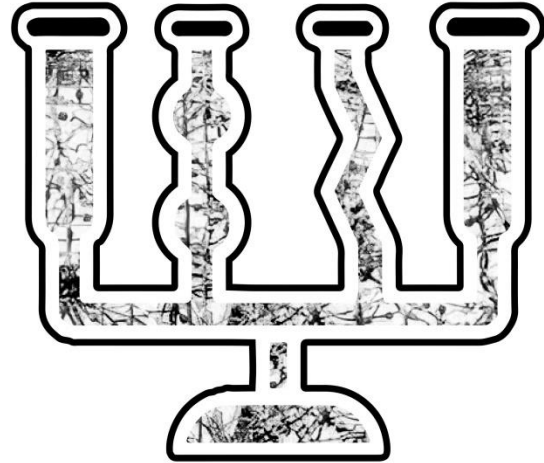


A «violence against women» is understood as a violation of human rights and a form of discrimination against women (Art. 3(a), Istanbul Convention)

Violence against women is a manifestation of historically unequal power relations between women and men, which have led to domination over, and discrimination against, women by men and to the prevention of the full advancement of women (Preamble, Istanbul convention)

Gender-based violence is the extreme manifestation of gender inequality

The lack of Turkey's sincerity in its political commitment to address gender-based violence caused the withdrawal



CEDAW Committee's recognition (General Recommendation N 35, 2017) of the evolutionary morphing of gender-based violence as a form of discrimination against women into a principle of customary international law

Growing corpus of the Court's gender sensitive case law

Volodina v. Russia, no. 41261/17, 9 July 2019, ECtHR

Strong cross-fertilization

HANDYSIDE V UK [1976] ECtHR

The Court examined whether the forfeiture of the Little Red School Book (with a section concerning 'Sex') on grounds of obscenity, violated the right to freedom of expression under Article 10 of the ECHR. The ECtHR stated that Article 10(2) gives member states a margin of appreciation.

AR AND LR V SWITZERLAND [2018] ECtHR

In 2011, a Basel primary school refused to grant Ms AR's request that her daughter LR, then aged seven, be exempted from sex education lessons.

As to the complaint under Article 8 §1, the Court recognised that the application of some of the aims pursued by sexual education provided for minor children might be controversial; however, one of the aims of sex education was to prevent sexual violence and exploitation, which posed a real threat to the physical and mental health of children and against which children of all ages had to be protected.

Safety v Securitization

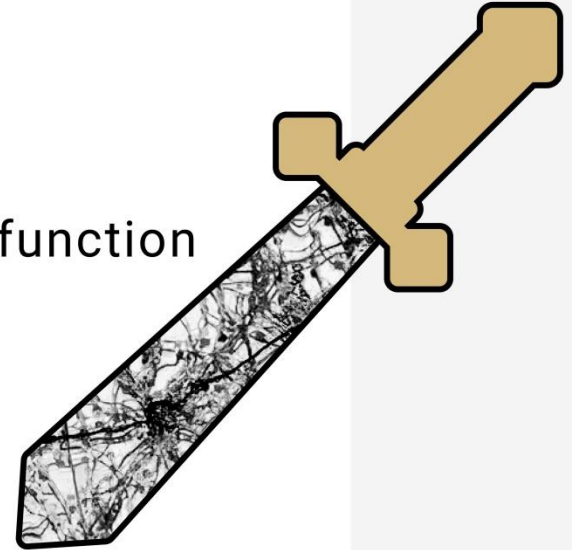
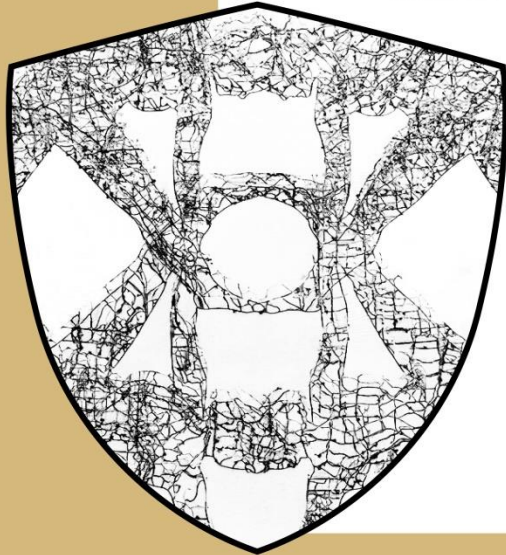
Human rights



'shield' function

'sword' function

(Francoise Tulkens, Christine
Van den Wyngaert)



Finding a balance
Transformative equality

RHIZOMALITY

Legal tools v Gender stereotypes

ARTICLE 5 (A) CEDAW

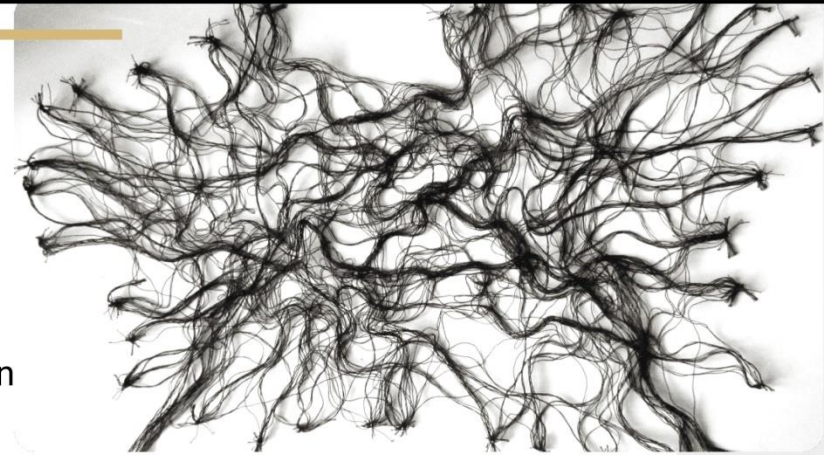
States Parties shall take all appropriate measures:

(a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women



ARTICLE 14 – EDUCATION, ISTANBUL CONVENTION

Parties shall take, where appropriate, the necessary steps to include teaching material on issues such as equality between women and men, non-stereotyped gender roles, mutual respect, non-violent conflict resolution in interpersonal relationships, gender-based violence against women and the right to personal integrity, adapted to the evolving capacity of learners, in formal curricula and at all levels of education.

Parties shall take the necessary steps to promote the principles referred to in paragraph 1 in informal educational facilities, as well as in sports, cultural and leisure facilities and the media



MICROAGGRESSION → SNOWBALL → ALIENATION

- Iceberg problem
 - Meritocracy myth
-
- Integration of gender-sensitive approaches into curricula
 - Transforming of the invisible classroom
 - Trainings for gender-sensitive academic staff
 - Meritocracy myth
 - Structural changes at the level of decision-making in educational management
 - More balanced gender representation
 - etc...
- 
- 

DESIRED COOPERATION

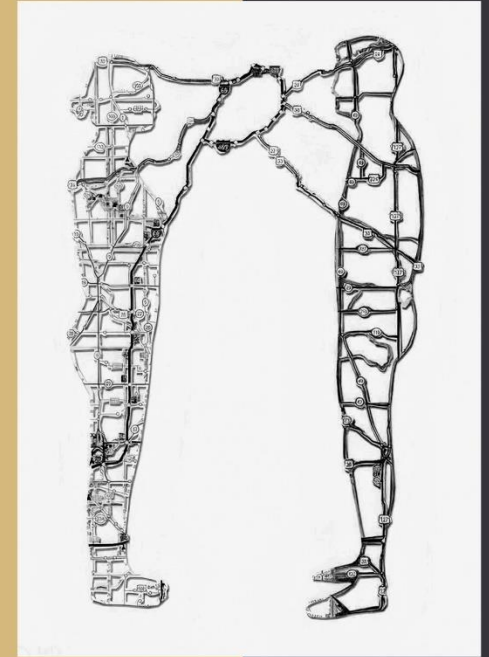
“Strategic partnerships” (Halsaa 1998)

“Triangles of empowerment”
(Vargas and Wieringa 1998)

“Feminist advocacy coalitions” (Mazur 2002)

“Velvet triangles” (Woodward 2003)

Strengthening of gender equality



GLOBAL OPENNESS

Istanbul convention

ARTICLE 75 – SIGNATURE AND ENTRY INTO FORCE

1. This Convention shall be open for signature by the member States of the Council of Europe, the non-member States which have participated in its elaboration and the European Union.

ARTICLE 76 – ACCESSION TO THE CONVENTION

1. After the entry into force of this Convention, the Committee of Ministers of the Council of Europe may, after consultation of the Parties to this Convention and obtaining their unanimous consent, invite any non-member State of the Council of Europe, which has not participated in the elaboration of the Convention, to accede to this Convention by a decision taken by the majority provided for in Article 20.d of the Statute of the Council of Europe, and by unanimous vote of the representatives of the Parties entitled to sit on the Committee of Ministers.

New treaty for women's rights
– risk of the proliferation of efforts

Strengthening the existing capacity

University – Universe

Open global judicial dialogue

EDUCATION – 01 MISSION

RESEARCH – 02 MISSION

SERVING THE SOCIETY – 03 MISSION

OF THE UNIVERSITY

**"SHE WAS LIKE THE WATER
THAT FREEZES INSIDE A ROCK
AND BREAKS IT APART".**

«Legends of the Fall»



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Art:
Nikki Rosato
Mark Ngui