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EDITOR'S INTRODUCTION

Ten years after the signing of the most significant European legal treaty – the *Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence* (known as the *Istanbul Convention*), which became the basis for action in all states that ratified (34) and joined it (12, including the EU), is an opportunity to review the changes and the results achieved. At the same time, in 2022, Serbia marks the 20th anniversary of the qualification of domestic violence (whose victims are primarily women) as a criminal offense, which started a series of changes in legislation, policies, and institutional practices, and we also believe in social awareness, when it comes to understanding the phenomenon of (gender-based) violence against women. The Istanbul Convention recognizes violence against women as a violation of their human rights and a form of discrimination against women. It is based on a victim-centered approach, offers practical “tools” to ensure the protection of women and girls, their safety and support through general and specialized support and empowerment services, and directs towards preventive activities and integrated policy based on data. Reports on the implementation of its standards so far show that there has been some improvement in laws and policies, but there are still numerous challenges, including strong resistance from conservative, right-wing politics and increasingly strong anti-feminist discourse.

The topic of the issue *Violence against Women – Progress and Challenges in Achieving the Standards of the Istanbul Convention* aims to promote the exchange of knowledge and to open a discussion on issues, challenges and

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problems in the establishment and implementation of public policies on violence against women in Europe and the region of the Western Balkans. The topic of the issue consists of three texts by authors from Slovenia, Italy, and Germany, in which the implementation of the Istanbul Convention is analyzed, as well as communicative action that can explain the conditions for accepting and adhering to the norms that are the basis of that treaty, but also resistance and non-acceptance, including withdrawal from the Convention.

Špela Veselič's text shows the brief evolution of the concept of violence against women during the work of the CEDAW Committee, which set high standards for member states, as well as the difficulties in achieving them, regardless of the progress made in Slovenia. The political will and resistance to accept and apply the standards of the Istanbul Convention in Slovenia are on the same track. The author recalls the significant role of women's organizations in the ratification process (which took place in Slovenia in 2015), as well as the reservations made by the state on that occasion, which were repeated in 2021, with no further explanation. She points out basic starting points that should be analyzed in order to improve the implementation of standards, among which are gender-blind laws and regulations (which cause stigmatization of victims and institutional sexism), underreported violence against women (which is based on the lack of trust of women in institutions and professionals), non-establishment of multidisciplinary teams, treating "less severe" forms of violence in intimate partner relationships as a misdemeanor, challenges in the implementation of restraining orders, etc. Altogether, this reflects the fact that "professionals do not understand basic characteristics and interpersonal dynamics in intimate partner relationships where violence is present", and in the author's opinion, the solution is in "comprehensive and holistic approach towards violence against women and domestic violence", "proactive approach with active intervention and exchange of information among institutions", understanding the complexity of violence and its gender perspective, which requires the improvement of knowledge, "highly trained professionals with a clear position on the unacceptability of any form of violence", which would, in turn, lead to the inclusion of women who have experienced violence in these processes, reducing secondary victimization and effective procedures.

In a similar tone and with similar conclusions, Elisa Baiocco analyzes the effects of secondary victimization of women who have experienced gender-based violence in Italy because judges, lawyers and court-appointed experts are not specialized and do not have adequate knowledge. Italy ratified the Istanbul Convention in 2013 without any reservations, but secondary victimization in the justice system discourages women from participating and seeking protection. It also points to the division of Italian feminists over the question “whether the law can be an instrument of affirmation of feminist values or not”, while the research results point to the importance of female lawyers who help victims understand and report violence that does not leave traces on their bodies. The author points to the widespread stereotype of the “perfect” victim, minimizing violence, treating it as a conflict, investigating the intimate life of victims of sexual violence, and attributing manipulative intentions to women (primarily through the use of the pseudoscientific “parental alienation syndrome”), the effort to preserve the family (at any cost), including the mandatory application of mediation, without a valid risk assessment, weaknesses in the application of precautionary measures, difficulties in obtaining legal remedies and compensation, etc. Elisa Baiocco concludes that professionals would have to improve “understanding the complexity of gender-based violence against women phenomena”, to learn to apply “the feminist methodology of listening without prejudices to the concrete experiences lived by each woman”, and above all, to understand gender-based violence as “structural and pervasive manifestation of unbalanced power relations, therefore an assertion of male power on female subjects”.

The analysis of the implementation of the Istanbul Conventions in Slovenia and Italy is primarily based on the recommendations of the GREVIO independent expert group (as well as on alternative reports from women’s organizations, data from research and investigative reports of parliamentary committees, the case law of the European Court of Human Rights), and it is helpful to recall that the Republic of Serbia received similar recommendations in early 2020. Progress in the harmonization of laws and strategic documents was recognized, especially with the adoption of the Law on the Prevention of Domestic Violence (which standardized proce-

dures and multi-sector risk assessment, issuance of emergency protection measures and creation of individual protection and support plans for the victim). However, the need for more intensive training of professionals was pointed out, especially concerning intersectional discrimination and obstacles encountered by women from the Roma community and women with disabilities when they turn to institutions. The small number of specialized services for women who have experienced gender-based violence (which are often provided by women's organizations with inadequate financial resources, rarely allocated from the budget), especially when it comes to victims of sexual violence and rape, or when it comes to children who witness violence in the family was pointed out. The need for a stricter criminal justice response to most forms of violence against women was also recognized due to the lack of understanding of the seriousness of this type of violence and its trivialization in the media and public discourse. Based on assessments of the situation, GREVIO proposed a series of measures to intensify the implementation of the Convention in Serbia, among which a significant number belong to priority (emergency) measures. If there is a lack of specific knowledge among professionals and public policy-makers, GREVIO has produced and collected a range of valuable resources (papers and studies). It seems that part of the answer to the problems in applying the Convention's standards can be found in the third text of this topic.

In her text, Nadine Wunderer connects the Theory of Communicative Action (Jürgen Habermas) and the Istanbul Convention to examine the rationality behind this human rights treaty. She points out that argumentative rationality through communicative action can be a productive attempt to explain the ratification, as well as the refusal to ratify this human rights treaty, i.e., that the application of this theory makes sense when it comes to agreements that rely on non-hierarchical management methods (based on the legitimacy of rules and norms, that is, the validity of the procedures on which their determination and elaboration rest). Communication and discussions not only increase the participation of member states but also enable the achievement of "voluntary compliance" norms. By testing the critical conditions of Habermas' theory – a 'common lifeworld', the inclusion of the 'public sphere', and an 'ideal speech situation', Nadine Wunderer concludes that the Istanbul Convention really provides a framework for potential

reasoned rationality, that is, that member states of the Council of Europe (47 of them), despite their cultural differences, probably share a common understanding of the world and the values on which the concept of human rights rests, but that seems not to be the case when it comes to women's human rights. Ideological backlash in some member states, their refusal to ratify, including withdrawal from the Convention, shows that "these countries are not part of the common lifeworld that equates human rights with women's human rights". The strategic response of feminist organizations to the increasingly visible limitation of women's human rights remains to be considered and followed up in the years ahead.