
Editorial: Combatting violence against women: an outlook of the international and European legal framework

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Though family is considered to be the shelter where the intimate relationships of love and understanding between family members are developed, this is often not the case. Thus, one can say that family should nurture its members, namely the children, in freely expressing themselves and becoming self-sufficient and autonomous subjects. Moreover, one can underline that family should provide the safe space for the spouses to freely and equally express their personality in a framework of dignity and mutual respect. Nevertheless, these are statements that in many occasions are not realised. As it is shrewdly pointed out, family also has a ‘darker side’. Therefore, and though family relationships are meant to be characterised by intimacy, love and endearment, in many cases they are actually becoming relationships of power and abuse, especially against the most vulnerable, the women and children. Nowadays, domestic violence is considered to be a social problem of great consequences as far as social coherence, gender equality, women’s and children’s rights are concerned. According to the International Health Organization, domestic violence can be characterised as a world problem of epidemic character.

Though violence in family relations is a severe form of breach of trust and intimacy, violence exceeds the household domain and it is observed in many forms and frameworks. Women are the main targets of violence within the family domain as well as outside of it, in the social and public sphere. As the relevant international research data point out, in the EU area one out of five women has faced violence at least once in her life, one out of ten has experienced sexual violence, while approximately 500,000 have suffered from female genital mutilation (FGM). In this context, violence against women is not only the most expressive demonstration of gender inequality but it also represents a

severe form of systematic human rights violation. In order to approach this phenomenon one should categorise violence against women by focusing in the following categories: domestic violence, rape, sexual trafficking, forced prostitution, sexual war crimes, forced marriages, sexual harassment, honour crimes, FGM, while one should account also psychological and financial violence.

The importance of law in combatting violence against women should not be exaggerated or overestimated. Law can provide a platform not only for defending and protecting the women victims of violence but also to prevent such crimes, thus it can assist in educating societies against the cultural stereotypes that enhance violence against women. The most important international convention regarding women's protection in any form of discrimination, including violence, is the CEDAW, the UN Convention on the Elimination of all forms of discrimination against women. It has been adopted in 1979 and nowadays one hundred eighty eight state members participate in the realisation of its goals. CEDAW is accompanied by two Security Council Resolutions of 2010, UNSCR 1325 and 1820 regarding Peace and Security. Thus, Resolution 1325 mandates UN members states that have ratified CEDAW to actively engage women in all aspects of peace building, including ensuring women's participation in all levels of decision-making regarding peace and security issues. According, Resolution 1820 focuses on sexual violence against women as a tactic of war and the importance of combatting this form of violence in order to maintain peace and security.

CEDAW is up until now the most comprehensive international legal framework regarding the protection of any form of discrimination against women, including violence, thus setting as its principal goal to guarantee women's rights protection against any actions violating their personality, dignity and identity. In this context, CEDAW serves as a most effective international legal tool in protecting women against the cultural and social stereotypes that discriminate between men and women. CEDAW mandates the states ratifying the convention to protect in principle gender equality in their domestic legislation, to adopt positive measures in order to further promote gender equality, to repeal any discriminatory provisions still existing in their national legislations and to introduce guarantees regarding gender equality. In this framework, appropriate measures to suppress all forms of trafficking and forced prostitution should be adopted, while the right to education, equal pay for equal work, social security and social benefited should be guaranteed for women. The implementation of the CEDAW is monitored by the Committee on the Elimination of Discrimination against Women.

A ground-breaking legal framework regarding combatting violence against women is the Council of Europe Convention on Preventing and Combatting Violence against Women and Domestic Violence, also known as Istanbul Convention which has become binding on August of 2014. Thirty-seven out of 47 European Council member states have signed the Treaty, while 14 of them have ratified it. The states ratifying the Istanbul Treaty are obliged to adopt policies regarding the protection of women victims of violence and domestic violence. In this context, the Treaty sets minimum standards regarding the services that the member states should provide for, including legal and psychological assistance, hotlines, shelters, medical services and counselling. The most important aspect of the Istanbul Treaty is that it adopts a taxonomy of violent acts violating women's rights such as sexual violence, psychological and physical violence, FGM and forced marriage. One of the principal aims of the Istanbul Treaty is the criminalisation of these acts in the member states domestic legislation. Its implementation

will be reviewed by a group of experts authorised to perform country visits and review regular reports on behalf of the member states.

Though of course the international legal framework regarding domestic violence is of critical importance in order to promote radical changes in the field of women equality and women's rights, the relevant domestic legislation is the most decisive factor in order to promote the cultural change necessary for the elimination of violence and discrimination against women. In this context, this short overview closes with the wish that more and more the states participating in CEDAW and have ratified or signed the Istanbul Treaty will realise the need for novel and ground-breaking changes regarding the protection and enhancement of women's rights all over the world.