

CFR4GBV 2025 National Description of Context

Across our partner countries, many civil society organisations, legal professionals, and local authorities lack the necessary capacity to interpret and invoke the CFR in national contexts. There is considerable confusion regarding when and how the Charter applies (especially under Article 51), what remedies are available, and how to integrate the CFR into national legal strategies in a gender-sensitive and victim centred way.

Furthermore, new forms of GBV, particularly in the digital sphere – such as cyber-harassment, deepfakes, and political hate speech directed at women are becoming increasingly prevalent and difficult to address within traditional legal frameworks. At the same time, anti-gender movements and political backlash in several EU Member States have led to a weakening of institutional commitments to gender equality and non-discrimination. In such environments, CSOs often operate under pressure and need robust legal support, training, and strategic guidance to continue their work effectively. IPSO identifies the following crucial needs that CFR4GBV seeks to address:

- Build the legal capacity of CSOs and frontline professionals to use the CFR effectively in combating GBV, including its intersectional forms affecting migrants, Roma women, LGBTQ+ persons, and women with disabilities;
- Promote a clear, actionable understanding of the Charter’s scope, enforceability, and linkage to EU secondary legislation;
- Facilitate cooperation between legal experts, civil society, and institutional actors to support Charter-based legal reforms and litigation;
- Strengthen strategic litigation capacity across partner countries and improve the tracking of CFR-based legal actions related to GBV.

A review of the current context in partner countries demonstrates the various opportunities in which the CFR could possibly be applied:

ProRights (IT)

Article 2, 3, 4 and 47 CFR – Right to Life, Integrity and Freedom from Inhuman or Degrading Treatment and Effective Remedy and Protection : Nearly 1 in 3 Italian women experiences physical or sexual violence in adulthood, with half of incidents inflicted by a current or former partner (Max Planck Project). In 2024, the Italian government reported 113 femicides (approximately 1 woman killed every three days, ranking among the highest in the EU), of which 99 occurred in domestic contexts and 61 perpetrated by intimate partners or ex-partners, reflecting systemic failures in protective intervention (AP News). Italy's “Codice Rosso” (2019) mandates that complaints of gender-based violence reach a judge within three days, a procedural advance. Yet enforcement remains inconsistent across regions, with reported delays and inadequate protective use of electronic bracelets or restraining orders.

Indeed, the ECtHR's judgment in *Talpis v. Italy* (2017) holds Italian authorities accountable for ignoring domestic abuse complaints, which led to grave injury and death, underscoring breaches of due diligence under human dignity and integrity mandates (Articles 2, 3). The Court explicitly recognized domestic violence as intrinsically discriminatory (Article 14 ECHR)—reinforcing the Charter's human dignity protections. This case, widely considered a landmark, also leverages the Istanbul Convention obligations, calling for prompt investigations and shelters, yet Italy's implementation remains uneven.

Article 21 and 23 CFR – Equality and Non-Discrimination: Italian women face unequal justice outcomes. A report by the Council of Europe's human rights commissioner (Dec 2023) emphasized revictimization in courts, low prosecution rates, regional disparities in shelter access, and gender pay gaps up to 24%; Italy ranked last in the EU for workplace gender equality (Articles 21/23) (AP News). The ECtHR's *J.L. v. Italy* (2021) decision condemned an appellate court's reliance on stiffening stereotypes—like raising the victim's underwear as evidence—constituting "secondary victimization" and violating non-discrimination and fair trial standards under the Charter. Discrimination based on sexual orientation or gender identity remains prevalent. Amnesty International highlighted that hate-based violence against LGBT people is increasing; 60% of respondents reported a rise, with 68% experiencing school threats or bullying (HRW 2025). Italy is implementing Anti-Discrimination Centres/Houses for LGBT victims, with 37 centres funded by ordinary funds and 9 by EU inclusion funds, yet, according to the Council of Europe, coverage remains partial and data on outcomes are sparse (GREVIO State report 2024).

Articles 7 & 8 CFR – Privacy and Digital GBV: A major Facebook scandal erupted when a group called "Mia Moglie" circulated intimate photos of women without consent—amassing 32,000 members before being shut down following 2,800 police complaints. Meta's slow response exposed serious gaps in digital protection and platform enforcement (privacy/data rights). Italian law criminalizes revenge porn and privacy violations, with sentences up to six years (Article 612-ter CP), but enforcement remains reactive rather than preventive. This incident underscores the urgent need for robust implementation of the upcoming EU Directive 2024/1385 against cyber-violence and the enhanced Digital Services Act provisions for rapid removal and platform accountability (FT.com).

Data and Monitoring (Cross-Cutting Shortfall): Reliable, disaggregated data remains elusive. A UNECE review confirms Italy operates a "comprehensive system" since 2017, yet gaps in monitoring remain, especially regarding enforcement, case outcomes, and service access, inhibiting strategic responses and Charter compliance assessments (UNECE Italy report).

Policy Developments: Femicide Law (2025) : The Italian government approved a draft law in March 2025 defining “femminicidio” as an autonomous offense punishable by life imprisonment, including enhanced sanctions for stalking, revenge porn, and repeated offenders. While symbolic, critics—especially women’s rights groups—argue it focuses on punishment without addressing underlying discrimination and prevention needs (Education, cultural change, economic autonomy) (AP News).

WSIC (EE)

Estonia has a Violence Prevention Strategy/National Action Plan (NAP) (2021-2025) where all strategic goals and KPIs are described. NAP is divided between responsible ministries with annual goals. Tracking of these goals is neither clear nor visible to the public. Estonia’s legal system has articles covering general abuse, but it is very fragmented and therefore a holistic approach to GBV is missing. Psychological abuse is not recognised, neither is coercive control (CC) or femicide. Civil courts do not look at nor consider criminal sentences when disputes on child custody, child support or a decline in physical or mental health results from long-term abuse.

Addressing such gaps, CFR4GBV will improve access for victims or survivors of GBV in both rural and urban areas to safe, high-quality, and integrated services; to strengthen the capacity of police, judiciary, and service providers in regions and the capital through regular training and the implementation of tools foreseen under the next NAP 2026–2030. CFR4GBV will help preparations for litigation; ensure better access to justice and free legal aid, particularly in cases of psychological violence, stalking, and CC; address legislative and enforcement gaps, including the weak application of sexual harassment provisions; and address the lack of recognition of femicide in law and data, harmonising approaches among the stakeholders.

WNCNL (LV)

Latvia currently lacks a comprehensive strategy on violence against women and domestic violence, relying instead on fragmented measures. The Plan for the Prevention and Combating of Violence Against Women and Domestic Violence 2024–2029 has only recently been adopted, while the Human Trafficking Prevention Plan 2025–2027 has not yet been approved, leaving a policy gap between 2023–2025. Although a Judicial Academy was established in 2022 to provide unified training for judges, prosecutors, and investigators, systematic training on domestic violence only began in 2024, and for the police, regular trainings are still absent—only from 2025 is training for 100 officers foreseen within the national action plan. Resource shortages, especially in implementing temporary protection measures, are acknowledged by the Ministry of Interior and parliamentarians, and mistakes in judicial decisions continue to undermine the safety of victims.

Latvia's legal system contains fragmented protections and also lacks proper enforcement. Under Article 132 of the Criminal Law, stalking is criminalised, protecting a person's mental health alongside physical health, yet the gradation of psychological trauma is unclear and rarely assessed with objective criteria. Survivors face heavy evidentiary burdens in divorce and domestic violence cases, being required to present testimonies, expert opinions, and physical proof—an almost impossible task in cases of psychological violence or coercive control. Femicide is not recognised as a specific crime, meaning there is no official data; cases are hidden within general homicide statistics, despite media, NGOs, and attorneys reporting repeated failures by police and courts to identify escalating violence leading to femicide.

Sexual harassment is legally prohibited under several acts: Labour Law, Article 29(7); Consumer Rights Protection Law, Article 3¹(8); Prohibition of Discrimination of Natural Persons – Parties to a Legal Transaction Law, Article 4(4); and Law on Administrative Penalties, Article 11, which foresees fines for unwanted sexual conduct. Despite this broad framework, the laws are very rarely applied in practice, leaving widespread impunity. Cyber violence and coercive control remain unregulated in the Criminal Law, and repeated abuse is treated as isolated incidents rather than systemic harm. Combined with limited access to state-funded legal aid—restricted to low-income households or formally recognised victims—Latvia's fragmented legal and policy framework leaves women and children facing systemic barriers to justice, protection, and fair trial rights.

Addresses such gaps, CFR4GBV will improve access for victims or survivors gender-based violence in both rural and urban areas to safe, high-quality, and integrated services; to strengthen the capacity of police, judiciary, and service providers in regions and capital through regular training and the implementation of tools foreseen under the Plan for the Prevention and Combating of Violence Against Women and Domestic Violence 2024–2029, helping preparation for litigation; to ensure better access to justice and free legal aid, particularly in cases of psychological violence, stalking, and coercive control; to address legislative and enforcement gaps, including the weak application of sexual harassment provisions and the lack of recognition of femicide in law and data, harmonise approaches between the stakeholders.

UWAH (GR)

The project will contribute to overcoming the challenge of a more inclusive Istanbul Convention (IC) in regard to the day-to-day practice of the protection of women. The Hellenic Government has adopted an updated legislation for victims' protection (amendment 3500/2006 - changes to the Criminal Act - and setting into action the 5172/2025 Act). Through these changes, major directions of the EU1385/2024 and the IC have been incorporated, however, the challenge of active collaboration of the Hellenic Government and CSOs prevail. No common data set exists, there is a lack of operational dialogue between the Public Sector and CSOs, and severe needs of capacity building

prevail in terms of multiagency collaboration. Therefore, CFR4GBV corresponds to the need for an active, operative and meaningful cooperation between the Public Sector and CSOs: it will add to this process of further upscaling collaboration, litigation on behalf of victims of GBV, and protection of human rights.

CMSC (RO)

The project responds to the need for development and improvement of the services offered by the CMSC starting from the year 2000, from its establishment. We believe that the provision of a comprehensive, comparative and independent analysis of how GBV-related EU law is implemented across all partner countries, through a uniform methodology developed and applied by CMSC will ensure consistency, comparability and methodological rigor across the consortium. At the same time, the process strengthens the capacity of national CSOs (including Romanian ones) to use the EU Charter of Fundamental Rights as a monitoring and advocacy tool, by involving them in participatory data collection, stakeholder consultations and validation of findings.

Addressing these issues, CFR4GBV will help us to act better and more efficiently in the direction of facilitating the access of women and children who are victims or survivors of domestic and gender violence from the rural and urban areas in the NE region of Romania (the poorest development region) to quality services, addressed in a register of integrated measures that meet the needs of the main beneficiaries - people who are/were victims of abuse and domestic violence and/or violence based on gender, at risk of poverty and social exclusion as a result of the vulnerability generated by the special situation in which they were.

The project responds to the Romanian National Strategy for the promotion of equal opportunities and treatment for women and men and the prevention and combating of family violence and the Operational Plan for implementation, a strategy that integrates the objectives and priorities of relevant international programming documents in the field: the Istanbul Convention, CEDAW , the UN 2030 Agenda, the EU Directive on violence against women and domestic violence, the EU's strategic commitment in the field of equal opportunities.