



Round Table Meeting in the Czech Parliament

Prague, The Czech Republic, May 11, 2018

Topic: Agreement of the European Council on the prevention and fight against the violence against women and domestic violence (Istanbul protocol)

By Juraj Lajda

The roundtable was initiated by the former MP Nina Nováková under the auspices of H.E. Pavla Golasowska, MP of the Czech Parliament. Several experts from the field (lawyers, political scientists, educators, politicians, NGO representatives and representative of the government) from both sides were invited for this meeting. There were advocates for accepting the Istanbul Protocol, mostly from the feminist NGOs who deal with the family problems such as mediation in divorce, legal issues, children protection etc. On the other side there were speakers strongly opposing the text and contents of the Istanbul protocol.

Until now almost all the European countries ratified the IP except for the Czech Republic, Slovakia, Hungary, Bulgaria. Around 30 people participated.

First the opponents of the IP spoke.

Associated **Professor Dr. Harald Scheu** from the Faculty of Law of the Charles University spoke about the IP from the viewpoint of human rights and the international law. He appreciated the initial point of the IP -

the fight against violence which is highly legitimate. Then he asked: Does the IP bring something new and what are the risks?

1/ We should take into consideration a wide framework of many other international agreements and protocols such as: the UN Agreement on removal of all kinds of violence against women - 1979

2/ European Court is dealing with many cases of the violence against women

Basically, these issues are already incorporated in the previously existing agreements and conventions.

The controlling organ should be GREVIO – Group of Experts on Action against Violence against Women and Domestic Violence. This organization protects only women and supports one ideology. It should not decide on finance how the nations should spend the money. There is violence on both sides. How can we say that adult women are more vulnerable than a 10-year-old boy?

Next problematic and controversial point is the term „gender“. According to the gender ideology (which is present in the IP) the „gender“ is identified with certain social roles or

stereotypes and stereotypes should be eradicated. It does not distinguish between man and woman but the social roles are emphasized. Who will decide which stereotypes should be eradicated?

In the countries with the gender ideology there is more violence than in the countries where gender ideology is not emphasized. In conclusion Dr. Scheu said that the IP is narrow minded and narrows the issue only on the man-woman relationship and cannot see the context of the culture, religion etc.

Dr. Roman Joch, director of the Civic Institute and political scientist spoke from the viewpoint of a political analyst. He said that the intention of the EU is legitimate, but some passages are toxic and unclear and tempt to promote some ideology.

The heading of the state is decided by the elections. The state cannot be bound to one ideology only. In the past we spoke about the sex as male and female. Now the gender is emphasized. The social role of man and woman has nothing to do with the sex. There is no objective standard for the social roles. They are social conventions. The danger is that IP speaks about the gender not the sex. The gender is not a

legal concept and according to the gender ideology we can change our gender as we like in any time. In the article 3 the biological differences between man and woman are not taken into consideration.

And what about the parents' rights? Should the state intervene into the education of the children? And what about religion? IP incorporates only one ideology. Why should the state fight against some stereotypes, habits, traditions or culture as it is in the article 12? In the state one ideology is not shared by all people.

In history not, every violence was gender motivated. The gender identity is not legally defined. We have no duty to ratify the IP. Dr. Joch suggested that the Czech Parliament should refuse the IP but to proclaim to support those passages from the IP which really protect women.

Dr. Michal Heres, lawyer spoke about the criminal consequences of the IP. Articles 33-58 spoke about criminal behavior but this is already treated in other laws. IP is redundant.

The IP forbids the reconciliation proceedings and prioritizes the repression. The IP according to Dr. Heres brings no enrichment to the society. It is like as if we should abolish the slavery. What is the real motive for the IP?

Mgr. Nina Nováková, former MP said that some ideology tries to implement into human lives and undermine the European cultural identity. The ministry of education makes Framework educational programs which are compulsory for each school. But each school implements these programs through practical manuals. At the universities there is a gender studies subject but until now the terminology and concepts are not clear. It looks like a new class struggle. We know how it is, we are the only ones who know where the problem is: it is the age-long struggle between man and

woman. Are man and woman not as mutually complementary beings?

The education based on enmity is not acceptable. At schools we teach that man and woman are part of the nature and then we have to withdraw from this and explain the concept of gender, social roles etc.? Where is the difference between the biological sex and gender? If we have many sexes (112 according the gender ideology) how to deal with that? Education means also handing over the culture, values, attitudes and practices. The families are not perfect, but does it mean that we should eradicate the family which is still the safest environment?

Mgr. Jindřiška Krpálková, director, Pro Dialog NGO, said at the beginning that the debate is overburdened with many themes and the result is a big misunderstanding. We are working with families and try to keep together the relationships between parents and children after a family breakdown. IP is very positive, and I am waiting for its ratification. The document declares the will to stand up against the violence in families. The IP is a whole perspective, support and effort to reach the wholeness (human rights, children's protection etc.) It brings a clear position against violence which is unacceptable. I cannot see any ideology on the document.

Jitka Poláková, Mgr. Veronika Ježková, pro Fem NGO, said that she does not perceive the document as a gender oriented one but as an active legal document. I cannot see any toxic points in it. IP supports the organizations that fight against violence and not the gender ideology. We are working with the domestic violence for 25 years and 90% of our clients are women. Since 90s Europe started to talk about this issue.

Dr. Branislava Marvanová Vargová, Rosa-centre for women, expressed that the IP brings a complex measure against the violence. IP protects family

and human rights. If the Czech Republic refuses this document, it is a signal to the public that Czech Republic has no interest to join the international community that wants to solve the violence against women.

Mgr. Radan Šafařík, office of the government, explained that for the Czech government the ratification of the IP is a priority. In Czech Republic there are 15 sexual assaults every day. Only 10% are reported to the police. It seems that Slovakia will not ratify the document. Two states – Russia and Azerbaijan – do not accept the gender ideology. The governmental office has to face pressure not to ratify the document. For the government the IP means a symbolic act that we take the issue of violence seriously, maintain the international commitments and finally IP brings a better prevention against violence.

In the vivid discussion people expressed mostly the opinion to be careful to ratify the document. There was a suggestion to establish a working group and not to ratify it. In 2016 80% of the members of the European Parliament were against the IP but in 2017 due to some demagoguery when the gender ideology was pushed back, and the violence was emphasized and 73% agreed. The laws do not solve the violence, the education is important. The IP is like a very delicious meal which contains two drops of fatal poison, was opinion of one participant in the discussion.

In conclusion I can say that the meeting was very fruitful because both sides were represented, and we could hear their arguments. It may be striking that only 4 post-communist countries did not ratify the document. We should realize that we have already experienced the communist ideology and that is why we are very skeptical and cautious to accept another ideology. In this sense these countries can bring some hope in the protection of the family.