The Istanbul Convention in the UK: A Timeline of Litigation and Policy Developments

A chronology of legal, governmental, and activist actions affecting the Convention's gender-lens framework and compliance obligations

Despite the impression people might have from the way events have been covered in the media, this is not a conversation about trans rights. This is a conversation about women's rights, the importance of a gender-lens approach to combatting gender-based violence, and the protection of the Istanbul Convention. Current events, driven by the so-called 'gender-critical' movement, are erasing 'gender' from law and policy and pose an imminent threat to the framework that underpins women's safety.

June 8, 2012 - Istanbul Treaty Signed by the UK
https://www.coe.int/en/web/istanbul-convention/text-of-the-convention

August 1, 2014 - Convention entered into force

2017 - Preventing and Combating Violence Against Women and Domestic Violence (Ratification of Convention) Act 2017 - This established annual reporting in preparation for ratification.

November 2017-2021 - Five reports were issued with each making multiple references to gender and gender identity. None discussed the UK Equality Act (2010), as it was broadly assumed that its definitions of 'woman' and 'man' were gendered and therefore fully compatible with the Istanbul Convention.

Starting in 2019, and continuing through 2021, these reports certified that all four countries of the UK were compliant with Article 4 or the treaty other than with respect to migrant or refugee status.

Similar compliance for all four countries was reported for Article 6, 7, 11, and 18.

I do not believe that these certifications could be made without an

understanding that the Equality Act uses gendered meanings for 'woman' and 'man.'

2017: https://assets.publishing.service.gov.uk/media/5a82e27ded915d74e62381db/CCS207_CCS1017309396-1_HO_Istanbul_Convention_report__PRINT_READY.PDF

2018: https://assets.publishing.service.gov.uk/media/5bd734ece5274a6e11247074/CCS207_CCS0918513168-001_Domestic_Violence_Istanbul_Convention_2018_Accessible__002_.pdf

2019: https://assets.publishing.service.gov.uk/media/5dba9fc640f0b637a1443e07/CCS001_CCS0919132732-001_Istanbul_Convention_2019_Report_Option_A_PRINT.pdf

2020: https://assets.publishing.service.gov.uk/media/5f917e75e90e077b04c8cdb0/CCS001_CCS1020331858-003_Istanbul_Convention_Progress_Report_Web_Accessible.pdf

2021: https://assets.publishing.service.gov.uk/media/617fc7c68fa8f529777ffd56/E02686085_Istanbul_Conv_Progress_Report_Accessible.pdf

July 21, 2022 - Istanbul ratified by Parliament

November 1, 2022 - Istanbul goes fully into effect in UK

12 December 2022 - Beira's Place launches as trans-exclusive private rape crisis center

https://www.theguardian.com/books/2022/dec/12/jk-rowling-launches-support-centre-for-female-victims-of-sexual-violence

13 December 2022 - For Women Scotland Files for judicial review arguing that woman means biological woman in the context of Gender Recognition Reform (Scotland) Bill.

https://www.scotcourts.gov.uk/media/lgufy1zd/court-of-session-petition-of-for-women-scotland-limited-for-judicial-review-13-december-2022.pdf

This petition opens with this language:

The petitioner is a company registered in Scotland. It describes itself in the petition as an incorporated form of a previously unincorporated democratic grassroots feminist voluntary association. Their aim was and is to give ordinary women from all over Scotland a stronger political voice and to campaign and press for the strengthening of women's rights and children's rights in Scotland.

Yet their own website shows them to actually be campaigners against a core principle of Istanbul which is a broad consensus on what women's rights look like today:

https://forwomen.scot/about/

We also challenge the ongoing push from Government-funded lobby groups to overwrite sex-based rights in legislation and public policy with the undefined and unscientific concept of gender identity. We work to highlight the devastating impact such policies have already had on the lives of ordinary women and girls in Scotland – in hospitals, schools, prisons, sports, public spaces and especially in women's sector organisations such as Rape Crisis or Women's Aid. Our work is informed by the experiences of frontline workers in these services and by the women and girls they provide for.

Their petition is a direct attack on the Istanbul Convention and is filed six weeks after Istanbul went into effect.

I strongly suspect that the "government-funded lobby groups" mentioned by FWS are the NGOs being tasked by the Scottish government with the job of ensuring Scotland is ready for ratification of Istanbul.

September 2023 - Court of Session upholds FWS appeal

March 2024 - FWS Appeal to the UK Supreme Court to make decision national

https://forwomen.scot/wp-content/uploads/2024/10/For-Women-Scotland-v-Scottish-Ministers-Written-Case-for-the-Appellant.pdf

4 October 2024 - For Women Scotland releases the report '*Rape Crisis Centres - by women and for women?*

Published following the Scottish Court of Session ruling but prior to the UK Supreme Court appeal, this report advocates restricting rape-crisis services to people assigned female at birth. The framing of trans inclusion as a barrier to access reflects the implementation climate created by the Court of Session's decision, and highlights emerging divergence from the Istanbul Convention's gender-lens and non-discrimination principles.

From a time when all rape crisis centres were women's centres, only one now assuredly supports women, and only women. At best, nine others might have women-only spaces or times and these may, or may not, include men who identify as women. … Without this basic information many women don't feel confident that a female only space and counsellor will be guaranteed, and will often decide to self-exclude from the service altogether.

https://forwomen.scot/wp-content/uploads/2024/10/Rape-Crisis-Centres-by-women-and-for-women.pdf

26-27 November 2024 - UK Supreme Court Hears appeal

There is no evidence the justices were made aware of the UK's Istanbul Convention obligations. The EHRC's submission makes no reference to Istanbul, and only passing references to EU law, and explicitly states (see p. 20 of the document for the full paragraph):

The Commission's proposed interpretation of the various relevant provisions of the EqA is advanced without reference to the Human Rights Act 1998 ("HRA").

https://www.equalityhumanrights.com/sites/default/files/2024/Equality%20and%20Human%20Rights%20Commission%E2%80%99s%20written%20submission%20to%20the%20Supreme%20Court%20appeal%20of%20For%20Women%20Scotland%20v%20Scottish%20Ministers.docx

16 April 2025 - Supreme Court issues FWS judgment which places UK in breach of Istanbul Convention by redefining the Equality Act to use a biological definition of 'woman' and 'man'

https://supremecourt.uk/cases/judgments/uksc-2024-0042
https://supremecourt.uk/uploads/uksc_2024_0042_press_summary_8a42145662.pdf

17 April 2025 - British Transport Police change their guidance to allow trans women to be strip-searched by male officers. In my assessment this policy is highly likely to also result in non-gender-conforming AFAB people being strip-searched by male officers. The announcement specifically referenced the "biological sex" frame of the FWS ruling.
https://www.theguardian.com/uk-news/2025/apr/17/trans-women-uk-railways-strip-searched-male-officers

25 April 2025 - EHRC issues draft guidance changes nine days after judgment. This guidance repeats the removal of gender from the definitions of 'woman' and 'man' in line with the FWS judgement, but also takes steps which I believe place the UK more clearly in breach of Istanbul. I interpret this guidance as representing a clear regression from the UK's prior understanding of gender-based rights (as evidenced in annual Istanbul Convention reports 2017–2021), including some significant erosion of the rights of cis women to define their sexuality; and attempts to force all women to adopt trans-exclusion as the norm in their association with other women. I believe this guidance risks making the UK a state enabler of gender-based violence.
https://www.equalityhumanrights.com/media-centre/interim-update-practical-implications-uk-supreme-court-judgment

20 May 2025 - EHRC issues consultation documents which have the same fundamental problems as the draft guidance issued in April.
https://www.equalityhumanrights.com/equality/equality-act-2010/codes-practice/code-practice-services-public-functions-and-associations

22 May 2025 - The National Police Chiefs Council, in response to the FWS judgment, published guidance on allowing trans women to be strip-searched by male officers. Similarly to the British Transport Police policy, I believe this

will also result in non-gender-conforming AFAB people being at risk of being strip-searched by male officers.

https://news.npcc.police.uk/releases/new-police-search-guidance-following-supreme-court-decision

18 June 2025 - GREVIO issues *Baseline Evaluation Report United Kingdom*

https://rm.coe.int/grevio-s-baseline-evaluation-report-on-legislative-and-other-measures-/1680b66579

Paragraph 232 of this report reads:

Reports from civil society organisations further indicate that LBTI women face increased barriers to accessing shelters, in particular trans women. GREVIO notes with concern the growing controversy in debates in the UK around access to specialist support services for trans women. In this context, it wishes to point to the fundamental principles of the Istanbul Convention, which serve to guide decision makers in finding adequate solutions in line with the spirit of the convention. ***These are first and foremost the principle of non-discrimination set out in Article 4, paragraph 3, requiring all measures taken for the implementation of the convention to be carried out without discrimination on the basis of any of the grounds listed therein, notably sex, gender and gender identity.*** *Another fundamental principle of the Istanbul Convention is that of service provision for the protection of victims from any further acts of violence.* ***Enshrined in Article 18, this principle requires a gendered understanding of violence against women, and a focus, in any service provision, on the human rights and safety of all victims.*** *Measures taken to this extent must be based on an integrated approach mindful of the relationships of victims to their perpetrators, their children and their wider social environment. Article 18, paragraph 3, further lists the principle of working towards victim empowerment and avoiding secondary victimisation. With these principles in mind, a balance can and must be struck between the need for inclusivity on the one hand, and the need for safety and empowerment of all victims, on the other hand. Solutions may be found on a case-by-case basis, or in the pooling of services, and efforts to this extent will be greatly facilitated by the much-needed expansion of specialist domestic violence accommodation across all four nations of the UK.* ***The result must be one of protection and support to all women, irrespective of any of the characteristics laid out in the convention's non-discrimination clause.***

30 June 2025 - EHRC Consultation closes, over 50,000 responses were received.

Here are the consultation responses from Sex Matters and For Women Scotland. I assess these documents as starkly demonstrating that these are neither human rights campaigners, nor women's rights campaigners, but are anti-gender campaigners:

https://sex-matters.org/wp-content/uploads/2025/06/EHRC-code-of-practice-consultation-response-June-2025.pdf

https://forwomen.scot/30/06/2025/ehrc-code-of-practice-2025/

5 September 2025 - EHRC Provides updated guidance to government somehow processing 50,000 responses in under two months. To date this guidance has neither been made public nor laid before Parliament, so there is a window for intervention to prevent this guidance from going into effect.
https://www.equalityhumanrights.com/media-centre/equality-law-regulator-submits-updated-code-practice-minister-women-and-equalities

By erasing gender from law and policy, the UK is breaching its obligations under the Istanbul Convention — leaving all women less protected as a result.

There is a window of opportunity, before the EHRC guidance is laid before Parliament, to mobilize action in Westminster — pressing for answers about the EHRC's failure to ensure compliance with the Istanbul Convention, and urging MPs to safeguard the Convention's gender-based protections when the guidance is reviewed.