



COUNTRY REPORT 2008



REALITY CHECK ON EUROPEAN
SERVICES FOR WOMEN AND
CHILDREN VICTIMS OF VIOLENCE

*A Right for Protection
and Support?*

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Introduction

“All of us – men and women, soldiers and peacekeepers, citizens and leaders – have a responsibility to help end violence against women. States must honour their commitments to prevent violence, bring perpetrators to justice and provide redress to victims. And each of us must speak out in our families, workplaces and communities, so that acts of violence against cease.”

(UN Secretary-General Ban Ki-moon,
International Day for the Elimination of Violence Against Women, 25.11.2008)

WAVE – Women against Violence Europe – is the European Network connecting Women's Organisations working in the field of Violence against Women. It was established in 1994 and currently consists of approximately 4000 women's help services (women's shelters, women's counselling centers and –networks as well as women's helplines). WAVE operates in 47 European countries including EU and Council of Europe Member Countries. The core of WAVE is so called Focal Points, which are WAVE partner/member organizations. In the meantime WAVE has already grown to 91 Focal Points. They can be considered as dissemination points of information: on the one hand they disseminate substantial international information provided by WAVE regarding violence against women in Europe; on the other hand they collect relevant information from their country and share it with the network. During the last 10 WAVE conferences recent developments and topics were discussed. Within numerous projects quality standards for the work of women's shelters and for good multi-agency cooperation between NGOs and state organizations were developed. For years now, WAVE has offered training seminars focusing on violence against women and their children for various professional groups (such as social workers, justice system, police, media, health system). Through long-term networking and exchange of experiences, WAVE has achieved an overview of the situation of violence against women in Europe.

WAVE country report

WAVE strives in this country report 2008 “A Right for Protection and Support” now to provide a reality check on services and women’s help services for women and their children affected by violence in Europe, as well as to collect relevant statistics and data concerning the prevalence of violence against women. Is it a postcode-lottery for women affected by violence to find specific and empowering women’s help services, for getting a safe place and accurate support? How much are ideals in the form of international recommendations, signed by EU and CoE member states implemented, and what still needs to be done? These are the questions this country report aims to clarify. The overview on women’s help services and the situation on violence against women aim to be a source for various target groups such as NGOs and policy makers.

Methodology of gathering data

The data presented in this report was mainly provided by the 91 WAVE Focal Points¹ located in 44 different European countries - not in Andorra, Monaco, and San Marino - thus reflecting an NGO perspective. In the U.K information was only supplied by Focal Points from England and no data was received from the Moldavian Focal Point.

WAVE first sent out a questionnaire covering the structure described above. Further, phone interviews were conducted to clarify information. If possible, the country report was given to a third person in the respective NGO and/or in the country to re-check the accuracy of information and summary done by the WAVE-office. In some countries, the information given reflects also the situation on resources given.

1 See Appendix.

e.g. many NGOs do not have sufficient resources for coordinated data collection, e.g. on how many women's shelters exist in a country. For this reason no guarantee concerning data accuracy can be given by WAVE. This report is a first attempt to depict the situation on women's services for women and their children affected by violence in Europe from NGO perspective. Simultaneously it motivates NGOs in whole Europe to collect these data in their countries which additionally increases the intercommunication between the organizations working in the field of domestic violence against women. Further, facts from studies and reports such as Amnesty International Report 2008² and the Violence Against Women Fact Sheets 2006³ by Open Society Institute⁴ were added to the data given.

Figures and Data

In comparison to the state perspective within the "Stocktaking Study" by the Council of Europe,⁵ WAVE tried to figure out the numbers of women's shelters and safe places for women and their children with the help of women's NGOs. According to the European women's NGOs perspective, approximately 2.060 women's shelters exist in the European Countries investigated in the WAVE Country Report 2008 and nearly 20.200 places (20.206). However, in order to fulfil the recommendation of the European Parliament (1986) about 80.000 shelter places for women victims of violence and their children are needed for an approximate number of 802 million inhabitants living there.

In 42 out of 44 countries at least one women shelter exists. In 25 countries they offer 24 hours services and in 18 countries at least one of them offers counselling in mother tongue languages. Only 5 countries – Liechtenstein, Luxembourg, Malta, the Netherlands and Norway - fulfil the recommendations of the European Parliament of 1986.

In 34 of 44 countries at least one nationwide women's helpline against male violence exists. In 21 countries they are free of charge for callers and in 21 countries offer 24 hours services. In 11 out of 44 countries, they fulfil all quality standards of nationwide women's helplines.

Part of the report also shows how many women's help services are financed by the state and how many depend on other sources of funding (example of countries receiving state support and those not receiving such support).

WAVE has attempted to give the number of shelter places for each country in the report. Those numbers were compared with the recommendation of the European Parliament (1986) which says that 1 family place in a women's shelter should be provided per 10.000 inhabitants in every country.⁶ Only 5 of 44 Countries fulfil this recommendation and the reports indicate how many more shelter places still are needed.

In a recommendation issued in 1997, the Council of Europe (CoE) stated that one refuge place should be available per 7.500 inhabitants. But only 3 countries – Luxembourg, the Netherlands and Norway have been able to fulfil this recommendation of the Council of Europe.⁷

2 Amnesty International Report 2008: <http://report2008.amnesty.org/>, 10.12.2008.

3 Reports are available at: Stop Violence Against Women: <http://www.stopvaw.org/>, 10.12.2008.

4 Open Society Institute: <http://www.soros.org/>, 10.12.2008.

5 Hagemann-White, Carol: Combating violence against women: stocktaking study on the measures and actions taken in Council of Europe member states (Council of Europe), Equality Division, Directorate General of Human Rights, Strasbourg, 2006.

6 European Parliament Documents/Resolution on Violence against Women, Doc. A2-44/86, OJ. C. 176, 14 July 86, p. 73-83.

7 Council of Europe/Group of Specialists of Combating Violence against Women (EG-S-VL): Final Report of Activists of the EG-S-VL including the Plan for Action for combating violence against women, Straßburg, June 1997.

A central aim of WAVE is to make international quality standards visible on a regular basis, to urge for their implementation, as well as for their constant amendment. Some of those quantitative and qualitative standards are highlighted within this report, especially those of women's helplines and women's shelters. Women's helplines against male violence should be available for 24 hours, nationwide and free of costs. Relevant languages of the respective countries should be spoken. The helplines should be run by women and according to feminist empowering principles. The women calling should be listened to, believed, they should get information about their possibilities and be supported in taking their own decisions. This report shows that in some European Countries, such helplines already exist and also fulfil the required quality standards.

A substantial quality criterion of women's shelters is that it is a specific service for women and children affected by violence and that it is open to all women affected by violence – whatever their origin, colour, religion, age, status of residency or sexual orientation. Women's shelters are more than a roof over the head; they provide the best-possible safety and security each day of the week for 24 hours, in addition to empowering and supporting women and children. Women's shelters are run **by** women **for** women.

Structure of the report

This country report is divided into several parts. In the beginning it informs about various women's help services which should be provided and defines women's shelters and national helplines. The article by Rosa Logar - Quantitative and qualitative standards to empower and support women survivors of violence and their children in Europe - gives an overview of the services in Europe and about the minimum standards.

The reports from each country consist of data concerning the country as to inhabitants, ratification of CEDAW, member of EU and/or Council of Europe. Under facts and figures, the prevalence rate of violence against women in each country can be found, as well as the number of femicides.

The main part of the report on each country is dedicated to information on women's help services and focuses especially on women's helplines and women's shelters and the fulfilment of significant quality standards such as 24 hour service, multilingual service and service free of charge. In some countries support measures and information about women's counselling centres, intervention centres against violence could also be provided. The report further describes which countries already have a National Action Plan for tackling violence against women and/or which countries are currently working on such a plan.

In order to reduce violence against women, various measures are crucial. Apart from having a working infrastructure on women's services, effective legislative measures are also required. Finally, the most important legislative measures for the protection against violence in the family are described, and measures are highlighted which still need to be adapted. This description of legal measures says nothing about the quality of the measures. Detailed information about legislative measures can be found in the report of the Council of Europe.⁸

The country report closes with, an overview of literature and the list of WAVE Focal Points which have contributed to the report.

Thanks to everyone who has supported us in writing the WAVE Country Report 2008: especially all WAVE Focal Points and different experts working in the field of violence against women.⁹

8 Council of Europe: Legislation in the Member States of the Council of Europe in the field of violence against women, Volume I: Albania to Ireland, published by the Directorate General of Human Rights, Strasbourg, January 2007: [http://www.coe.int/t/e/human_rights/equality/05._violence_against_women/077_EG\(2007\)1_E.asp#TopOfPage](http://www.coe.int/t/e/human_rights/equality/05._violence_against_women/077_EG(2007)1_E.asp#TopOfPage), 10.12.2008.

9 See Appendix.

DESCRIPTION OF A NATIONAL WOMEN'S HELPLINE AGAINST VIOLENCE

A national women's helpline shall be the first and central contact point for all women and their children affected by male and family violence. It shall be competent to answer all questions on violence against women and domestic violence professionally and sufficiently.

One national number shall avoid that the woman affected has to contact many different numbers before getting adequate and sufficient help. "Easy to contact" means that the caller needs only a telephone, without having to turn to institutions or friend and relatives.

Free, 24-hour, anonymous and nationwide

A national helpline for women shall therefore be free for the caller. A national helpline provides anonymous counselling and immediate aid, meaning that no one needs to reveal data or facts. The helpline shall be a 24-hour service working 365 days a year and be reachable nationwide.

It is further advantageous and desirable to offer phone counselling in all important native languages of a country, at least for some hours a week, or, if possible in cases of emergency.

Women-specific phone counselling

The main objective of the telephone counselling is to provide orientation, relief, empowerment, empathy, and extensive information as well as psycho-social and legal counselling. In the phone counselling, the caller shall also be referred adequately and unbureaucratically to the accurate contact addresses or organisations.

In acute situations of crises and in dangerous emergencies – only upon approval of the woman affected – also police or other institutions such as youth welfare etc. will be called to intervene and assist. The women's helpline tries to offer integrated and women-specific counselling.

Finances

A national women's helpline should be financed by the state at hundred percent.

Staff

The team or counsellors should have several competences: they have to have an adequate qualification or longstanding working experiences in women specific social work or in the field of violence against women. According to the principle "women helping women" the team should consist of female staff exclusively having feminist awareness.

Regular personnel supervision, further trainings as well as a good expertise in subject-specific areas are standards of quality of a women's helpline.

The counsellors need to have a broad knowledge in social work and legal issues in the field of violence against women and children, but also have to be well-informed about aid organisations in the whole country.

DESCRIPTION A OF A WOMEN'S SHELTER

A women's shelter provides safe accommodation in which women and their children who have been subjected to domestic violence can live without fear of being abused. A women's refuge offers special services and safety precautions. The guiding principle of working with abused women is a strong commitment to advocate women's rights and the empowerment of women to live an independent and dignified life.

Women's refuges fulfil a vital role in combating violence against women. Their functions go far beyond just providing shelter and a safe place to stay. In a refuge women and their children receive the kind of support which enables them to deal with their traumatic experiences, to end the violence, to regain their self-esteem, and to lay the foundations for a self-determined and independent life. Women's refuges offer crisis support and on-going counselling and support in all matters related to the violent experience (legal issues, housing and job problems, therapy).

On our website you can look for "shelters" on the country-pages. WAVE would like to stress that most of the shelters we know about unfortunately don't have explicit quality standards, so we only register "women's shelters" when knowing about the standards. If you consult a "shelter", be aware that not all of the standards might be fulfilled.

For a more detailed definition and explanation of guidelines and standards see the WAVE Manual: "AWAY FROM VIOLENCE: Guidelines for setting up and running a women's refuge" to be downloaded from: <http://www.wave-network.org/start.asp?ID=18&b=15>.

A women's refuge is defined by:

- **its specific goals**
 - Protection and safety
 - Empowerment
 - Social Change
- **its clearly defined target groups**
 - Women's refuges should be open to all women who have become victims of physical, psychological, emotional, sexual and economic violence committed by a partner, former partner or member of the family.
 - Women's refuges are also refuges for children
- **its operating principles**
 - Feminist analyses
 - Women helping women
 - Advocacy for women
 - Team work (and flat hierarchies)
 - Participation and democratic structures
 - Right to self-determination
 - Confidentiality / Anonymity
 - 24 hour service and no time limit for stay
 - Diversity
 - Accountability
 - Principles regarding the quality of service
 - Principles regarding structure and funding
 - Services free of charge
- **its specialised services and staff**
- **its specific safety precautions**

Only if a refuge fulfils all the functions listed above can the term "women's refuge" be used.¹⁰

10 WAVE-Network - Women against Violence Europe: Away from Violence. European Guidelines for Setting up and Running a Women's Refuge, Manual, Vienna, 2004.

By Rosa Logar

Violence against women, in all its forms, continues to be a massive problem in the EU and the whole of Europe. According to prevalence studies in this field¹¹, approximately 20% to 25% of all women have suffered physical violence, and more than 10%, sexual violence¹², during adult life. If all forms of violence against women are taken into account, around 45% of women have experienced violence.

Women are disproportionately often affected by domestic violence: statistics of police interventions in domestic violence cases in Vienna show that more than 90% of victims are female, while a majority of abusers who commit acts of violence (i.e., more than 90%) are male family members, primarily husbands or intimate partners.¹⁴ Thus domestic violence is a form of gender-based violence, as “violence that is directed against a woman because she is a woman or violence that affects women disproportionately”.¹⁵ However, the family is not the cause of violence, but the violence is “a manifestation of the historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of women’s full advancement”.¹⁶

11 E.g.: Ursula/Schröttle, Monika: Lebenssituation, Sicherheit und Gesundheit von Frauen in Deutschland. Eine repräsentative Untersuchung zu Gewalt gegen Frauen in Deutschland. Im Auftrag des Bundesministerium für Familie, Senioren, Frauen und Jugend, Berlin, 2004.

12 Council of Europe: Combating Violence against women. Stocktaking study on the measures and actions taken in Council of Europe member States, prepared by Carol Hagemann-White with the assistance of Judith Katenbrink und Heike Rabe/ University Osnabrück, on behalf of the Gender Equality, and Anti-Trafficking Division/Directorate General of Human Rights and Legal Affairs, Strasbourg, 2006.

13 SEESAC-South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (Ed.): *Firearms Possession and Domestic Violence in the Western Balkans: A Comprehensive Study of Legislation and Implementation Mechanisms*, Belgrade/Serbia, 2007.

14 SEESAC-South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (Ed.): Fire-arms Possession and Domestic Violence in the Western Balkans: A Comprehensive Study of Legislation and Implementation Mechanisms, Belgrade/Serbia, 2007.

15 Statistics by the Domestic Abuse Intervention Centre Vienna, 2007: www.interventionsstelle-wien.at, 10.12.2008.

16 United Nations: The Beijing Declaration and the Platform for Action. Fourth World Conference on Women Beijing, China 4-15 September 1995. New York, 1996.

These specific characteristics of violence against women, i.e. gender-based violence, from which women of every age group and in all fields of society may suffer, and which at the same time also affects their children, have to be taken into account in all measures that aim to prevent violence against women, otherwise there is the risk that they might not be effective. Furthermore, the corresponding interventions have to be oriented towards the specific form of violence, its effects on victims and the social context in which it occurs. In intimate relationships or domestic contexts, women have often experienced violence by their partners over many years, which involves the danger of chronic trauma and the woman's identifying with the perpetrator (the "Stockholm syndrome") as a strategy of survival.¹⁷

Young women or girls who refuse to accept a forced marriage or flee from so called "honor violence", in addition to the violence committed, also have to cope with the loss of their families and face the difficult task of earning a living alone. Women who have already suffered from violence and sexual abuse during childhood run a high risk of also experiencing violence as adults because they have not been able to build adequate protective mechanisms; therefore women may become victims of violence by men again and again throughout their lives. For this reason, any laws on the prevention of violence against women and the protection of victims must follow a comprehensive approach and form a coordinated set of provisions in order to meet the complex needs of victims in their individual situations.

Lack of adequate services for women and their children survivors of violence

Over the past 30 years, women's organizations in Europe have been able, despite numerous obstacles, to develop and provide a range of services to survivors of violence, such as women's shelters, national and regional helplines, counselling and advocacy centres, outreach services, rape crisis centres, intervention programmes and others. Still, the goal of providing an exhaustive network for survivors is far from being reached, due to a lack of resources.¹⁸ Every day hundreds of women and children seeking a safe place in a shelter have to be turned away.

Some countries in Europe provide a fairly good network of services for survivors, but the lack of services for women survivors of violence is a still a problem in all European, including EU countries. According to data provided by governments in the framework of a monitoring survey, only 8 countries out of 32 state that they fulfil the quantitative minimum standard of providing one shelter place per 10,000 inhabitants to women victims of violence.^{19|20}

Among those countries is the Czech Republic, whose government claimed to have 1,147 shelter places, while women's NGOs speak of 27 places for women victims of domestic violence (OSI/Network Women's Program 2007). A similar disparity in counting women's shelters can be found in Slovakia, with the Government speaking of 31 women's shelters, and women's NGOs arguing that only three of them provide specialized services to women survivors of violence. Survivors of violence need specialized women's services applying principles of empowerment and safety; services like homeless shelters or general social services do not offer adequate support.

According to the data provided by the Council of Europe survey, the situation is especially worrying in seven countries²¹ which provide instead of 1 place only 0, 1 or fewer places per 10,000 inhabitants, which means that these countries are clearly failing to guarantee the safety of women victims of violence and their children. Only 18 out of 40 states state that they provide shelters in a sufficiently wide geographical distribution.

17 Council of Europe: Legislation in the Member States of the Council of Europe in the Field of Violence against Women, Volume II: Italy to United Kingdom, Strasbourg, 2007c.

18 Hanmer, J./ Gloor, D./ Meier, H. et al.: Agencies and evaluation of good practice: domestic violence, rape and sexual assault, Report within the Research Project CAHRV (Co-ordination Action on Human Rights Violations), funded by the European Commission's Sixth Framework Programme, Osnabrück, 2006.

19 Recommendation of the Council of Europe Task Force to Combat Violence against Women, Including Domestic Violence: Blueprint of the Council of Europe Campaign to Combat Violence against Women, including Domestic Violence, Document EG-TFV (2006) 8rev5, Strasbourg, 2006.

20 Council of Europe: Legislation in the Member States of the Council of Europe in the Field of Violence against Women, Volume II: Italy to United Kingdom, Strasbourg, 2007c.

21 Bulgaria, Cyprus, The former Yugoslav Republic of Macedonia, Georgia, Greece, Hungary and Turkey.

This implies that many EU countries also do not yet fulfil their obligations under international law and do not properly implement the recommendations of CEDAW, which state that “States parties should establish or support services for victims of family violence, rape, sexual assault and other forms of gender-based violence, including refuges, specially trained health workers, rehabilitation and counselling”²². This recommendation of course implies that such help is guaranteed to all women victims of violence, not only to some.

Through international treaties and policies governments have committed themselves to taking effective actions to prevent violence against women and children:

Member states of the UN and the Council of Europe have committed themselves “to exercise due diligence to prevent, investigate and punish acts of violence, whether those acts are perpetrated by the state or private persons, and provide protection to victims”.²⁵ Article 19 of the UN Convention on the Right of the Child stated that “States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child”²⁶ International documents also emphasize the necessity to “recognize the important role of the women’s movement and non-governmental organizations worldwide in raising awareness and alleviating the problem of violence against women”.²⁷

The Roadmap for Equality between Women and Men states that “The EU is committed to combating all forms of violence. Women are the main victims of gender-based violence. This is a breach of the fundamental right to life, safety, freedom, dignity and physical and emotional integrity. Violation of these rights cannot be tolerated or excused on any ground. Prevention is essential and requires education and knowledge, the development of networking and partnership, and the exchange of good practices.” (Commission of the European Communities 2006:7). The European Parliament “Calls on the Member States to take appropriate measures to ensure better protection and support of victims and those

27 United Nations (1993): Vienna Declaration. UN Dokument A/CONF.157/DC/1/Add.1.

who are at risk of becoming victims of violence against women by: g) providing safe shelters including sufficient financial resources; k) planning services and centres for the care and support of children of women who are victims of violence".²⁸

Thus the legal base and obligation to prevent violence against women and their children and to protect victims of such violence is clearly existing – what is often missing is consequent implementation.

Minimum standards for effective protection and adequate support of survivors

As described above, it is the obligation of the state to prosecute and punish violence against women, to prevent violence and to protect victims. In order to be successful in fulfilling the obligation to prevent and to provide protection to victims, states need to have a comprehensive and coordinated policy in place. This policy must be based on the needs of victims and include legal provisions in all the relevant areas of law, including criminal law, and civil and administrative law measures in areas such as marriage and divorce, child custody and child protection, immigration, housing, employment, social benefits, insurance and others.

A variety of legal measures have to be taken that should be implemented simultaneously: quick and effective protection of victims by the police; civil law protection measures taken upon request by the victim; criminalisation, prosecution and punishment of all acts of violence against women including prevention of further violence by means of probation and rehabilitation measures for perpetrators; victims' rights and support in court proceedings. Furthermore legal measures have to be accompanied by psychosocial support for survivors; also, the cooperation of police, the justice system and women's organisations providing services to survivors is very important. Laws need to be harmonized and consistent; gaps and contradictory regulations that might jeopardize the effort to prevent violence and protect victims must be avoided. Constant monitoring and evaluation of laws are necessary to assess their effectiveness; this includes the systematic collection of data, as well as the participation of victims in evaluation processes. Women's NGOs supporting victims of violence should also be invited to participate actively in the drafting, implementation and evaluation of laws, ensuring that the needs of victims are represented in the making of laws. Research indicates that states with many women's NGOs have taken more effective steps to counteract violence against women than states with no or few women's initiatives.²⁹

Good laws are important for preventing violence against women and protecting victims, but their existence is not enough in itself; in order to fulfil the due diligence obligation, laws have to be implemented effectively in every single case, and in the application of legal measures, the right of perpetrators should not supercede the rights of victims to life and physical integrity.^{30|31} Close co-operation of all the agencies involved is a key element in successful prevention and protection of victims and, for several reasons, it is hard to achieve. Constant efforts are necessary and special efforts have to be made in order to better protect high-risk victims.

28 European Parliament: European Parliament resolution on the current situation in combating violence against women and any future action (2004/2220(INI), adopted 2 February 2006, Brussels, 2006.

29 Johnson, Janet E. / Brunell, Laura: The Emergence of Contrasting Domestic Violence Regimes in Postcommunist Europe, *Policy and Politics* 34 (4): 578:98, 2006.

30 CEDAW Committee: CEDAW decisions No. 05/2005 Şahide G. v Austria, Thirty-ninth session, 23 July-10 August 2007, 2007a.

31 CEDAW Committee (2007b): CEDAW decisions No. 06/2005 Fatma Y. v Austria, Thirty-ninth session, 23 July-10 August 2007, 2007b.

Social and economic rights

Legal protection from violence is very important, but it is not enough: Women survivors of violence have to be guaranteed basic social and economic rights in order to have a real chance to live a life without violence. This should include, as a minimum, the right to alimony, but also the right not to depend financially on the violent ex-partner, thanks to the right to financial assistance by the state, for women who do not have an income of their own (yet); the right to employment and training, including the right to cost-free language courses for immigrant women; the right to cost-free child care; the right to affordable housing; the right of residence for all immigrant women, independent of their husbands or other family members; and the right of survivors of violence who were brought to the country through marriage, mail orders, or trafficking, to stay in the country after separation and to be granted a humanitarian visa.

Regarding the social, political and economic rights of survivors, the United Nations Commission on Human Rights recommends to member states: *“To take all measures to empower women and strengthen their economic independence and to protect and promote the full enjoyment of all human rights and fundamental freedoms in order to allow women and girls to protect themselves better against violence and, in this regard, to give priority to education, training, economic opportunity and political participation of women”* (United Nation Commission on Human Rights 2003: para14c). The European Parliament calls on the Member states to take appropriate measures by *“recognising the importance of providing support to victims, whether women or children, to help them become financially and psychologically independent from the perpetrator”* and by *“providing a minimum income for women who have no other resources”*.³²

The right to adequate support

Women survivors of violence have suffered pain, injustice and the violation of their human rights. To make up for it at least to some degree, they should have the right to the best help. To offer no or poor quality support continues injustice and sends the devastating message to survivors that they do not deserve better. Therefore governments as well as the EU are urgently asked to care for the realization of minimum standards and in addition to strive for good quality standards of support and to provide a legal base for adequate funding of services for women and children.³³

Every woman victim of violence and her children should have a right to professional help. Cost-free phone hotlines for women are important for first contacts for providing information about victims' rights and for initial counselling. In order to be protected from violence, victims must also be granted the right to safe accommodation and adequate help through specialised women's shelters. In addition, women should have the right to live safely in their own homes and to be protected from the perpetrator (e.g., on the basis of expulsion or barring orders by the police or protection orders by the court). However, victims should be free to decide whether to turn to the police or to the courts in order to get legal protection or to a women's shelter to plan their next steps with the shelter's assistance. The experience regarding Austria's Violence Protection Act has shown that both measures are necessary and complement each other.³⁴ All victims of violence that turn to the police or the courts should proactively be offered counselling and support by professionals who act in their best interest.

32 European Parliament: European Parliament resolution on the current situation in combating violence against women and any future action (2004/2220(INI), adopted 2 February 2006, Brussels, 2006.

33 For information on quality standards of women's shelters: WAVE Manual: Away from violence (2004): www.wave-network.org, 10.12.2008.

34 Logar, Rosa: Good Practices and Challenges in Legislation on Violence against Women, paper presented at the UN Expert Group Meeting on good practices in legislation on violence against women, 26-28 May 2008: <http://www.un.org/womenwatch/daw/>, 10.12.2008.

In order to realize the right to protection and support for every woman survivor of violence, states should provide the following minimum services:

- At least one national women's telephone hotline offering all victims of violence assistance by phone around the clock and free of cost;
- Safe accommodation and qualified counselling in women's shelters, minimum standard: one family place³⁵ for every 10,000 inhabitants;
- One women's advocacy and counselling centre for every 50,000 women, providing crisis as well as long term.
- intervention as well as outreach and long-term support to victims of all forms of violence or to special groups (i.e. specialized services for immigrant victims of violence, for victims of trafficking in women or for women who have suffered sexual harassment at the work place);
- One rape crisis centre for every 200,000 women;
- One intervention centre per district/province providing proactive support and advocacy to women victims after violence has been reported to the police or other agencies, and also supporting them in legal proceedings;

All services should be based on the needs of women, be free of charge and should also provide adequate support to the women's children.

The need for legally binding instruments to eliminate violence against women in Europe

As stated, not all women survivors of violence receive adequate protection and support in Europe today and, in many countries and regions, women do not have any chance of leaving a violent husband, partner or father. Violence deprives women of their ability to enjoy fundamental freedoms and represents a serious obstacle to equality between women and men. In order to improve the efforts to eliminate violence against women and to accelerate the process, an EU directive on the elimination of violence against women is urgently necessary. WAVE calls upon the EU Member States to swiftly adopt such a directive applying effective measures to end the daily suffering of millions of women and their children in the European Union.

Furthermore, WAVE supports the recommendation of the Council of Europe Task Force to combat violence against women, including domestic violence³⁶ and urges the Council of Europe to adopt a human rights and gender-based Convention on the elimination of all forms of violence against women.

WAVE will commit itself to support the development of such European instruments and to provide all its expertise to the implementation.

35 One family place = one place for a women and her children.

36 Council of Europe: Council of Europe task Force to Combat Violence against Women, including Domestic Violence (EG-TFV)-Final Activity Report, Gender Equality, and Anti-Trafficking Division/Directorate General of Human Rights and Legal Affairs, Strasbourg, 2008.

ALBANIA

Population: 3.152.625

Female inhabitants: 1.570.306 = 49 % of total population

CEDAW ratified: yes (1994)

Optional Protocol of CEDAW ratified: yes (2003)

Member of Council of Europe: yes (1995)

Member of European Union: NO

Facts and Figures

Latest number of femicides yearly: no answer;

Latest number of DV cases reported by police yearly: 102 cases in 2005;³⁷

Latest number of DV cases reported by women's shelters yearly: no answer;

Prevalence of DV: 1/3 of Albanian women are affected by domestic violence (bullish tendency).³⁸

Services for Women Victims of Violence

Women's Helplines:

The first Albanian women's helpline was established in October 1998. At present, no National Women's helpline is available for women affected by domestic violence and only 1 is available for trafficking victims. However there are helplines in 9 regions that are working directly with victims of domestic violence. The Counselling Line for Women and Girls was created in Tirana in 1996 and to date, more than 37.500 women and girls victims of violence have been assisted. Other women's helplines are run in Shkodra, Pogradec, Elbasan, Durrës, Berat, Vlora, Gjirokater, and Kukës since many years now. The regional helplines are often operated by counselling centres offering support for women victims of violence. The phone calls are not free of charge and the counselling service is not provided multi-lingually, 24 hours a day. The 9 regional helplines are not funded by state but solely financed through foreign donors.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	0	/	/	/	0 %
Regional	9	0	0	0	0 %

37 Gender Alliance for Development Center and Ministry of Labour, Social Affairs and Equal Opportunities: www.gadc-al.org, 10.12.2008.

38 Amnesty International Report 2008: <http://thereport.amnesty.org/eng/regions/europe-and-central-asia/albania>, 10.12.2008.

Women's Shelters:

The first Albanian shelter was founded in Tirana, the capital city of Albania November 1996. It was established to meet the needs of women asking for support in crisis situations at home. Within ten years this shelter has treated more than 300 women and around 400 children. It is supported only by foreign donors such as USAID, UNICEF, WORLD BANK, SOROS Foundation, and ICCO only mentioning the main sponsors. For the last six years the shelter was supported only by ICCO. Although the shelter is a service licensed by the government it has never received state funding. Together with the women's shelter in Tirana there are 5 shelters with an approximate capacity to accommodate about 100 women victims of violence. 2 of them providing a total number of 40 shelter places – the shelter in Tiran and the women's shelters in Elbasan - are specified for women survivors of domestic violence. 2 of them – the shelter in Tiran and the women's shelters in Elbasan are specified for women survivors of domestic violence. The 3 remaining refugees offer service to trafficking victims. According to the recommendation of the European Parliament, 315 more shelter places are needed in Albania. Taking into account that the total shelter capacity also includes refugees for victims of trafficking, there are still more than 215 shelter places missing.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
2	100 approx.	315	215	2	0	0 %

Further Services for Women Victims of Violence:

In January 2008 police have set up the section against domestic violence and some organisations working in the field of violence against women are cooperating very closely with them in several regions. No guidelines have been worked out for health care professionals, social workers in handling these cases. There are no special units or responsible persons in law enforcement agencies dealing with cases of violence against women and also no intervention centres have been established thus far to undertake the coordination work between the different groups of professionals and the women survivors. Most Albanian women's helplines are operated by counselling centres with a total number of 6 organisations.

National Action Plan

In cooperation with the WAVE-Focal Point "Women's Forum Elbasan" and other NGOs the Albanian government is currently working on the implementation of the "National Strategy on Gender Equality and Domestic Violence 2007 - 2010."³⁹

Upcoming Issues

Currently, the government is working in cooperation with experts of domestic violence against women and children to amend the existing legislation in order to turn it into a protection law which declares domestic violence and all its forms as a crime. However, there are no funds allocated at national, regional

³⁹ National Strategy on Gender Equality and Domestic Violence 2007 - 2010: http://www.mpcs.gov.al/dshb/images/stories/strategjite/national_strategy_for_gender_equality_and_domestic_violence.pdf, 10.12.2008.

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or local level of government for activities against violence against women. This does not only limit the capacities of organisations in supporting women victims of violence but also hinders them in carrying out important prevention measures and awareness-raising projects to prevent domestic violence against women and children and tabooing and stating that violence against women is not a private matter but a crime which is neither accepted by the government nor in Albanian society.

Legal Measures

In Albanian legislation domestic violence is not yet classified as a criminal offence.

In June 2007 the “Law on Measures against Violence in Family Relations” entered into force which aims to protect victims of domestic violence. According to this law all services protecting and supporting women victims of domestic violence, such as services offered by police, health organisations, prosecutor’s office, court accompaniment, suit law and legal process - are available for free.

Still, domestic violence is highly tabooed in Albanian society and victims are afraid of denouncing this kind of violence. This is just one reason why only a few cases of domestic violence reach the court. According to a report by the OSCE in 2007, domestic violence is “under-reported, under-investigated, under-prosecuted and under-sentenced”, and “the overwhelming majority of perpetrators are granted impunity”.⁴⁰

Protection Law / Protective Measures

There is a protection order which obliges the perpetrator to stay away from the victim and her family members for the time and distance decided by the court. There are protection orders and immediate protection orders that oblige the court to give a decision in 48 hours. The protection law must be respected by all the organs and police must guarantee immediately its implementation by offering a police employee to protect the victim. The protection law is based on a civil framework. If an undisputed court decision is not respected by a perpetrator, the implementation of court decisions based on the penal law is required. But without a court decision police enforces only the detention procedures and offers temporary protection, but not obligatory. That is why the court should be put into action.

Marital Rape

Marital rape is not established as a criminal act in the legislation.

Sexual Harassment

Sexual harassment is prohibited in the law against domestic violence, but it has not been enforced very often yet.⁴¹ There are provisions concerning sexual harassment at the workplace (Labour Code and in Law for gender equality in the society) in Albanian legislation. The Law “For the gender equality in the society” (amended in June 2008) defines sexual harassment as “offensive behaviour of sexual nature that includes words or actions against a person at work, business or other dependence relations”.⁴²

Anti-Stalking Law

There is no anti-stalking law in Albania.

40 OSCE: Analysis of the Criminal Justice System of Albania. Report by the fair trial development project. Presence in Albania, 2006.

41 U.S. Department of State: <http://www.state.gov/g/drl/rls/hrrpt/2007/100544.htm>, 10.12.2008.

42 Council of Europe: Legislation in the Member States of the Council of Europe in the field of violence against women, Volume I: Albania to Ireland. Published by the Directorate General of Human Rights, Strasbourg, January 2007, p.10. The report will be quoted hereafter as: CoE 2007a.

ARMENIA

Population: 3.225.953

Female inhabitants: 1.668.554 = 51 % of total population

CEDAW ratified: yes (1993); 3rd Periodic Report was due on 13 October 2002 and is overdue since 2006.

Optional Protocol of CEDAW ratified: yes (2006)

Member of Council of Europe: yes (1994)

Member of European Union: NO

Facts and Figures

Latest number of femicides yearly: no data;

Latest number of DV cases reported by police yearly: 497 out of 8.875 cases registered in 2005 were related to domestic violence. In 444 out of these 497 criminal cases, criminal proceedings were demanded. In the first two months of 2006, 70 out of 1342 cases were registered as domestic violence cases. 39 of them are categorised as “crimes against life and health”. In 14 of these 70 criminal cases criminal proceedings were convened;⁴³

Latest number of DV cases reported by women’s shelters yearly: from 1st of May - 31st of August 2006, 22 people (11 women and 11 children) were accommodated in a shelter;

Prevalence of DV: there are no common indicators developed by the state to evaluate the scale of domestic violence. In the framework of the National Action Plan a working group was established within police to collect data on violence against women, including domestic violence. The data collected is gender-sensitive. The data collected is gender-sensitive. It refers to the relationship between victim and perpetrator and considers previous criminal acts committed by the offender. Medical personnel do not collect such data. See also: ⁴⁴ | ⁴⁵

Services for Women Victims of Violence

Women’s Helplines:

Armenia has a free-of-charge national women’s helpline for women survivors of domestic violence operated by WAVE Focal Point - “The Women’s Rights Center”. The helpline is available for clients 24 hours a day. It is solely financed by donations and fundraising activities and not financially supported by the state.

Also the only regional Women’s Helplines does not receive any financial subsidies from the state. Supported by grants from international donors, it provides a 24 hour service to survivors of domestic violence free of charge.

43 Data from Armenian WAVE Focal Point - Women’s Rights Center: <http://www.wrcorg.am>, 10.12.2008.

44 Armenia Monitoring Report 2007, Stop Violence against Women: http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/Armenia_2.pdf, 10.12.2008.

45 Open Society Institute: Armenia Fact Sheet 2006, Stop Violence against Women: http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/ARMENIA_VAW_FACT_SHEET_2006_3.pdf, 10.12.2008.

ARMENIA



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	1	1	1	no answer	0 %
Regional	1	1	1	no answer	0 %

Women's Shelters:

Until 2006, no shelter was available to serve women victims of rape or domestic violence. Currently, there are 2 shelters for survivors of family violence, but without overnight service, and with a capacity of 18 shelter places: 7 for women and 11 for children. In order to fulfil the recommendation of the European Parliament, 304 family shelter places have to be established for survivors of violence in Armenia. Further, there are 2 shelters for victims of trafficking in Armenia offering 7 shelter places. All shelters are operated by local NGOs or international organizations and financed through various international donors. No shelter for women victims of domestic violence in the Republic of Armenia receives state funding. They are 100 % financed through fund raising, donations etc.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
2	18 approx.	322	304	0	no answer	0 %

Further Services for Women Victims of Violence:

In Armenia there are no intervention centres offering a holistic and coordinated service to women affected by domestic violence. There are no guidelines for the police or health care professionals on how to deal with cases of domestic violence against women and children. There are no special units or responsible persons in law enforcement agencies providing help survivors of violence.

2 crisis centres for women victims of domestic violence provide help to women victims of violence: "The Women's Rights Center's Women's Support and Drop-in Center" provides free psychological, legal and social assistance. The crisis centre of the NGO Ajakits mainly operates for the population of Shirak marz (the region of Shirak). These 2 organizations also offer perpetrator programs on a project basis in the last few years.

National Action Plan

The National Action Plan of Republic of Armenia for 2004–2010 on "Improving the Status of Women and Enhancing Their Role in Society" was adopted by the government in 2004. It contains eight sec-

tions: two of them address activities combating violence against women and trafficking, respectively. The first one prescribes concrete measures for implementation such as the regulation to conduct research on violence against women and the use of particular types of indicators, the harmonization of the legal system with international legal norms, and training programs for different professions dealing with survivors of domestic violence etc. The Ministry of Labour and Social Affairs, the Ministry of Culture and Youth Affairs, and the Ministry of Health are responsible for realising these actions. However, no coordination institutions or governmental bodies are charged with implementation of measures to combat domestic violence, sexual harassment or sexual assault.

In 2004, the government approved a National Action Plan for “Prevention of Trafficking in Persons for 2004–2006”, which includes concrete actions with responsible actors and deadlines.

Legal Measures

In Armenia there is no law specifically addressing violence against women or the different forms of violence against women. The issues of trafficking in women, domestic violence, sexual harassment and sexual assault are addressed in the Criminal Code only in the context of general crimes against life and health, crimes against human freedom, honor and dignity and crimes against sexual immunity and sexual freedom.

Thus, the Criminal Code contains no specific legal provisions concerning domestic violence, or gender based violence, although the law does prohibit infliction of wilful light damage to health (Article 117) and battery (Article 118). Penalties for battery range from fines, through correctional labour for up to a year, to imprisonment for up to two months. There are no special units or responsible persons in law enforcement agencies dealing with cases of violence against women. There is no police unit specifically dealing with cases of sexual assault and domestic violence, and there are no such guidelines for police or health care professionals handling these cases.

Protection Law / Protective Measures

Armenias’ legal system contains no restraining-, protective- or barring order. In some light domestic violence cases police requires an offender to sign a statement that the perpetrator will not repeat violent actions again. In case of ignoring the statement, he will be subjected to a corresponding responsibility according to his criminal deeds.

Court accompaniment is not available free of charge for survivors of domestic violence. In all criminal cases, those defendants who cannot afford legal representation may ask for a lawyer free of charge. In civil cases, the state can request a lawyer free of charge.⁴⁶

Marital Rape

Marital rape is not classified as a criminal offence in Armenian legislation. The Criminal Code prohibits rape in Article 138. Punishment for rape ranges from three to fifteen years, depending on the nature of the crime.

Sexual Harassment

Sexual harassment is not specifically prohibited in the Criminal Code. Article 221 of the Labour Code deals with flagrant breaches of the Labour Code and other statutes and regulations containing employment law norms. This article states that flagrant breaches shall be defined as “violations of the equal rights of men and women or sexual harassment of employees, subordinates or beneficiaries.”

Anti-Stalking Law

Armenia has no anti-stalking law.

46 Legislation on domestic violence in Armenia: Stop violence Against Women: http://www.stopvaw.org/List_of_Law_and_Policy_Documents16.html, 10.12.2008.

AUSTRIA

Population: 8.340.667 (2008)⁴⁷

Female inhabitants: 4.277.716 women⁴⁸ = 51,34 % of total population

CEDAW ratified: yes (1982)

Optional Protocol of CEDAW ratified: yes (2000)

Member of Council of Europe: yes (1956)

Member of European Union: yes (1995)

Facts and Figures

Latest number of femicides yearly: 113 murders and murder attempts; 75 of them in near social environment (2007);

Latest number of DV cases reported by police yearly: 6.347 cases (2007);

Latest number of DV cases reported by women's shelters yearly: 3.190 cases (2007) 1.641 women + 1.549 children;⁴⁹

Prevalence of DV: no prevalence study in Austria; approx. every 5th woman is likely to experience domestic violence.

Services for Women Victims of Violence

Women's Helplines:

National Women's Helpline: Austria has a national women's helpline against male violence - 0800 222 555 - which was funded in 1998 and run by the Austrians Women's Shelter network (AÖF) since 1999. The women's helpline is the first and central contact for all women and their children affected by male and family violence. Fast and friendly low threshold telephone counselling, is provided in different languages such as English, Turkish, Arabic, Slovakian, Slovenian, and Hungarian by employees specially trained in domestic violence against women. The Austrian women's helpline is free of charge and available 24 hours per day 365 days peryear. It is 100 % state financed.

Regional Women's Helplines/Counselling Centres:

Currently 6 regional helplines for sexual violence provide their service on the regional level. These helplines are run by counselling centres. They have different opening times; just 1 of them - the "Frauennotruf der Stadt Wien" - is free of charge and offers 24 hour service to clients. Depending on the qualifications of the employees, they partially provide counselling in different languages. All of them are state funded on regional level but not fully - except for the Viennes womens helpline which is 100 % financed by the City of Vienna.

47 Statistik Austria: Bevölkerung am 1.1.2008 nach Politischen Bezirken, Alter und Geschlecht: http://www.statistik.at/web_de/suchergebnisse/index.html, 10.12.2008.

48 Statistik Austria: Bevölkerung am 1.1.2008 nach Politischen Bezirken, Alter und Geschlecht: http://www.statistik.at/web_de/suchergebnisse/index.html, 10.12.2008.

49 AÖF – Verein Autonome Österreichische Frauenhäuser: Statistik der Autonomen Österreichischen Frauenhäuser 2007, Wien, 2007.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	1	1	1	1	100 %
Regional	6	1	1	partial	100 %

Women's Shelters:

The first Austrian woman shelter was established in 1978 in Vienna. Since then the number of women's shelters has steadily increased in Austria. While in 2002, 23 refuges provided 432 shelter places for women and children survivors of violence, currently, there are 30 women's shelters for women victims of violence in Austria offering a total number of 748 shelter places; 4 of them are located in Vienna. In 1988, the Austrian women's shelter network - AÖF - was founded, consisting of 10 shelters. Recently 26 women's shelters joined the Austrian Women's Shelter Network providing a 694 shelter places for women and their children affected by violence. These women's shelters are run by independent NGOs and funded by regional governments. In some regions such as Upper Austria, Burgenland, and Carinthia the state funding for women's shelters is established by law (Sozialhilfegesetz, Mindestsicherungsgesetz). The women's shelters in Vienna are fully funded by the City of Vienna which is long-term guaranteed through a permanent contract. In other Austrian regions women refuges are by approximately 90 % subsidized through state funding (local and national level). Remaining operating costs are mainly covered through donations. They are still waiting for secured funding cooperations.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
30	748	834	86	30	30	90 % approx.

Further Services for Women Victims of Violence:

In Austria there are 9 intervention centres, 1 in each region. The first one was established as an accompanying measure to the protection law in Vienna, in 1998. The Austrian intervention centres are established by the protection law and legally bound by a renewable contract guaranteeing state funding for 5 years. Intervention centres in Austria apply a proactive approach in helping women affected by violence: police are legally obliged to inform the Intervention each time a barring order is implemented. The intervention centre then contacts the woman and works out a safety plan, offers free counselling, and free court accompaniment.

Further, there are 6 counselling centres focusing on violence against women and girls as well as 50 girls and women counselling centres including special counselling centres for migrant women.

In Austria, special funds are assigned on a national level to combat violence against women.

Since 2000, a men's counselling centre in Vienna offers anti-violence-training for men with violent behaviour in cooperation with the Vienna intervention centre against Domestic Violence

AUSTRIA

All Viennese women's and migrants' organisations - e.g. Information Centre against Violence and WAVE office - are funded for the most part by the City of Vienna which is long-term guaranteed through a three years contract. Besides regular participation in the "16 days of activism against gender violence" the City of Vienna highly estimates the NGO experience and actively supports a good cooperation with NGOs working in the field of violence against women. Regular four meetings are organised by the City of Vienna with representatives of NGOs, intervention centre, police, and other organisations focussed on victim protection. Together further aims and new strategies are developed to increase the support for women survivors of violence and their children.

National Action Plan

In Austria, there is no National Action Plan on domestic violence against women. In 2006 an Action Plan on combating trafficking - the "Nationaler Aktionsplan gegen Menschenhandel" was ratified. Further, Austria has developed a National Action Plan for child safety: "Nationaler Aktionsplan für die Rechte von Kindern und Jugendliche - 2004 - 2007".

Upcoming Issues

In Austria, the residence status of a migrant woman still depends on her husband. Professionals currently working in the field of violence against women would like to see this changed.

The Vienna intervention centre against Domestic Violence and Association for Women's Access to Justice brought to cases to the CEDAW committee in the name of two women murdered by their husbands. Both cases were finally defeated by the Austrian Supreme Court although the CEDAW committee clearly accused Austria for infringing on the women's rights. Due to the CEDAW report, several improvements were implemented into the Austrian Service System for women survivors of domestic violence.

In some Austrian regions such as Lower Austria violence against women trainings are offered to health professionals. The education is provided by NGO experts working in the field of domestic violence against women and the costs are covered by state funding. Additionally a survey on violence against women in hospitals and doctors surgeries was commissioned by the Austrian Federal Ministry of Health, Family and Youth in 2008.

AZERBAIJAN

Population: 8.265.000

Female inhabitants: 4.207.000 = 51 % of total population

CEDAW ratified: yes (1995)

Optional Protocol of CEDAW ratified: yes (2001)

Member of Council of Europe: yes (2001)

Member of European Union: NO

Facts and Figures⁵⁰

Number of femicides yearly: as a result of monitoring held in mass media by organization, 97 people were murdered because of family violence in Azerbaijan in 2007. 147 women were murdered in 2007. These numbers do not include the cases of all regions (e.g. incidents from Nakhchvan are not considered);

Latest number of DV cases reported by police yearly: no data available; this information is kept confidential. The only information published by the Ministry of Internal Affairs was a seeming increase of violence toward husbands by their wife within the last years;

Latest number of DV cases reported women's shelters yearly: 346 victims of domestic violence applied for shelter place in 2006 while 2007 the number of applications increased up to 628. Many women's Organizations in Azerbaijan do not pay attention to problems such as domestic violence, human trafficking, etc.;

Prevalence of DV: no data available.

Services for Women Victims of Violence

Women's Helplines:

In the Azerbaijan Republic there is 1 national helpline for women victims of family violence and human trafficking, which was established in 2005. The helpline is operated by WAVE Focal Point "Clean World" and is neither funded by state nor does it receive money from any organisation. Service is provided 24 hours a day, all the year. Phone calls are free of charge for clients contacting the helpline and multilingual counselling is provided in Azerbaijan, Turkish, and Russian. The "Clean World" Social Union Aid to women also runs a second telephone line for women working in the sex business side who are exposed to violence.

Regional helplines for women survivors of domestic violence are not established so far. Besides a helpline supporting women sickened with AIDS, there is another one helping regarding human rights issues, and 2 helplines for rendering victims of human trafficking. One of them is a "hot line" created by the department on combating human trafficking within the Ministry of Internal Affairs.

50 Data provided by WAVE Focal Point: Clean World Social Union.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	1	1	1	1	0 %
Regional	0	/	/	/	0 %

Women's Shelters:

The first Azerbaijan shelter was established in year 2003. Currently there is still just 1 shelter available for women who are exposed to different forms of violence in Azerbaijan. This is the shelter operated by WAVE Focal Point "Clean World" called the "Clean World's Especial Shelter". It offers 17 shelter places to women and children without any age discrimination. The shelter offers 24 hour service all the year and provides multilingual counselling in Azsarbaijan, English, Turkish, and Russian. "Clean World" Social Union Aid to women does not receive any state funding and is solely financed through international donors such as Mama Cash and recently SOROS. Besides this, there is a state shelter funded by the Ministry of Internal Affairs. It started its activity in October 2006. 50 women can be accommodated in the shelter. 759 shelter places must be established in order to meet the recommendation of the European Parliament.

Besides the shelter for victims of domestic violence there are 2 shelters providing a total of 64 places for victims of trafficking.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
1	67	826	759	1	1	0 %

National Action Plan

The Republic of Azerbaijan has not worked on a National Action Plan in tackling domestic violence against women and children.

Upcoming Issues

In Azerbaijan many women wish that current politicians would pay more and serious attention to problems such as violence against human trafficking of women.

Legal Measures

Domestic Violence is not specifically prohibited in the Criminal Code of the Azerbaijan Republic and is only prosecuted as a general violation of the law. The XVII chapter of the Criminal Code classifies “crime against life and health” which includes the categories “deliberate causing of serious harm to health” (Article 126), “deliberate causing of minor serious harm to health” (Article 127), “deliberate causing of less serious harm to health” (article 128), “battery” (Article 132), “torture” (Article 133). Further relevant chapters of the Criminal Code are Chapter XIX “Crimes against person’s liberty and dignity”, Chapter XX “Crimes against sexual inviolability and sexual liberty of person”, Chapter XXII “Crimes against minors and family relations”.⁵¹

Protection Law

In the constitution of the Azerbaijan Republic there are some articles about protection, but as marked above these articles are about violence in general and do not contain a specific protection order for survivors of domestic violence.

The legal system of Azerbaijan also does not contain restraining, protection or barring orders.⁵²

Court accompaniment

As reported by WAVE Focal Point “Clean World” Social Union, court accompaniment is not available free of charge for survivors of domestic violence -only in a few cases are NGO members allowed to take part in proceedings, but most of them are closed sessions.

Marital Rape

Rape is classified as “crimes against sexual inviolability and sexual freedom of the individual” in chapter XX of the Criminal Code. Regarding to Article 149, rape is defined as sexual relations with application of violence or with threat of its application to the victim or other persons. Besides this, forcible sexual intercourse, homosexuality or other acts of a sexual nature achieved by threats of property destruction, damage or embezzlement, or by exploiting the victim’s dependence, materially or otherwise, are classified in Article 151. These laws are only prosecuted if a woman applies to the court which is rarely the case.

Marital rape is not considered a specific crime in Azerbaijan legislation and socially is often not considered a crime, either.⁵³

Sexual Harassment

According to a Council of Europe report, Article 151 of the Criminal Code of Azerbaijan, “Forcible sexual activity”, can be defined as sexual harassment. Punishment for the crime can be a financial fine, two years’ correctional labour, or imprisonment for a maximum of three years.⁵⁴

Anti-Stalking Law

An anti-stalking law is implemented in the legislation of the Azerbaijan Republic.

51 CoE: 2007a.

52 Azerbaijan Gender Information Center (AGIC): Violence against women. Does the government care in Azerbaijan?: http://www.gender-az.org/index_en.shtml?id_doc=294, 10.12.2008.

53 World Organisation Against Torture (OMCT) in cooperation with Azerbaijan Federation of Human Rights Organizations (AFHRO): Violence against Women in Azerbaijan. Alternative Country Report to the United Nations Committee on Economic, Social and Cultural Rights, 2004: p.22.

54 CoE 2007a, p.48.

BELARUS

Population: 9.689.800

Female inhabitants: 5.168.400 = 53 % of total population

CEDAW ratified: yes (1981)

Optional Protocol of CEDAW ratified: yes (2004)

Member of Council of Europe: NO

Member of European Union: NO

Facts and Figures

Number of femicides yearly: 272 murders in family conflicts were committed according to statistics of the Ministry of Internal Affairs. These data are not gender-sensitive and regarding to unofficial statistics the number of murders is a few times higher;

Latest number of DV cases reported by police yearly: 2.115 women (2007). These are official data. In fact, there is still no exact number of such cases but according to some surveys the number of domestic violence victims is 30 times higher (6.345 women) since violence against women is still tabooed and survivors do not apply for help;

Latest number of DV cases reported by women's shelters yearly: no answer;

Prevalence of DV: every 3rd woman in Belarus suffers from physical abuse in a family. In consideration of other forms of violence such as psychological, economic, sexual, etc. the number is even higher.

Services for Women Victims of Violence

Women's Helplines:

In Belarus there is no specific national helpline for women and children survivors of domestic violence but there are 2 national helplines providing specified services for victims of trafficking. These 2 national helplines are available for all citizens and do not just focus on women clients. Thus, women affected by domestic violence can also make use of this service which is offered also in Russian 24 hours a day. The phone call is not free of charge but has the price of a standard phone call.

Regional emergency hotlines operated by regional counselling centre which also provide ambulatory treatment to all citizens can be also contacted by women survivors of violence. These telephone services are not available 24 hours a day but only during working hours. Counselling is obtainable also in Russian but not necessarily specialized for women affected by domestic violence. The clients have to pay the call-charge which is identical with the price of a standard phone call.

BELARUS



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	2	0	2	2	no answer
Regional	no answer	/	/	/	0 %

Women's Shelters:

Since 2006 there has been an attempt to set up a women's shelter in Mogilev supported by international organisations such as SOS Children's Village and Volkshilfe Österreich. WAVE representatives were invited to share their expertise in establishing a women's shelter that meets international quality standards. The project is still in the implementation phase. In Belarus NGOs are strictly controlled by government and still most institutions are governmentally organised. Belarus is far from meeting the recommended number of shelter places, which is 968.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
0	0	968	968	/	/	0 %

Further Services for Women Victims of Violence:

There are no intervention centres and multi-agency cooperations between professionals dealing with cases of domestic violence as established in Belarus so far. However, recently a special control system was implemented by the Ministry of Internal Affairs, which registers and takes preventive measures against family abusers. In September 2007 a special regulation was accepted that provides separate departments for social adaptation and rehabilitation in so called "Crisis Rooms" in the structure of Centres of Social Service to the whole population but not specifically to women and children. In Belarus there are 156 centres of this kind and 14 "Crisis Rooms" at the moment. All of them are still under construction.

National Action Plan

The latest Action Plan on domestic violence in Belarus dates back to the period of 2001-2005. Currently the National Action Plan is in the ratification process in the Counsel of Ministers of the Republic of Belarus. NGOs such as - WAVE Focal Point "Law Initiative - Commission on Women's Rights" were involved in developing the document in providing suggestions and recommendations for the National Action plan 2006-2010.

Legal Measures

In the legislation of Belarus there is no specific law tackling domestic violence. Domestic abuse is classified (depending on the seriousness) as a crime or an administrative offence.

A draft law on the prevention and elimination of domestic violence was drawn up in 2002 but was not adopted by the parliament due to a lack of political support (AI 2006: 11). The draft law entails important protective and preventive measures but also contains a clause regarding “victim behavior” which could be used against the victim of domestic violence in blaming her for provoking violence.⁵⁵

Protection Law / Protective Measures

In the draft law some protective measures such as protection orders, are also foreseen. Currently, however, no specific protection orders for women survivors of domestic violence exist in the legal system of Belarus. There are some articles regarding general protection in the Criminal Code (laws against life and freedom, laws against sexual inviolability and sexual freedom, laws against private freedom, honour and dignity) and in the Code of Administrative Offences (for the intentional cause of physical injuries and humiliation). Police deal with domestic violence cases based on these general laws and the punishment is carried out in court.

Since violence against women is examined in general order there is no court accompaniment free of charge.

Marital Rape

Marital rape is not a criminal offence and also not recognized as violence in society. The provision for rape in the Criminal Code does not exclude marital rape but there is no information about any prosecutions of marital rape.⁵⁶

Sexual Harassment

In the oral presentation on the implementation of CEDAW in January 2004, the Belarusian state representative stated that 12 per cent of women in Belarus experienced sexual harassment in the workplace.⁵⁷

Article 116 of the Criminal Code is related to sexual harassment. It punishes anyone, upon whom a woman is financially or professionally dependent, and who forces her to engage in sexual intercourse or sexual contact. The maximum sentence for the perpetrator is three years prison. In practice, however, hardly anyone has been tried on a charge of this article.⁵⁸

Anti-Stalking Law

Belarus is far away from implementing an anti-stalking law.

55 Amnesty International: Belarus: Domestic Violence – more than a private scandal, November 2006, p. 11: <http://www.amnesty.org/en/library/info/EUR49/014/2006>, 10.12.2008.

56 Ibid.

57 Ibid.

58 Stop Violence Against Women: <http://www.stopvaw.org/Belarus2.html>, 10.12.2008.

BELGIUM

Population: 10.584.534

Female inhabitants: 5.403.126 = 51,04 % of total population

CEDAW ratified: yes (1985)

Optional Protocol of CEDAW ratified: yes (2004)

Member of Council of Europe: yes (1949)

Member of European Union: yes (1957)

Facts and Figures

Latest number of femicides yearly: no answer;

Latest number of DV cases reported by police yearly: no answer;

Latest number of DV cases reported by women's shelters yearly: no answer;

Prevalence of DV: no answer.

These data are available right now. Lately registration and data collection has changed in Belgium. The old numbers do not cover reality. A "New Dark Number Research on Domestic Violence" also on violence against men/women will be finished by December 2009.

Services for Women Victims of Violence

Women's Helplines:

Belgium has established 3 national helplines - 106 (Dutch), 107 (French), 108 (German) available for everyone in trouble. The staff is trained but not specialized in domestic violence against women. The telephone service is available free of charge, 24 hours a day in Flemish, French, German, and partly in English. They are financed through state funding and donation. A national website for survivors of domestic violence starts by the end of 2008.

Since 2007 in every region of the Flemish part there is a Centrum for Social Care - CAW which has a specialised team supporting survivors of domestic violence also offering telephone counselling in different languages such as Flemish, French, and English. If needed, there are translators available. The phone call is free of charge for clients and the service is financed by state funding on the governmental, provincial, and municipal level.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	3	3	3	3	no answer
Regional	5	5	no answer	5	no answer

Women's Shelters:

The 4 first Belgian women's shelters were set up in 1977; in 1980 a total number of 10 women's shelters were then established. Currently 26 women's shelters provide a safe place and counselling service in Dutch and French for women victims of violence in Belgium: 4 of them are located in Wallonia, 22 in Flanders. The latter have a capacity of 350 beds for women and children survivors of violence. All shelters are mainly funded by the state but also through projects. According to the survey "More than a Roof over your Head" carried out by WAVE co-ordination office, in 2002 approximately 700 places for women and children were provided in 38 refuges in Belgium. Within the last 6 years the number of shelter places was highly reduced which clearly shows the posture of Belgian politics in ignoring the recommendation of the European Parliament which claims 1.058 shelter places in Belgium.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
26	350 in Flanders	1.058	708	some	26	no answer

Further Services for Women Victims of Violence:

In Flanders every region has 1 big organization - Centrum Algemeen Welzijnswerk (CAWs) providing different but specialized services to survivors of domestic violence such as victim lines, shelters, and counselling. Every region has a multi-agency network which enables the cooperation between police, justice, social care, shelters, victim aid, child care, mental health, in case of domestic violence. In Wallonia there are 2 regional pools of intervention functioning as regional multi-agency networks, coordinating the cooperation between shelters and other professionals involved in domestic violence cases. They also offer perpetrator programs. Every region (every CAW) has a victims' service, a team working on domestic violence against women.

BELGIUM

National Action Plan

In Belgium, a National Action Plan on domestic violence has been ratified. The Action Plan 2004-2007 has been evaluated and through meetings on governmental level the next “NAP on Partner Abuse for 2008-2012” was prepared.

Upcoming Issues

A multidisciplinary approach in tackling domestic violence is currently being discussed in Belgium, which aims to improve the cooperation between police, justice, women’s aid, social care, mental health, child care, and the medical sector. Attention is thereby turned to specific target groups such as children witnessing and experiencing family violence, and abuse of elderly women. Further it is planned to include perpetrators’ programmes into the multidisciplinary context as reported by WAVE Focal Point “Stichting Welzijnzorg Provincie Antwerpen”.

Legal Measures

Domestic violence is classified as a criminal offence in Belgium. Violence in familial/relational contexts is severely punished and regarding directions (Col 3/2006) a complex reporting of domestic violence cases is standard. Different forms of violence are thereby taken into account. New, effective directions for police and prosecutors were implemented (Col3 and 4/2006). By the end of 2008 the first evaluation of the new directions will be available.

Protection Law / Protective Measures

According to the banning order which can be carried out by the police in case of domestic violence, the house/flat can be appointed to the victim. Court accompaniment is available free of charge for women/children affected by family violence if the woman has no sufficient income.

Marital Rape

Marital rape is classified as a criminal offence in Belgium. The element of marriage is an aggravating circumstance. Whether inside or outside marriage, rape carries the same penalties.⁵⁹

Sexual Harassment

Sexual harassment is illegal in Belgium and sexual harassment in the workplace is automatically treated as discrimination on the basis of gender.⁶⁰ The law is generally enforced. A victim of sexual harassment in the workplace can file a complaint and claim damages. Though the law ensures the right to proceed against the harasser and provides for financial remedies, most cases are resolved less formally.⁶¹

Anti-Stalking Law

Since 1998 an anti-stalking law is established and implemented in Belgium.

59 CoE 2007a: 57.

60 CoE 2007a: 59.

61 U.S. Department of State: <http://www.state.gov/g/drl/rls/hrrpt/2007/100550.htm>, 10.12.2008.

BOSNIA AND HERZEGOVINA

Population: 3.981.239

Female inhabitants: no data available

CEDAW ratified: yes (1993)

Optional Protocol of CEDAW ratified: yes (2002)

Member of Council of Europe: yes (2002)

Member of European Union: no

Facts and Figures

Latest number of femicides yearly: no data available;

Latest number of DV cases reported by police yearly: no data available;

Latest number of DV cases reported by women's shelters yearly: no data available; regarding to statistical records, the WAVE Focal Point "Medica Zenica" (shelter) accommodated 13 women and 8 female children survivors of domestic violence in the first 6 months of 2008;

Prevalence of DV: no answer.

Services for Women Victims of Violence

Women's Helplines:

There is not national helpline for women victims of domestic violence in Bosnia Herzegovina but there are several regional emergency lines and social services such as police, courts, Centres for Social Work and Welfare, hospitals and other medical institutions such as Centres for Mental Health available for survivors of domestic violence. Most of them are financed through state funding and offer 24 hour service (e.g. police, emergency room, duties in some medical institutions). However, these helplines do not necessarily offer specialized services for women victims affected by violence but are general services for all citizens. For this reason a unified national SOS line aimed at women and children victims of violence for the territory of the entire BIH should be established.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	0	/	/	/	0 %
Regional	no data	no data	no answer	no data	no answer

BOSNIA AND HERZEGOVINA

Women's Shelters:

In the territory of the Federation there are 6 safe houses for victims of domestic violence and other types of trauma and 1 safe house for victims of human trafficking ("La strada" – Mostar). In the Republic of Srpska 3 safe houses provide service to survivors of domestic violence and other types of trauma and 1 safe house specifically cares for victims of human trafficking ("Lara" Bijeljina). All in all, 185 shelter places are available for survivors of domestic violence - 213 too few to meet the recommendation given by the European Parliament.

All safe houses in the entire BiH are operated by NGOs. In these houses⁶² apart from accommodation, food and hygienic supplies, victims of violence also receive direct physical protection, psycho-social support, counselling and therapy treatment, legal assistance and advice, economic empowerment and making victims competent for economic independence. The services are provided in different languages and 24 hours a day.

All these safe house run by NGOs are to 95 % financial support by foreign donors. Only Sarajevo Canton has provided funds from its budget for the aforementioned services to victims of violence accommodated in the safe house of the Local Democracy Foundation. Safe houses in other Cantons have not just adopted protection methods for victims of violence as developed and applied in Sarajevo Canton but also financing models, such as occasional subsidies from municipal and cantonal budgets, support in providing rent free premises for work and accommodation of beneficiaries etc.

Currently a draft of minimal requirements for shelters is in the process of approval, as is the assessment on the number of necessary shelters in the FBiH or on the whole territory of BiH.

In Bosnia-Herzegovina (population approximately 4 million) there are seven women's shelters for victims of domestic violence and trafficking, which are primarily financed by local non-governmental and international donors.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
9	185	398	213	9	9	no answer

62 Association Women BiH Mostar (Udruženje Žena BiH Mostar), Women's Association Mirjam Mostar (Udruženje žena Mirjam Mostar), Association Women from Una BIHać (Udruženje Žene sa Une BIHać), Local Democracy Foundation – Sarajevo (Fondacija lokalne demokratije – Sarajevo), Citizen Association Medica Zenica (Udruženje građana Medica Zenica), Women's Association Vive Women Tuzla (Udruženje žena Vive žena Tuzla).

Further Services for Women Victims of Violence:

No intervention centres or multi-agencies on domestic violence are established thus far. However, WAVE focal point “Medica Zenica” advocates for the multi-disciplinary – mixed model of combating violence in the family. For those purposes “Medica Zenica” has signed protocols with the following organizations and institutions: the Ministry of Security BiH, Zenica Municipality, Centre for Social Work and Welfare Zenica, Cantonal hospital Zenica, and Society of Social Workers of Zenica – Dobož Canton. The protocols were signed aiming at a more rational and effective use of the existing resources within Medica Zenica and other institutions and organizations of this community. Since 2007, Medica Zenica has been advocating the integration of its services, aimed at women and children victims of domestic violence, into the existing psycho-social and health system in the community.

National Action Plan

In 2008 the Strategy for Prevention of Domestic Violence was created with an Action Plan for the Federation BiH⁶³ Holder of responsibility is the Gender Centre of FBIH in cooperation with governmental institutions and NGOs. The following NGOs representing women’s associations are included in the implementation of activities: WAVE Focal Point “Medica Zenica” (Zenica), “Local Democracy Foundation” (Sarajevo) and “Vive žene” (Tuzla).

Upcoming Issues

On November 5th 2007, a roundtable was held on the topic implementation of “Law on Protection Against Domestic Violence” attended by politicians, representatives of social services from Zenica-Dobož Canton, representatives NGOs from the territory of Federation BiH and RS and representatives from Gender Centre FBIH. All participants agreed to create a proposal on model of work, on activities, on financing of safe houses in close collaboration between NGOs and governmental institutions and based on a multidisciplinary approach in combating violence against women in FBIH region. This model should be adopted for the whole of Bosnia and Herzegovina. The following conclusions were thereby made: empowering of the Centres for Social Work in regards to staff, space, and financially, for implementation of laws, legal acts, and sub laws; continue education of all professionals playing a role in the implementation of legislature that treats domestic violence against women; establishing a unified SOS line aimed at women and children victims of violence for region of FBIH with possibility of developing a national unified SOS line for territory of the entire BiH; establishment of adequate accommodation for women survivors victims of violence and their children; increasing public awareness raising on importance of legislation that treats violence; setting up a unified statistic database on the issues and cases of violence in intimate relationships and about perpetrators.

All actors who participated in this round table should, by December 1st 2008, submit initiatives for amendments to existing legislation to FBIH Gender Centre such as: defining the number of safe houses needed and deciding on the model of financing; clarifying means for financing Medica Zenica safe house; distribution of conclusions to all municipal councils chairpersons to be implemented in regards to the needs and models of work of the safe houses and to inform their citizen on legislation and issues of domestic violence against women. The implementation shall be monitored by authorised task bodies of Cantonal Assembly, Gender Centre, and Medica Zenica along with authorised federal and cantonal ministries.

63 Gender Centre of the Federation of Bosnia and Herzegovina: www.fgenderc.com.ba, 10.12.2008.

BOSNIA AND HERZEGOVINA

Legal Measures

In June 2003 the law on gender equality was implemented in the legislation of (F)BiH, article 4 of which defines “gender based violence” as a criminal offence. Since August 2003 domestic violence is recognized as a criminal offence by the Criminal Law. In 2005 a specific law on protection from domestic violence, as well as a new Family Law came into force in the Federation of Bosnia and Herzegovina and Republika Srpska. Domestic violence cases are reported to the police and in the case of a conviction, a charge is imposed against the perpetrator.

Protection Law / Protective Measures

The “Law of Protection Against Family Violence in Republika Srpska and Federation BiH” can be carried out by all courts on the cantonal level. It entails protective measures such as perpetrators being removed from the flat or restrictions on approaching the victim of violence.⁶⁴ Court accompaniment is available for free for survivors of domestic violence but is applied only rarely. This is mainly caused by the fact that people working in the field of domestic violence do not recognize different forms of violence against women. There are some differences among the protection law of the two entities, which is just one of the problems of implementing the law in Bosnia and Herzegovina.⁶⁵

Marital Rape

“Rape in marriage is not outlawed. Article 193 of the Criminal Code of REPUBLIKA SRPSKA includes rape in marriage.”⁶⁶

Sexual Harassment

As gender based violence, sexual harassment is also defined in the Gender Equality Law of BiH (article 4). Article 27 of that law states that any person performing an act of gender-based violence, harassment and sexual harassment “will be punished for a criminal act with imprisonment in duration 6 months to 5 years”.⁶⁷

The Criminal Code of RS further entails an article on “Intercourse abusing superior position” (Art. 196), which can be sentenced with imprisonment of up to 3 years.⁶⁸

Anti-Stalking Law

An anti-stalking law is not established in the legislation of Federation BiH so far. Republika Srpska?

64 CoE 2007a: 67.

65 CoE 2007a: 68.

66 CoE 2007a: 83.

67 Stop Violence against Women: http://www.stopvaw.org/Bosnia_and_Herzegovina.html, 10.12.2008.

68 CoE 2007: 73.

BULGARIA

Population: 7.679.290

Female inhabitants: 3.958.358 = 51,54 % of total population

CEDAW ratified: yes (1982)

Optional Protocol of CEDAW ratified: yes (2006)

Member of Council of Europe: yes (1992)

Member of European Union: yes (2007)

Facts and Figures

Latest number of femicides yearly: no data available;

Latest number of DV cases reported by police yearly: 2.077 court cases (2006);

Latest number of DV cases reported by women's shelters: no data available;

Prevalence of DV: every 4th Bulgarian women is affected by domestic violence.

Services for Women Victims of Violence

Women's Helplines:

In Bulgaria there are 3 national helplines - one for women and children, one for women and one for girls. They are not specified for gender violence though. Counselling service is available 24 hours a day only in Bulgarian. The phone call is free of charge for the clients. The helplines themselves are financed by state funding.

Besides the national helplines, 3 regional helplines offer support for women victims of violence but not free of charge.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	3	3	3	0	no answer
Regional	3	0	no answer	0	no answer

BULGARIA

Women's Shelters:

Currently 5 shelters are available for women victims of violence in Bulgaria with a capacity of 50 family places. In the consideration of the recommendation of the European Parliament, 717 family places are still missing. All 5 shelters are financed by state funding (municipality, government) through the "Program against Domestic Violence" adopted in 2005. Not all of them focus on gender based violence. Officially, shelters provide 8 hours' service during the day, but women victims of violence are accepted at night as well. They can only stay in a shelter for a few weeks. This is by far too short-term for overcoming the traumatising experiences of violence and for starting a new life.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
5	50 approx.	767	717	0	no answer	no answer

National Action Plan

In Bulgaria a specific governmental program against domestic violence was implemented in 2005. Further, a National Action Plan on Domestic Violence was prepared for 2007 - 2009. NGOs such as WAVE focal point "Bulgaria Gender Research Foundation"⁶⁹ were partly involved in conception work, as well as in providing data and recommendations. In July 2008 the government adopted a gender equality statement for women and men referring to domestic violence against women.

69 Bulgaria Gender Research Foundation: <http://www.bgrf.org/en/>, 10.12.2008.

Legal Measures

Domestic violence is not yet classified as a criminal offence in Bulgaria. In 2005 the “Law on Protection against Domestic Violence” (LPADV) came into force. It was drafted in cooperation between the Ministry of Justice and women NGOs.

In September 2008 the European Court of Human Rights (EctHR) made an important decision in a domestic violence case - the case of Bevacqua and S. v. Bulgaria, which reminded the State about its obligations in the field.

Protection Law / Protective Measures

The “Law on Protection against Domestic Violence”/“Protection against Domestic Violence Act” entails boarding of the circle of protected persons, enhanced protection of children and disabled persons and an extension of the duration of the civil protection orders up to 18 months. The authority of imposing a protection measure belongs to the regional court.⁷⁰

Women survivors of domestic violence do not get court accompaniment free of charge but they are tax-exempt. The perpetrator has to cover all costs of victims including money for the lawyer. According to EPACVAW - European Policy Action Centre on Violence Against Women the new draft further contains a section on the mechanism for regular financing of the implementation of the law, especially the service of survivors of violence, through a special fund from State budget.

Marital Rape

Marital rape is not established as a criminal act in the Bulgarian legislation. Rape is sanctioned with imprisonment between 2-20 years.⁷¹

Sexual Harassment

Punishment for sexual harassment under Article 153 of the Penal Code is imposed only in cases in which sexual intercourse occurs between a woman and a man who has abused his power over her.⁷² In the “Protection against Discrimination Act” adopted in 2003, sexual harassment is defined broader, as any unwanted physical, verbal or other conduct of a sexual nature (Article 4).⁷³

Anti-Stalking Law

There is no anti-stalking law implemented in Bulgaria.

70 CoE 2007: 97.

71 CoE 2007: 98.

72 Stop Violence against Women: <http://www.stopvaw.org/Bulgaria2.html>, 10.12.2008.

73 CoE 2007: 10.

CROATIA

Population: 4.441.238

Female inhabitants: 2.301.308 = 51,81 % of total population

CEDAW ratified: yes (1992)

Optional Protocol of CEDAW ratified: yes (2001)

Member of Council of Europe: yes (1996)

Member of European Union: NO

Facts and Figures

Latest number of femicides yearly: no answer;

Latest number of DV cases reported by police yearly: no answer;

Latest number of DV cases reported by women's shelters yearly: no answer;

Prevalence of DV: in Croatia, the survey on the prevalence of partner violence was carried out in 2003 by WAVE Focal Point - "The Zagreb Autonomous Women's House"⁷⁴ - on a representative sample of 976 women. It showed that 21% of the women experienced physical violence committed by their current or former male partner. Threats of physical violence while they were with their former partners were reported by 61% of divorced or separated women, and 27 % said that they were threatened by their current partners. Forced sex was reported by 34 % of the respondents.

Services for Women Victims of Violence

Women's Helplines:

In Croatia, the first women's helpline was established at the end of the 1980's. Although there is no national women's helpline available for women affected by violence so far, approximately 24 regional women's helplines provide service for by female survivors of violence and victims of trafficking. These helplines are solely financed through international projects and receive international funding e.g. by the European Commission. No subsidies are awarded by the state.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	0	/	/	/	0 %
Regional	24 approx.	no answer	no answer	no answer	0 %

⁷⁴ The Zagreb Autonomous Women's House: <http://www.zinfo.hr>, 10.12.2008.

Women's Shelters:

In 1992 the first autonomous women's shelter in ex-Yugoslavia opened in Zagreb. Since then 14 more women refuges have been established but only 7 to 9 shelters out of 15 are focused on gender based violence. Each shelter provides 9 - 19 beds for women victims of violence which means just about 220 shelter places are available for survivors of domestic violence, which is far away from the 444 family places recommended by European Parliament. As with helplines, the women's shelters are also not financially supported by the state. Help is provided to women victims of violence in Croatia sponsored by international foundations such as Caritas Austria and due to the realisation of international projects.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
15	220 approx.	444	224	no answer	no answer	0 %

National Action Plan

Croatia recently implemented the "National Strategy for Protection Against Domestic Violence for 2005 – 2007" and passed the "Protocol of Procedures in Cases of Family Violence". This document directly refers to the obligation of the state to respond to and take measures to eliminate domestic violence, punish perpetrators and protect victims. The document stresses the obligation of all competent bodies (police, centres for social care, judicial bodies, medical and educational institutions) in the identification and elimination of violence and in providing help and protection to persons exposed to family violence.

Legal Measures

Domestic violence in Croatia is classified as a criminal offence and punished with prison sentences of up to 3 years. However, victims rarely use legal opportunities to obtain justice. A number of reasons for this have been ascertained. These include lack of knowledge and information, reluctance to begin excessively long criminal processes, fear of the perpetrator (connected with lack of effective protective measures), fear of publicizing private matters, fear of condemnation from family members or the community and reconciliation with gender stereotypes (e.g. the subordinated position of women in the family). In addition, research shows that victims do not have enough confidence that their rights will be protected by the existing mechanisms of justice and that the perpetrator will be brought to justice. This notion is reinforced by the lengthy criminal procedure, mild sanctions and uncertainty of the result of the criminal procedure. In 2005, the Croatian Ministry of the Interior initiated a media campaign (using leaflets and posters) to inform victims of domestic violence how to acquire access to justice.

Protection Law / Protective Measures

In Croatia, the Protocol of Procedures in Cases of Family Violence guarantees female victims access to free legal aid and free services of a lawyer from the Croatian Chamber of Lawyers, as well as free medical aid. The victim will be given the opportunity to provide, in a safe and supportive environment, all information relevant to the act of violence committed against her. The protection of the victim is

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provided with her safety in mind; there are separate court hearings for her and the perpetrator. These are the rules of the procedure according to this Protocol and should be implemented fully in order to protect victims.

Court accompaniment for victims of domestic violence is not available free of charge. Recent amendments to the Law on Obligations in Croatia involve compensatory provisions for “rights of person/ality”, including the right to life, physical and psychological health, dignity, privacy and freedom. This provision may be used for pecuniary damage compensation for victims of DV, but until now there has been little jurisprudence. This is due to the following reasons: the victims are not informed, the process is usually very long, and the courts still do not take this issue seriously. Regarding the restraining orders, NGOs reported that police have too much discretion in determining whether the measure should be issued or not,⁷⁵ Further, there were complaints about court procedures which resulted in few convictions.⁷⁶

Marital Rape

Marital rape is implemented as a criminal offence in the Croatian legislation and rape is even prosecuted if a victim did not resist physically but it was still a non-consensual sexual act. The perpetrator can be sanctioned to imprisonment for up to ten years, with much more severe sentences (up to 18 years) in cases of aggravating circumstances or where the victim died. However, national studies have shown that marital rape is usually neither reported nor prosecuted. Due to the cultural attitude, both women and men consider that a woman cannot be raped by her husband, since it is her marital duty to be “at his service”. In addition, the criminal procedure is long, very unpleasant and unfriendly to women who report cases, while prosecutors, police officers and judges often are not gender sensitive. There are difficulties in proving this crime and often there is no prompt and thorough investigation.

Sexual Harassment

The first law prohibiting sexual harassment in Croatia was the Gender Equality Act (Article 8).⁷⁷ Sexual harassment is defined there as “every unintended verbal or non-verbal, i.e. physical behaviour of sexual nature which aims at or represents the violation of personal dignity and creates disagreeable, hostile, humiliating or insulting environment”⁷⁸. Sexual harassment is further regulated within the Labour Law (Article 4).

Anti-Stalking Law

Although no anti-stalking law is implemented in Croatian legislation, some acts that may be referred to as stalking are included in the list of acts that are defined as domestic violence (Article 4), and are therefore punishable by law. The newly-adopted Law on Protection against Family Violence includes “spying and other forms of disturbing” in the definition of family violence and provides protective orders with misdemeanour sanctions. This includes the prohibition of approaching the victim, removal from the house or apartment, prohibition of stalking, compulsory psychosocial and dependence treatment, and security measures to protect the victim. With the aim of protecting the victim, she can be provided with temporary lodging (in centres for social care, other families, shelters or other suitable places) and has the right to temporarily maintenance from the Alimony Fund (which is about to be established). Changes of Law on Protection from Family Violence should include precautionary measures that would enable courts to hold perpetrators imprisoned for the length of the trial. The court can also ban the perpetrator from approaching a victim, issuing this as a protective order in Croatia.

75 cf. U.S. State Department report, 2005.

76 Stop Violence Against Women: <http://www.stopvaw.org/Croatia.html>, 10.12.2008.

77 Ibid.

78 CoE 2007: 116.

CYPRUS

Population: 778.684

Female inhabitants: 395.324 = 50,76 % of total population

CEDAW ratified: yes (1985)

Optional Protocol of CEDAW ratified: yes (2002)

Member of Council of Europe: yes (1961)

Member of European Union: yes (2004)

Facts and Figures

Latest number of femicides yearly: 5-10 women;

Latest number of DV cases reported by police yearly: 1000 cases (2006);

Latest number of DV cases reported by women's shelters yearly: 2500 cases (2007), 3800 cases in 2006; 8000 cases in 2005;

Prevalence of DV: 80.000 Greek Cypriot women and every 4th Turkish Cypriot women (2007) are likely to experience violence.⁷⁹

Services for Women Victims of Violence

Women's Helplines:

The first women's helpline in Cyprus was set up as a response to the 1974 Turkish invasion in order to provide support for women victims of rape. However, the helpline was officially established in 1990. Currently there is 1 regional helpline for women victims of violence operated by an NGO shelter. Service is provided 24 hours a day free of charge for clients. 50% of the operating costs are covered through state funding.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	0	/	/	/	0 %
Regional	1	1	1	1	50 %

79 Eastern Mediterranean University research, 8.3.2007.

CYPRUS

Women's Shelters:

In 1990 the first Cypriot women shelter was also established. In 2008 it offers 12 family places for women victims of violence. 65 family places are still needed in order to fulfil the recommendation of the European Parliament regarding shelter capacity available for victims of domestic violence. The shelter is financed by state funding.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
1	12	77	65	1	1	100 %

Further Services for Women Victims of Violence:

Besides the NGO offering counselling, operating a shelter and a 24 hour helpline, there are no other counselling centres specifically established for this purpose. Although an attempt for a multidisciplinary approach in combating violence against women is cognisable there are no such organisations like intervention centres that coordinate the cooperation between different services for women affected by violence. A new manual (published in 2002) offers solutions to harmonize the coordination of different services (police, counselling, lawyers, etc.) which will probably be established as a unified system. A first step was taken in 2002 when police opened a specific office for prevention of domestic violence against women and their children. 3 counselling centres operated from 2004-2007 by local NGO "Apanemi" could not sustain their operation facing immense hostility by the state.

National Action Plan

In September 2008 an Action Plan on "Violence in the Family" was approved that includes violence against children. NGOs were involved into the conception but not the WAVE Focal Point "MIGS-Mediterranean Institute of Gender Studies"⁸⁰ which critically states that this Action Plan does not define violence against women and criticises a complete absence of the gender perspective.

Upcoming Issues

Currently the Ministry of Pair Opportunity has invited all NGO's working in the field of domestic violence to define violence against women in order to no longer ignore the gender aspect in tackling this problem. Further, the National Action Plan on Gender Mainstreaming was recently written, which contains a chapter on violence against women. Regarding WAVE Focal Point "MIGS-Mediterranean Institute of Gender Studies", this article has a very different approach and incorporates a gender perspective. Further, "Apanemi" is registered to CEDAW committee and has complained on behalf of a nine years old girl claiming the default of the state Cyprus failed to protect her.

80 MIGS-Mediterranean Institute of Gender Studies: <http://www.medinstgenderstudies.org>, 10.12.2008.

Legal Measures

Domestic violence is classified as a criminal offence in the legislation of Cyprus.

Since 1994, there has been a law for the prevention of domestic violence. One of its main objectives is victim protection by excluding the offending party from the marital home. Since the implementation of the 1994 law encountered problems, a new law was drafted and adopted as “Violence in the Family Law” in 2000. Among the new provisions were several protective measures, the establishment of a fund for victim assistance or an enlistment of offences which are treated as aggravated when committed within the family. – As a consequence, the penalty may be increased in such cases.⁸¹

Protection Law / Protective Measures

A protection order against the perpetrator can be carried out immediately by the police if the woman is in danger. It is rarely the case that this law is implemented in practice. Survivors of domestic violence do not have the right to apply for free court accompaniment, but since 2001 family counsellors provide support to family members affected by violence and take cases to the court.

Marital Rape

Marital rape is classified as a criminal offence in the legislation, but it is highly tabooed in Cypriot society and therefore rarely prosecuted.

The maximum sentence for rape and spousal rape is a sentence of life in prison, but mostly convicted offenders receive a much milder penalty. According to a recent report of the US Department of State, there are no NGOs to support rape victims.⁸² WAVE Focal Point “Apanemi NGO” has often challenged in the Parliamentary Committee of Legal Affairs the fact that there is hardly anyone ever receiving a penalty on the ground of marital rape. The “excuse given is that it is “hard to prove”.

Sexual Harassment

Sexual harassment in the workplace is prohibited in Cyprus. But although it reportedly is a widespread problem, most incidents remain unreported to authorities.⁸³

Anti-Stalking Law

There is no specified anti-stalking law established so far that hinders perpetrators to trace their victim and cause psychological harm on a high level.

81 CoE 2007a:121ff.

82 US Department of State: Cyprus - Country Reports on Human Rights Practices 2007, released by the Bureau of Democracy, Human Rights, and Labor March 11, 2008: <http://www.state.gov/g/drl/rls/hrrpt/2007/100554.htm>, 10.12.2008.

83 Ibid.

CZECH REPUBLIC

Population: 10.287.189

Female inhabitants: 5.261.005 = 51,14 % of total population

CEDAW ratified: yes (1993)

Optional Protocol of CEDAW ratified: yes (2001)

Member of Council of Europe: yes (1993)

Member of European Union: yes (2004)

Facts and Figures

Latest number of femicides yearly: no data available;

Latest number of DV cases reported by police yearly: 295 cases of domestic violence were investigated under § 215a of the Criminal Code by police from 1.1.2008 till 30.6.2008. While from 1.1.2007 till 30.6.2007 483 perpetrators had been evicted under Act No. 135/2006 in the Czech Republic, the number of evictions has clearly decreased to 343 within the same period in 2008. For example in Prague counting 1,2 mil citizens only 32 cases of expulsion/eviction (under Act No. 135/2006) were executed. This clearly depicts not just a problem in reporting cases of domestic violence but also suggests the assumption of wrong case classification;

Latest number of DV cases reported by women's shelters yearly: no answer;

Prevalence of DV: "Roughly 38 % of Czech women have experienced physical or sexual violence from their partner (current or former husband or boyfriend) and almost the same proportion (37 %) from a man other than their partner" - (2003).⁸⁴

Services for Women Victims of Violence

Women's Helplines:

In 1998 – the ROSA helpline was established as the first national helpline available for women in the entire the Czech Republic. It is solely available for women affected by violence and operated by WAVE Focal Point ROSA Foundation - Nadace ROSA⁸⁵ a pure women's shelter. The helpline can be contacted from Monday - Friday, 8 hours a day. Operating costs are financed by state funding, however they do not cover the charge of phone calls, which means they are not free of charge for clients. Counselling is only provided in Czech and English.

In 2001 DONA link⁸⁶ a second national helpline serving the women survivors of domestic violence, their relatives, their friends and neighbours was launched by Bily kruh bezpeci (BKB - White circle of Safety) financially support by an international donor and by state funding. Although 94 % of the clients contacting the service are women, counselling is also available for men and for professionals working with survivors of domestic violence. Calls are also related to other crimes or serious personal problems

84 Simona Pikálková: 2004: 2 International Violence Against Women Survey – The Czech Republic/2003: Sociological Research on Domestic Violence: <http://studie.soc.cas.cz/index.php3?lang=eng&shw=246>, 10.12.2008.

85 ROSA Foundation: Nadace ROSA: <http://www.rosa-os.cz/>, 10.12.2008.

86 DONA link: <http://www.donalinka.cz/index.php>, 10.12.2008.

or crises; however 62 % of phone calls are directly related to domestic violence. The DONA helpline is available 24 hours a day but not free of charge.

There are 6 regional helplines which can be contacted by women survivors of violence: Acorus (Prague), Magdalenium, Persefona (Brno), and Elpis (Ostrava) provide specified support for victims of domestic violence while Spondeo (Brno) and Arkáda (Písek) are crisis lines and available for everyone asking for help. Elpis is the only helpline which solely serves women victims of violence. Most helplines in the the Czech Republic are run by NGOs which have local scope in sense of consultancy etc. but they offer service to women from the whole country. Depending on the financial capacity they can or cannot offer 24 hour service. Currently 2 helplines (Acorus, Magdalenium) operate 24 hours a day. There is no helpline supplying counselling multi-lingually.

Although some services are financially supported by state funding there are no specific funds allocated at national, regional or local governmental level for activities in tackling violence against women. For example the national women's helpline ROSA was to 100 % funded by the state in 2008. In December 2008 it is still uncertain if and to what extent state money is awarded to ROSA in 2009. This insecure financial condition makes long-term activities almost impossible and puts organisations and their employees in dicey situations. Further, only associations which are registered at the Ministry of Social Affairs have the opportunity to apply for state funding.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	2	0	1	0	no answer
Regional	6	0	2	0	no answer

Women's Shelters:

The first Czech women's shelter was founded in 1998. According to the official reading of Ministry of Work and Social Affairs there are 57 shelters providing 902 beds for mothers and children in the the Czech Republic - not specific for women survivors of domestic violence but for women with all kinds of problems. Only 1 of them meets the international quality standards in supporting women victims of violence and can therefore be defined as a women's shelter. This shelter is the ROSA shelter with a capacity of 21 shelter places and 9 beds in flats with confidential address. Other shelters such as Acorus and Magdalenium with a total capacity of 44 shelter places are open for victims of domestic violence. However they neither explicitly follow feminist principles nor do they apply the gender based violence approach. In contrast to the official statement of Ministry of Work and Social Affairs, not 902 beds but 74 places for women and children survivors of domestic violence are available in the Czech Republic. In order to fulfil the recommendation of the European Parliament 954 family places for women victims of violence are needed.

The shelters of ROSA, Acorus and Magdalenium operate 24 hours a day, 365 days a year. Multilingual counselling is not accessible in any of them. All shelters receive state funding from Ministry of Work and Social Affairs. A few shelters are additional financed local municipalities (Prague, Brno).

Due to the lack of shelter places, many women victims of violence are forced to be accommodated in Asylum Houses (90 houses with 3.165 beds). There they do not receive appropriate counselling and services since Asylum Houses are not specified on survivors of domestic violence but are open to women and men with all kinds of problems.

CZECH REPUBLIC

No specific funds are allocated at the national, regional or local level of government for activities in tackling violence against women. The same circumstances described in terms of financing of women's helplines applies for women's shelters in the the Czech Republic.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
57	74	1.028	954	57	0	no answer

Further Services for Women Victims of Violence:

There are 15 intervention centres - 1 in each region of the the Czech Republic, however multi-agency cooperation is not yet established in all regions. Additionally 9 counselling centres serve women survivors of domestic violence such as Rosa, Acorus, Magdala, Magdalenium, proFem (only legal counselling), Persefona, and Elpis (3 centres). Victims of crime, including women affected by violence find help in one of the 7 centres of *kruh bezpečí*.

National Action Plan

In January 2008, the Committee for Prevention of Domestic Violence was established as a part of the Government Council for Equal Opportunities for Women and Men. A working group consisting of representatives of particular ministries, police and NGOs - such as the both WAVE Focal Points "ROSA Foundation - Nadace ROSA"⁸⁷ and "proFem- Central European Consulting Centre"⁸⁸ - was set up to prepare a "National Action Plan of Prevention of Domestic Violence for 2009 - 2013". The paper will be proposed to the government by the end of 2008.

Before January 2008, no National Action Plan against domestic violence had been worked out. Only the Government Resolution no.794 from 2004 contains a proceeding for implementation of multi-agency teams, linking health, social and police help in cases of domestic violence. This document has been updated and monitored each year. The objectives mentioned in this paper stayed at the surface and were phrased woolly: e.g. for several years the necessity of supporting women's shelters was stated, but no budget was allocated to realise this aim.

Upcoming Issues

Besides the preparation of a National Action Plan and a proposal about a new anti-stalking law the position of children as witnesses and victims of domestic violence is still being discussed: huge pressure is put on women survivors of domestic violence from Social Welfare and courts on fathers' rights and contact/visiting rights of violent fathers, even though the children were witnesses of violence and they are with their mothers in shelters with confidential addresses.

87 ROSA Foundation: Nadace ROSA: <http://www.rosa-os.cz/>, 10.12.2008.

88 proFem- Central European Consulting Centre": <http://www.profem.cz>, 10.12.2008.

Legal Measures

In § 215a of the Criminal Code, domestic violence is classified as a criminal offence. This paragraph punishes the abuse of a person living in the same residence. The punishment is 0-3 years of imprisonment in a basic case - e.g. if someone maltreats a person, who is in a close relationship with him/her or who is living in the same premises - and 2-8 years of prison sentence in the case where violence is committed over the long term or against more persons. However, the law is not implemented properly in practice and not all domestic violence cases are classified and reported as such: instead of domestic violence police treats them like cases of a different type of crime such as §221-224 – bodily harm, or disorderly conduct.

Protection Law / Protective Measures

In July 2007 the “Protection against Domestic Violence Act” (No. 135/2006) came into force. Through the Act, several acts were amended with regards to the protection against domestic violence. Among others, the Police Act was altered: police now have the right to issue an expulsion order through which a perpetrator can be banned from the shared house temporarily. Further, the Protection Act introduces intervention centres which shall be responsible for the provision and coordination of psychological, legal and social support to victims of domestic violence.^{89|90}

According to the WAVE Focal Points, there is no court accompaniment available free of charge for survivors of domestic violence in the Czech Republic.

Marital Rape

Marital rape is implemented as a criminal offence in the Criminal Code in § 241 of the Czech legislation.⁹¹ In marital rape cases the injured party's consent is needed to open the prosecution – a requirement which does not exist in other offences of violence.⁹² The victims, however, often find themselves in the situation of failure of evidence, a circumstance which is especially hard since it calls for a lot of courage for women to bring such highly tabooed case to court.

Sexual Harassment

Sexual harassment is defined as discrimination in the Labour law of 2004. The burden of proof rests with the accused party, which has to prove his/her innocence. Sexual harassment outside the workplace is legally treated as “breaches of good civil relations” within the Act on Misdemeanor. According to a Council of Europe report, sexual harassment is socially regarded as an overestimated problem mainly related to the private sphere.⁹³

Anti-Stalking Law

An anti-stalking law is not established yet in the Czech Republic but in June 2008 the Committee for Prevention of Domestic Violence has strongly recommended to develop a draft law. The Government Legislation Council has supported this recommendation; the draft law was prepared and has already become a part of new criminal code. The criminal code had been passed through the Parliament and now it should be discussed in the Senate. If it passes, the new anti-stalking legislation will be valid by January 2010.

89 CoE 2007a: 129f.

90 EUCPN - EU Crime Prevention Network: <http://www.eucpn.org/poldocs/CZ%20DV%20-%20leg.pdf>, 10.12.2008.

91 Punishment for rape: 2-8 years; when the victim is under 18 years, the punishment is 3-10 years. When the victim is under 15 years, the punishment is 5-12 years. Forcing someone else by violence or by threat of immediate violence to sexual intercourse or a similar form of carnal knowledge, or abuse of someone else's defencelessness to submit to such an act.

92 CoE 2007a: 133.

93 CoE 2007a: 136.

DENMARK

Population: 5.447.084

Female inhabitants: 2.750.422 = 50,49 % of total population

CEDAW ratified: yes (1983)

Optional Protocol of CEDAW ratified: yes (2000)

Member of Council of Europe: yes (1949)

Member of European Union: yes (1973)

Facts and Figures

Latest number of femicides yearly: 8 - 10 women; 25 women yearly, as average for the period 1990 - 2001;

Latest number of DV cases reported by police yearly: 3.300 cases;

Latest number of DV cases reported by women's shelters yearly: 1.957 cases (2007);

Prevalence of DV: 44.000 Danish women are affected by domestic violence every year.

Services for Women Victims of Violence

Women's Helplines:

In Denmark there is 1 national helpline providing specific help for survivors of domestic violence and their relatives. Multi-lingual counselling is available 24 hours a day and phone calls are free of charge for all clients. The current national helpline campaign focus on two target groups: on ethnic minorities and men. Further, specific counselling service for children victims of domestic violence are going to be established. All costs incurred for operating the national helpline (36.000 EUR) are fully covered by state funding - exactly by the Ministry of Social Welfare.

The same applies to the 3 regional helplines which are 100 % financed by the Ministry of Refugee, Immigration and Integration Affairs. An amount of 335.000 EUR is supplied annually for operating these helplines, each specified on different target groups such as: professionals, young people involved in forced marriages or other generational conflicts, and parents of the target group. Counselling is generally provided in Danish and English. Interpreters are available for victims who do not have a command of one of these two languages.

Further, all 40 shelters also operate helplines reachable 24 hours a day and many women survivors of violence call shelters directly.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	1	1	1	1	100 %
Regional	43	no answer	40	3	3=100 %

Women's Shelters:

Approximately 40 shelters with a capacity of 331 shelter places are currently available for women victims of violence free of charge, 24 hours a day. In order to reach the number of shelter places recommended by the European Parliament, 213 more family places for women victims of violence are needed in Denmark. A slight increase of shelter places is recognisable: according to the survey "More than a Roof over your Head", in 2002 approximately 250 places for women (and 270 places for children) were provided by 35 refugees.

The 40 shelters in Denmark are very different in size and organisation. Due to the lack of implementing unified quality standards on how to operate women's shelters and depending on financial and political possibilities, shelters put their focus on different aspects and services are offered in different ways. Shelters usually provide more than a safe place to stay for women affected by violence. Physiological counselling and special care for women and their children to overcome their experiences with violence is offered multi-lingual. Support is provided in contacting other institutions such as health care service, police, and local authorities. Social-legal advice is given to women if needed regarding their legal procedure, child custody, and residence permit. Women are further under care after leaving a shelter through network meetings or visits in the women's home. Follow-ups are organised in cooperation with local authorities, police etc.

Most shelters run a helpline and offer open counselling for women victims not accommodated in the shelter. The L.O.K.K. shelters, for example, are additionally specified in providing legal assistance and counselling to migrant women, and ethnic minorities involved in serious conflicts with their families.

In Denmark shelters are funded by the state with a total amount of 15.000.000 EUR yearly. The money is primarily allocated by municipal government with 50 % state refunding. This does not cover all costs incurred to run women's shelters, offering appropriate services to women victims of violence, so other financing sources and inflows are necessary such as financing by private foundation.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
40 approx.	331	544	213	40	43	50 %

DENMARK

Further Services for Women Victims of Violence:

There are no intervention centres in Denmark but some shelters offer multi-agency cooperation with other institutions as described above. Special police forces are established to strengthening enforcement and promoting co-work between police, social and health service.

WAVE Focal Point L.O.K.K. - Landsorganisation af Kvinderkrisecentre - National Organisation of Shelters and Refuges for Battered Women and their Children also carries out research projects and publishes annually statistical reports on violence against women and children. Further, a focus is also set on prevention work, spreading information about violence against women on a local level.

National Action Plan

While the first Danish national action plan to combat violence against women (2002 -2004) focuses on domestic violence, the second "Action Plan to Stop Men's Domestic Violence against Women and Children (2005-2008)" includes women and children victims of men's violence. Currently a new Action Plan is developed for 2009 in cooperation with NGOs such as WAVE Focal Point L.O.K.K. - "Landsorganisation af Kvinderkrisecentre - National Organisation of Shelters and Refuges for Battered Women and their Children".⁹⁴ Important inputs from the Danish National Observatory on Violence against Women should be included. Further it is aimed to strengthen primary prevention strategies, to establish easily accessible services for victims of physical violence in the national health system, to carry out continuously data collection and research and to set up regular trainings for relevant professions working with women victims of violence.

Upcoming Issues

In order to combat domestic violence against women, ongoing and efficient experts focus on help to the family as a whole: besides supporting women affected by violence also after finding help in a shelter, it is necessary to offer special help programs for children not only inside the shelters, but also outside. New structures are needed that enable children to talk about their experience with violence when the violence occurs – which means before staying in a shelter - and also after leaving the shelter. The question is raised: what can be done to keep children outside the circle of violence? In 2007 a book was published which describes methods applied when working with children in Danish shelters.

Further, therapy programs for perpetrators are considered as important and shall be established. Mediation is discussed as a successful and effective method regarding honour related violence and forced marriages which should be applied more often.

94 L.O.K.K. - Landsorganisation af Kvinderkrisecentre - National Organisation of Shelters and Refuges for Battered Women and their Children: <http://www.lokk.dk>, 10.12.2008.

Legal Measures

In Denmark domestic violence is classified as a criminal offence and prosecuted in case the violence can be proved.

Protection Law / Protective Measures

The Danish legislation contains a protection order for victims of domestic violence which can only be applied by the civil court not by police. The application of protective measures is always hard and the victim cannot be sure that the perpetrator does not trespass the places he is not allowed to access. All survivors of domestic violence have the right to get a lawyer and a psychologist during case procedure and to stay in a shelter for 3 months. Every woman has the possibility to charge a perpetrator, no matter if it is her husband, boyfriend or a family member. At the court she can call on representation service of a lawyer. Depending on her income, survivors of domestic violence do not have to cover the process costs.

Marital Rape

Rape in general is declared as a criminal act but marital rape is not specifically criminalized. The application of the law is always difficult and therefore it is rarely prosecuted. A difficulty regarding the prosecution of violent acts such as marital rape is that motives and proof are more complicated to clarify.

Sexual Harassment

The Danish legal system prohibits sexual harassment and provides for financial compensation for the victims.⁹⁵

Anti-Stalking Law

Stalking is prohibited in section 265 of the Danish Criminal Code (since 1933). Legally, "Violating peace of some other person" implies threatening, dishonoring, intruding, or unwanted attention. It is punished with fines or imprisonment up to two years.⁹⁶

95 S. Dept. of State, Bureau of Democracy, Human Rights and Labor Country: Denmark - Reports on Human Rights Practices 2007, March 2008: <http://www.state.gov/g/drl/rls/hrrpt/2007/100556.htm>, 10.12.2008.

96 University of Modena and Reggio Emilia, Modena Group on Stalking: Protecting Women from the new crime of stalking: a Comparison of Legislative Approaches within the European Union, Final Report, 2007: http://stalking.medlegmo.unimo.it/RAPPORTO_versione_finale_011007.pdf, 10.12.2008.

ENGLAND

Population: 50.431.700 (July 2007 est.)

Female inhabitants: 25,216,687⁹⁷ = 50,63 % of total population (approx.)

CEDAW ratified: yes (1986)

Optional Protocol of CEDAW ratified: yes (2004)

Member of Council of Europe: yes (1949)

Member of European Union: yes (1973)

Facts and Figures

Latest number of femicides yearly: 208 female victims including under 18s in Scotland, England and Wales in 2006/7;⁹⁸

Latest number of DV cases reported by police yearly: overall 24 % of people aged 16 to 59 were victims of partner abuse since the age of 16.5 % experienced this abuse in 2007.⁹⁹ The police in England receive one call every minute asking for assistance because of domestic violence. This equates to an estimated 1.300 calls per day, and over 570.000 calls each year (Stanko, 2000);

Latest number of DV cases reported by women's shelters: an estimated 17.545 women and 25.452 children were given temporary accommodation by refuge organisations across England in 2006-7. A further 96.500 women and 23.200 children received non-refuge based support from domestic violence organisations in England during the year 2006-7. As reported by WAVE Focal Point - Women's Aid Federation England¹⁰⁰ - one day (November 2nd 2007), approx. 3.156 women and 3.648 children were resident in refuge accommodation across England;¹⁰¹

Prevalence of DV: according to British Crime Survey data from 2004-7,¹⁰² 28 % of people aged 16-59 in England and Wales have experienced domestic violence since the age of 16. In 2007-8, in 85 % of incidents of domestic violence the victim was female, and in 15 % of incidents the victim was male.¹⁰³

97 The female population at the time of the 2001 census.

98 189 female victims - including under 18s in England and Wales - D. Povey (Ed.), K. Coleman, P. Kaiza, J. Hoare, K. Jansson: Homicides, Firearm Offences and Intimate Violence 2006/07 - Home Office Statistical Bulletin: <http://www.homeoffice.gov.uk/rds/pdfs08/hosb0308.pdf>, 28.08.2008; 19 female victims - including under 18s Scotland: <http://www.scotland.gov.uk/Publications/2007/12/14114316/>, 10.12.2008.

99 D. Povey (Ed.), K. Coleman, P. Kaiza, J. Hoare, K. Jansson: Homicides, Firearm Offences and Intimate Violence 2006/07 - Home Office Statistical Bulletin: <http://www.homeoffice.gov.uk/rds/pdfs08/hosb0308.pdf>, 10.12.2008.

100 Women's Aid Federation England: <http://www.womensaid.org.uk>, 10.12.2008.

101 131.245 women - total number supported in all services 2006; 16.815 women and 19.450 children were given temporary accommodation by refuge organisation across England in 2006.

102 D. Povey (Ed.), K. Coleman, P. Kaiza, J. Hoare, K. Jansson: Homicides, Firearm Offences and Intimate Violence 2006/07 - Home Office Statistical Bulletin: <http://www.homeoffice.gov.uk/rds/pdfs08/hosb0308.pdf>, 10.12.2008.

103 Home Office Statistical Bulletin: <http://www.homeoffice.gov.uk/rds/pdfs08/hosb0708.pdf>, 10.12.2008.

Services for Women Victims of Violence

Women's Helplines:

In England there is 1 national women's helpline providing help for women's survivors of violence and their children 24 hours a day. Service is offered multilingually.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	1	no answer	1	1	no answer
Regional	20 approx.	no answer	most	20	no answer

Women's Shelters:

In 1972, the first women's shelter was founded in London. Two years later, women formed the autonomous and feminist women's organisation Women's Aid, and within a few years, over a 100 women's shelters were established in England, Scotland and Wales. In England, with a population of about 61 million, 4 Women's Aid umbrella organizations in Northern Ireland, Wales, Scotland and England support a network of more than 600 services for survivors of domestic and sexual violence. As reported by Women's Aid England, in 2008 an approximate number of 680 women's shelters protect women and their children. A total capacity of 3.653 shelter places are available, which is not enough to fulfil the recommendation of the European Parliament, suggesting 6.077 family places in England. 375 (55 %) of them are reachable around the clock, 365 days a year and almost all of them offer multilingual services to their clients. In England women's refuges are usually state funded on national and local government level.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
680 approx.	3.653	6.077	2.424	374	680 approx.	no answer

National Action Plan

England has a national action plan on domestic violence.¹⁰⁴ The plan was originally written in 2005, and is reviewed each year. The 2008 review should be published very shortly. NGOs such as WAVE Focal Point - Women's Aid Federation England¹⁰⁵ are involved in developing the plan.

Upcoming Issues

Currently the Government's priority is to expand the network of Independent Domestic Violence Advisors (IDVAs) and Multi-Agency Risk Assessment Conferences (MARACs). Both of these initiatives are aimed at the most high-risk victims (top 10%) and focus on improving victim engagement with the criminal justice system.

Funding for specialist, independent domestic violence support services (both refuge- and community-based) continues to be short-term and decided at a local level. Without a dedicated funding stream from central Government, there are real concerns about the future funding of specialist services.

This year sees the launch of National Service Standards for Domestic and Sexual Violence. Women's Aid has led the development of the Standards with steering groups of national domestic and sexual violence organisations. Implementation of the Standards will take place in the coming year.

104 CrimeReduction: <http://www.crimereduction.homeoffice.gov.uk/domesticviolence/domesticviolence51.htm>, 10.12.2008, CrimeReduction: and <http://www.crimereduction.homeoffice.gov.uk/domesticviolence/domesticviolence19.htm>, 10.12.2008.

105 Women's Aid Federation England: <http://www.womensaid.org.uk>, 10.12.2008.

Legal Measures

There is no specific criminal offence of domestic violence in legislation of England but many aspects of domestic violence such as physical assault, sexual assault and rape, harassment and imprisoning are criminal offences. Other behaviour, particularly in relation to psychological abuse, may not be classed as criminal offences. The Crown Prosecution Service (CPS) is responsible for deciding whether to pursue a prosecution. In 2006-7 55.5 % of reported incidents of domestic violence were prosecuted, a 15 % increase on 2005/6. Currently approximately 70 % of all prosecutions of incidents of domestic violence result in a conviction.¹⁰⁶

Protection Law / Protective Measures

In England a protection order is installed.¹⁰⁷ Survivors of domestic violence can apply for a non-molestation order is aimed at preventing a perpetrator from continuing to intimidate, harass or abuse a victim or her children. Additionally, victims can apply for an occupation order, which regulates who can live in the family home. Occupation orders can require the perpetrator to leave the family home. It is also possible to apply for a restraining order which offers similar protection as a non-molestation order. Applications for all three orders can be made in the civil courts. Breaching a non-molestation and restraining order is a criminal offence and is dealt with by the police and the criminal courts. Breach of an occupation order is not a criminal offence and is dealt with by the civil courts.

A range of support services is available to victims of domestic violence. Women staying in refuge accommodation or using community-based outreach services may be accompanied to any court (criminal or civil hearing) by their individual support worker as part of her holistic package of support. In the past 2-3 years, the Government had also funded the development of Individual Domestic Violence Advisors (IDVAs) whose primary function is to support very-high risk victims of domestic violence through the criminal justice (court) system. All Magistrates' and Crown Courts have a Witness Service, which is provided by Victim Support, and guides victims/witnesses through the court system in criminal cases. The Crown Prosecution Service and police also run Witness Care Units which are accessible to victims/witnesses of crime. Specialist support services for victims of domestic violence and IDVAs are funded at a local level. Research from 2007 found that in just over 30 % of all local areas, there was no specialist domestic violence support service. The Witness Service and Witness Care Units can be found in all areas. In the legislation of England an anti-stalking law is established and also prosecuted. There are one-stop shops in some areas which bring together a range of statutory and voluntary sector agencies comparable to intervention centres.

Marital Rape

Marital rape is not a stand alone offence in England - it is prosecuted under the general rape category of offences. The Crown Prosecution Service does not record the circumstance in which a rape occurs, therefore although there is data on the number of cases of rape which are prosecuted, There is no way – at this time – to know which of those are cases of marital rape.¹⁰⁸

Sexual Harassment

Sexual harassment was criminalized in the Sex Discrimination Act of 1975. Sometimes or in some party of England also other acts may be applied.¹⁰⁹

Anti-Stalking Law

Stalking is defined as criminal offence in England.

106 The Crown Prosecution Service - CPS: <http://www.cps.gov.uk/>, 10.12.2008.

107 Women's Aid England: <http://www.womensaid.org.uk/domestic-violence-survivors-handbook.asp?section=000100010008000100330002>, 10.12.2008.

108 The Crown Prosecution Service - CPS: <http://www.cps.gov.uk/>, 10.12.2008.

109 CoE 2007b: 223.

ESTONIA

Population: 1.342.409

Female inhabitants: 724.164 = 53,94 % of total population

CEDAW ratified: yes (1991)

Optional Protocol of CEDAW ratified: NO

Member of Council of Europe: yes (1993)

Member of European Union: yes (2004)

Facts and Figures

Latest number of femicides yearly: 30-40 women (approx.);

Latest number of DV cases reported by police yearly: no data available - police refused to provide this data to NGOs;

Latest number of DV cases reported by women's shelters yearly: no answer;

Prevalence of DV: 41.000 Estonian women were likely to experience domestic violence in 2006.

Services for Women Victims of Violence

Women's Helplines:

In 2008 the first national helpline offering specified service for women survivors of all kinds of violence (trafficking, domestic violence, etc.) was established in Estonia. Counselling is not just provided in Estonian but also in Russian and English and the service is available 8 hours a day. Clients have to pay the cost of a standard phone call when accessing this service. The national helpline for victims of domestic violence is by 90 % financed by state funding from special taxes.

There are no regional helplines for women victims of violence; however several shelters operate helplines as well such as NGO Women's Shelter in Tartu¹¹⁰ and by the Tallinn Crisis Centre for Women.¹¹¹

110 Womens Shelter in Tartu: <http://www.naistetugi.ee/>, 10.12.2008.

111 Tallinn Crisis Centre for Women: <http://www.naisteabi.ee/index.php>, 10.12.2008.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	1	0	0	1	90% approx.
Regional	0	/	/	/	0%

Women's Shelters:

The first Estonian women shelter was established in 2002. Since then, another 6 shelters were set up offering approximately 40 - 50 places for women victims of violence. The latest one was opened on December 19th, 2008. In order to fulfil the recommendation of European Parliament 100 more family places are needed in Estonia. At least 4 out of 7 women's shelters offer 24 hours service and all of them provide psychological and juridical counselling in Estonian, Russian and English. Many Russian women seek help in Estonian women's shelters. Women's shelters are a safe place for living according to the woman's needs and our resources support women in starting a new life without violence. Estonian shelters are financed by state funding. Thereby 70 % are covered by governmental subsidies and 30 % are allocated by the municipality.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
7	40-50	134	89	4	7	80%

Further Services for Women Victims of Violence:

In Estonia there are no intervention centres for women victims of violence; however, police, social workers, psychologists and therapists receive appropriate specific training on violence against women, prevent and intervention.

National Action Plan

The Estonian government has not drawn up a National Action Plan to combat Violence against Women. No specific funds are allocated at the national, regional or local level of government for activities in tackling violence against women.

ESTONIA

Legal Measures

The legislation does not contain a law which classifies domestic violence, although the Ministry of Social Affairs has been working on this for years.

Protection Law / Protective Measures

There is no specific protection law for violence against women. Women victims are treated as every other victim of crime and are not protected by a barring or eviction order. Since 2006, however, there is a new provision within the Code of Civil Procedure which regulates the application of restriction orders for the protection of personality rights.¹¹² Such restraining orders are enforced through civil procedures. Survivors of domestic violence have the right to get legal support and court accompaniment free of charge which is also put into practice.

Marital Rape

Marital rape is not specifically established by law.

Sexual Harassment

Estonian law does not criminalize sexual harassment as such. In the Penal Code an Article of compelling person to engage in sexual intercourse (more precisely in 1.3 under relevant heading) can be used in relevant cases.¹¹³

Anti-Stalking Law

Estonia has no specific anti-stalking law enforced. It is, though, possible to prosecute stalking under § 137 of the Penal Code which deals with a crime called “unauthorised surveillance”.¹¹⁴

112 CoE 2007a: 151.

113 Ibid.

114 Ibid. p.20f.

FINLAND



Population: 5.276.955

Female inhabitants: 2.693.213 = 51,03 % of total population

CEDAW ratified: yes (1986)

Optional Protocol of CEDAW ratified: yes (2000)

Member of Council of Europe: yes (1989)

Member of European Union: yes (1995)

Facts and Figures

Latest number of femicides yearly: 38 murders (in partnership), 23 murders (in domestic violence) - (2000-2004);

Latest number of DV cases reported by police yearly: 3.195 cases domestic violence against women, 2.153 cases of violence in partnership (2005);

Latest number of DV cases reported by women's shelters yearly: no data available;

Prevalence of DV: violence in a current partnership 19.6 % (2005).

Services for Women Victims of Violence

Women's Helplines:

In Finland there are presently 2 national helplines for women victims of violence: WAVE Focal Point Women's line¹¹⁵ and the Rape Crisis Centre Tukinainen.¹¹⁶ Both offer specified service for survivors of domestic violence. Only one of them offers multi-lingual counselling. Both helplines are free of charge for clients using the service but they do not operate 24 hours a day. The costs for running these services are covered by state funding.

Further, 25 regional helplines operated by local shelters provide counselling for women victims of violence - only 1 of them multi-lingually. Clients have to pay telephone costs of a standard phone call. Some of them are available 24 hours a day. All regional helplines receive state funding mostly allocated by municipalities.

¹¹⁵ Women's line: <http://www.naistenlinja.com/>, 10.12.2008.

¹¹⁶ Rape Crisis Centre Tukinainen: <http://www.tukinainen.fi/>, 10.12.2008.

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Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	2	1	0	1	no answer
Regional	25	0	some	1	no answer

Women's Shelters:

Currently there are approximately 25 women's shelters available for women victims of violence in Finland. This number is difficult to define since there are no unified quality standards for shelters. Most of them provide 24 hour service but only 1 offers multi-lingual counselling. All shelters receive state funding usually from municipalities. According the recommendation of European Parliament Finland still needs 407 more family shelter places. Since Finland is a huge country with a small population, it also has to be considered that shelters also should be established in the less inhabited southern and northern areas.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
25 approx.	120	527	407	most	1	no answer

National Action Plan

Finland has an Action Program called "Prevention of intimate partner and domestic violence 2004 - 2007". NGOs such as WAVE Focal Point "Women's Line"¹¹⁷ were involved in the drawing up of the document. It is aimed to improve a country-wide network of primer and specialized services for women survivors of domestic violence and perpetrators, to increase prevention work and support children and young people witnessing and experience domestic violence, and to offer training for professionals of different fields dealing with violence against women.

117 Women's Line: <http://www.naistenlinja.com>, 10.12.2008.

Upcoming Issues

Besides implementing the National Action Program it is planned to improve the coordination between different services for women victims of violence through intervention centres which are not established yet and to set up more shelter places for women survivors of domestic violence.

Legal Measures

Domestic violence against women is classified as a criminal offence in the Finnish legislation.

Protection Law / Protective Measures

Court accompaniment is available free of charge for all women victims of violence. Also a protection law is established in the legislation. The latter can be carried out by police and by civil court.

In 1999 the criminal law entails restraining orders which in the beginning were designed for cases of harassment by former-spouse or -cohabitant. Since 2005, a restraining order can be issued also for domestic violence cases.^{118 | 119}

Marital Rape

Also marital rape is defined as a criminal offence in the legislation.

While violence against women cases are usually prosecuted except of minor cases, marital rape is still highly tabooed and only prosecuted within the framework of gross violations.

Sexual Harassment

The Finnish Act on Equality between Women and Men defines and prohibits sexual harassment.¹²⁰

Anti-Stalking Law

An anti-stalking law has not yet been developed . Thus stalking can only be prosecuted if other legislative acts are applicable.¹²¹

118 Modena Group on Stalking 2007:22.

119 CoE 2007a: 169.

120 CoE 2007a: 163.

121 Modena Group on Stalking 2007:22.

FRANCE

Population: 63.392.140

Female inhabitants: 32.587.979 = 51,40 % of total population

CEDAW ratified: yes (1983)

Optional Protocol of CEDAW ratified: yes (2000)

Member of Council of Europe: yes (1949)

Member of European Union: yes (1957)

Facts and Figures

Latest number of femicides yearly: 142,4 women (1 woman is killed / 2 - 3 days);

Latest number of DV cases reported by police yearly: no answer;

Latest number of DV cases reported by women's shelters yearly: 30.000;¹²²

Prevalence of DV: study from 2006 - carried out by Ernestine Ronai - focused on violence against young women age 11 – 25 shows that young women have the highest danger of experiencing violence within the family: 30 % of young women have experienced physical violence, 5 % sexual aggression during the last 12 months, a 23 % life prevalence for physical violence was shown and a 30 % life prevalence for sexual violence.

Services for Women Victims of Violence

Women's Helplines:

In France there is 1 national helpline specified to provide service to female and male victims of domestic violence as well as to professionals working with women affected by violence. The first French national helpline for women survivors of violence was established in 1992. In 2007 the number has changed from a 10 digit to a 4 digit code: 3919. Simultaneously, also the name of the organization has changed to 3919. The organization 3919 is run by WAVE Focal Point FNSF - Fédération National Solidarité Femmes.¹²³ Counselling is offered in French, Spanish, English, Arabic and African languages, but not 24 hours a day. In one year about 15.000 incoming calls are answered. Clients pay the costs of standard phone calls when accessing this service. The costs for operating the helplines are covered by state funding.

Further, about 66 regional helplines are available for women victims of violence in France. These telephone services are provided by different associations.

122 This number just contains the cases collected by the network of WAVE Focal Point - Fédération National Solidarité Femmes: <http://perso.orange.fr/solidaritefemmes/federation/partenaires.htm>, 10.12.2008.

123 FNSF - Fédération National Solidarité Femmes: <http://perso.orange.fr/solidaritefemmes/federation/partenaires.htm>, 10.12.2008.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	1	0	0	1	100 %
Regional	66 approx.	no answer	no answer	no answer	no answer

Women's Shelters:

In France there is a need for resources and structures to enable coherent data collection concerning services for women victims of violence. The FNSEF-Network consists of 60 feminist organizations. 30 – 40 of them are women's shelters providing specified services for women victims of violence. Further, there are several more non-specialized shelters offering help to women survivors of violence. Most of them are state shelters. Some of these shelters have adopted similar standards and working strategies as applied by shelters of the FNSF-network. Since there is no nationwide network of women's organization / women's shelters in France, no data are available about the exact number of shelters providing standardized services for women and children affected by domestic violence.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
30 – 40	no data	6.339	no data	no data	no data	no data

National Action Plan

In cooperation with NGOs such as WAVE Focal Point - FNSF - Fédération National Solidarité Femmes the 2nd National Action Plan “triennal pour combattre les violences faites aux femmes”¹²⁴ for 2008 - 2010 was developed and put into force in 2007.

Upcoming Issues

Experts combating domestic violence against women claim a specific law for domestic violence cases which meets the needs of female victims and allows fighting this complex phenomenon in all its different forms. The French government still refuses to establish such a law, denying the argument of NGOs that domestic violence against women is rooted in structures of society and is based on deeply embedded patriarchal values which cause an inequality between women and men. The government does not consider domestic violence against women as a specific form of violence. Moreover domestic violence

124 Ministre du travail, des relations sociales, de la famille et de la solidarité: http://www.travail-solidarite.gouv.fr/IMG/pdf/Plan_VL.pdf, 10.12.2008.

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is reduced as a crime caused by psychological problems of perpetrator and victim. For this reason a medical proof (physical and psychotically) is claimed in most domestic violence cases which are often degrading for women victims. French society is not aware about the dimension of problems caused by violence against women. This further proves a lack of awareness raising activities to sensitise French society towards this issue.

NGOs further address the situation of children experiencing violence directed towards their mothers. They are perceived as victims of domestic violence who need specific protection by a new domestic violence law - e.g.: according to the current French legislation, fathers violating their wives can stay with their children. NGOs claim a change in this issue.

Legal Measures

Domestic violence against women is not classified as a criminal offence in French legislation as there is no specific law that supports women victims of violence. Cases of domestic violence are proceeding through general law however. Penalties are harsher when violence takes place within the family or occurs in a relationship between man and woman. There are several cases in France of women killed by their husbands although they had contacted the police before. Women are not taken seriously when contacting police, which proves that these laws are not prosecuted well.¹²⁵

Protection Law / Protective Measures

banning order

In 2006 France has implemented a protection law which can be applied to married women only, thus it is not prosecuted often. The French protection law can be carried out by police if a victim shares a household with the perpetrator who puts her in acute danger. In case of a divorce, procedures can be carried out by the court. If the legal trial does not start within 5 months the perpetrator has the right to return to the common flat. This puts women victims in a very unsafe situation. For this reason women do not draw on this law.

The French legislation does not contain a law which guarantees women survivors of violence free court accompaniment. Depending on the financial situation of a woman victim legal costs have to be covered by herself. Sometimes victims get free legal support for trial however there is no support for women when they report their case to the police.

Marital Rape

Marital rape is established as a criminal offence in French legislation but marital rape is highly tabooed, so women rarely report such crime to police.

Sexual Harassment

There is some legal provision concerning sexual harassment and morality at the workplace.¹²⁶

Anti-Stalking Law

Women in France are not protected by any anti-stalking law.

125 Amnesty International: Violence against Women in France - an Affair of the State, AI Index: EUR 21/001/2006; February 2006: <http://www.amnesty.org/en/library/asset/EUR21/001/2006/en/dom-EUR210012006en.pdf>, 10.12.2008.

126 Modena Group on Stalking 2007: 23.

GEORGIA

Population: 4.394.702

Female inhabitants: 2.315.157 = 52,68 % of total population

CEDAW ratified: yes (1994)

Optional Protocol of CEDAW ratified: yes (2002)

Member of Council of Europe: yes (1999)

Member of European Union: no

In 2008 the transcontinental country Georgia, partially located in Eastern Europe and partially in South-western Asia, was stricken by war - the worst form of crime. Women are hit worse in war and so we identify with all the women in Georgia and especially with our Focal Point members from "Women's Information Centre - Tbilisi" who have not stopped tackling violence against women. Since they are focusing on supporting women affected by violence they did not have resources to provide latest data for the WAVE country report. For this reason the report is based on the following source: website of "Stop Violence Against Women" - a project by The Advocacies of Human Rights,¹²⁷ Amnesty International Report 2008, and the Fact Sheet on Domestic Violence in Georgia 2006.

Facts and Figures

Latest number of femicides yearly: no answer;

Latest number of DV cases reported by police yearly: 271 restrictive (emergency) orders were requested in Tbilisi and other regions from September 2006 to June 2007, as reported by the police, prosecutors and city courts. 244 of these were granted by the courts. Most of the violence was psychological, followed by physical. 224 of the victims were women and 34 were men;¹²⁸

Latest number of DV cases reported by women's shelters yearly: no answer;

Prevalence of DV: no answer.

Services for Women Victims of Violence

Women's Helplines:

Although numerous hotlines exist in Georgia to provide social and legal services for victims of violence, there are no special hotlines focusing on women victims.

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¹²⁷ Stop Violence against Women: <http://www.stopvaw.org/Georgia.html>, 10.12.2008.

¹²⁸ Georgian Young Lawyers Association Issues Monitoring Report on Domestic Violence Law: Stop Violence Against Women - a project by The Advocacies of Human Rights: <http://www.stopvaw.org/Georgia.html>, 10.12.2008.

GEORGIA



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	1	0	0	0	0 %
Regional	1	0	0	0	0 %

Women's Shelters:

In Georgia, there is 1 shelter for victims of domestic violence and 1 shelter for victims of trafficking. Both of these shelters are funded by international organizations. There are by far not enough shelters for women escaping domestic violence, and some measures to protect women from violence were delayed. The authorities failed to implement some important steps of the May 2006 "Law on Domestic Violence", for example issuing protection and restraining orders, but some key provisions were not implemented swiftly or fully. The number of shelters was insufficient and the government did not provide financial support for shelters run by NGOs. The Action Plan on "Measures to Prevent and Combat Domestic Violence (2007-2008)" appeared to further delay the setting up of shelters. In order to fulfil the recommendation of European Parliament, 429 more family shelter places need to be established in Georgia.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
1	10	439	429	no answer	no answer	0 %

National Action Plan

In February 2008 the President of Georgia signed the "Action Plan of Combating Violence against Women 2000 - 2002".¹²⁹ The three-year plan failed to provide a clear assignment of authority and competence for its implementation. Funds were not earmarked for the concrete tasks of the plan and no reports have been prepared regarding the plan's implementation. An "Action Plan on Measures to Prevent and Combat Domestic Violence (2007-2008)" was approved late.

129 Action Plan of Combating Violence Against Women 2000-2002.

Legal Measures

In 2006, the “Law of Georgia on Elimination of Domestic Violence, Protection of and Support to Its Victims”¹³⁰ was adopted. The law defines domestic violence against women and highlights the need for providing social services and shelter for victims, orders for protection, child safety, prevention programs, and outlines police duties, among other provisions.

Protection Law / Protective Measures

The restrictive and protective orders include: separation of the perpetrator from the victim’s house; separation of the victim and his or her dependent children from the perpetrator and their placement in a shelter; an obligation imposed on the perpetrator not to restrict the victim in using his or her personal belongings; and an obligation imposed on the perpetrator to keep a distance from the victim, his or her workplace and other places where the victim is present. Violations of these acts are criminal offences and are subject to criminal liability. There are no special provisions in the civil or family laws for cases of violence against women, including domestic violence. In Georgia, women survivors of violence do not have the right to apply for court accompaniment free of charge.

Marital Rape

The criminal legislation of Georgia makes no distinction between rape committed in marriage and rape, as such.¹³¹ According to a shadow report to CEDAW, marital rape is “hidden crime”.¹³²

Sexual Harassment

In an amendment of the Criminal Code in 2006, provisions for criminal prosecution in cases of “professional harassment” which include sexual harassment were introduced.¹³³

Anti-Stalking Law

Women in Georgia are not protected by an anti-stalking law.

130 Law of Georgia on Elimination of Domestic Violence, Protection of and Support to Its Victims: http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/Georgia_DV_Law_Addendum.doc, 10.12.2008.

131 CoE 2007a: 186.

132 Young Lawyers’ Association (GYLA) and World Organisation Against Torture (OMCT): Violence against Women in Georgia. Report submitted on the occasion of the 36th session of the UN Committee on the Elimination of Discrimination against Women, New York, August 2006: http://www.omct.org/pdf/VAW/2006/CEDAW_36th/CEDAW36_VAW_in_Georgia_en.pdf, 10.12.2008.

133 Ibid: 18f.

GERMANY

Population: 82.314.906

Female inhabitants: 42.013.740 = 51,04 % of total population

CEDAW ratified: yes (1985)

Optional Protocol of CEDAW ratified: yes (2002)

Member of Council of Europe: yes (1995)

Member of European Union: yes (1957)

Facts and Figures

Latest number of femicides yearly: no data available; there is no national data collection caused besides others due to the lack of an uniform definition of domestic violence in Germany;

Latest number of DV cases reported by police yearly: no data available; the Bundeskriminalamt is responsible for data collection in Germany. The analysis is based on the criminal acts as they are defined in the criminal law. Domestic violence is not specifically classified as a criminal offence. Since there are different criminal acts which emerge in domestic violence cases there is no number of domestic violence cases available;¹³⁴

Latest number of DV cases reported by women's shelters yearly: no data available;

Prevalence of DV: 25 % of German women are likely to experience domestic violence.

Services for Women Victims of Violence

Women's Helplines:

In Germany there is no national helpline for women survivors of violence, however it is formulated as a wish in the National Action Plan to implement one. On the federal state level there are 3 helplines for women and their children affected by domestic violence: 1 in Berlin, 1 in Hamburg, and 1 in Schleswig Holstein. They are financed through state funding (federal state), and donations. Not all 3 of them offer 24 hour service. If necessary an interpreter enables communication with women who do not speak German language properly.

Further, women's shelters and women counselling centres operate about 74 regional helplines for women victims of violence. The services provided by them to women survivors of violence vary a lot, mostly depending on the financial situation of the organisations. For this reason it is difficult to give precise information about the quality standards. Fostering a uniformed statistical data collection is highly recommended.

134 Bundeskriminalamt, 13.10.2008.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	0	/	/	/	0 %
Regional	74 approx.	no answer	no answer	no answer	no answer

Women's Shelters:

In 1976 the first German women's shelters were established in West-Berlin and in Cologne. According to the latest survey carried out by Frauenhaus Koordinierung - Der paritätische Gesamtverband e.V. in 2008 there are 358 women's shelters offering 6.968 places for women and children affected by domestic violence in Germany.¹³⁵ The survey "More than a Roof over your Head"¹³⁶ carried out by WAVE co-ordination office clearly shows the reduction of women shelter places within the last years caused by financial bottlenecks. In 2002 approximately 8.789 shelter places were available for women and children in 440 refuges in Germany. - 82 shelter places more than in 2008. In order to fulfil the recommendation of the European Parliament, Germany has to increase the number of shelter places up to 8.231 which means 1.263 more shelter places are needed. Most of German women's shelters are organised in 2 different umbrella organisations: the autonomous women's shelters are part of German WAVE Focal Point "Zentrale Informationsstelle - ZIF"¹³⁷ and also join so called Landesgemeinschaften (LAGs) on the federal state level, while most of the remaining shelters are assembled in the German WAVE Focal Point "Frauenhauskoordinierung e.V."¹³⁸

The models of service offered by German women's shelters differ in terms of maintenance of the telephone service regarding opening hours (e.g.: professional counselling during daytime; during night just telephone counselling), counselling and also in terms of funding strategies. However, all shelters can be contacted by phone 24 hours. 75 % of German women's shelters provide multilingual counselling at least in 1 foreign language offered in 16 different languages¹³⁹ depending on fluctuation of language qualification of employees. Many shelters also work with an interpreter if translation is needed.

There are also huge differences among models of financing: most shelters receive state funding from different political levels but additionally do fundraising activities such as participating in international projects, donations, etc. German women's organisations working in the field of violence against women claim a nationwide binding agreement on women's shelter funding by the German Government. The latter shifts responsibility from a national to a federal state level. Only three German federal states have allocated specific funds for women refuges. In the 13 remaining federal states the financing of women's shelters is covered by different shares of subvention from federal states, municipalities and day's rate (Tagesfinanzierung). These financial backings are often insufficient and for this reason many German women's organisations supporting women survivors of domestic violence are strongly dependent on donations and other fundraising activities. Another problem is caused by the so called "day's rate

135 Frauenhauskoordinierung e.V.: <http://www.frauenhauskoordinierung.de/>, 10.12.2008. Study available: Der Paritätische Gesamtverband: [http://www.infothek.paritaet.org/fhk/dokumente.nsf/f20d9b99c51b11c2c1256eb70034f23e/514a1304242ec278c12574d3004db8de/\\$FILE/FHKAntwortFragebogen.pdf](http://www.infothek.paritaet.org/fhk/dokumente.nsf/f20d9b99c51b11c2c1256eb70034f23e/514a1304242ec278c12574d3004db8de/$FILE/FHKAntwortFragebogen.pdf), 10.12.2008.

136 WAVE co-ordination: More than a Roof over your Head: <http://www.wave-network.org/start.asp?ID=19>, 10.12.2008.

137 Zentrale Informationsstelle - ZIF: <http://www.autonome-frauenhaeuser-zif.de/zif.htm>, 10.12.2008.

138 Frauenhauskoordinierung e.V.: <http://www.frauenhauskoordinierung.de/>, 10.12.2008.

139 Data from Frauenhauskoordinierung e.V.: 64,7 % of German women's shelter offer counselling in English, 24,2 % in French, 17,2 % in Russian, 11,1 % in Polish, 9,4 % Turkey, 8,3 % Spanish, 5 % Italian, 2,5 % Persian, 2 % Arabic, 1,4 % Kurdish, 1,4 % Croatian, 1,1 % Greek, 1,1 % Portuguese, and 1 % Czech, Swedish und Dutch.

GERMANY

financing" (Tagessatzfinanzierung): it is based on individual legal rights of women according to different social contribution laws through which the federal states cover the daily costs of a woman accommodated in a women's shelter. However, there are several groups of women who are not entitled to apply for these social security benefits. If these women are hosted in a women's shelter a funding gap occurs for women's shelters.

Further, several federal states and municipalities do not perceive women's protection as their obligation but as ex-gratia payment. Nonbinding regulations put women's organizations in a financially awkward state. Cost coverage is often not achieved. Financing is usually accompanied by massive bureaucratic efforts. Planning security is ungraded. As the decreased number of women's shelters is depicted in Germany, many women's support services reasonably fear for their continued existence. For 32 years the German women's shelter movement has been fighting for a unified, unbureaucratic financing which enables all women the access to women's shelters without any restrictions. The current discussion on shelter financing can be found at the website "Frauenhauskoordinierung e.V."¹⁴⁰

Women's helplines as well as women's counselling centres in Germany face the same financial problem as briefly described here for women's shelters.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
358	6.968	8.231	1353	358	75	no answer

Further Services for Women Victims of Violence:

11 out the 16 federal states of Germany run Intervention Projects which coordinate services of all different expert groups dealing with women victims of domestic violence and offer active counselling. In contrast, Austrian intervention centres combine coordination of professionals with proactive counselling work. The total number of intervention centres in Germany is 83.

National Action Plan

In cooperation with NGOs such as WAVE Focal Point - "BIG e.V. - Berliner Interventionsprojekt gegen häusliche Gewalt"¹⁴¹ - Germany has developed the 2nd National Action Plan "Aktionsplan II der Bundesregierung zur Bekämpfung von Gewalt gegen Frauen"¹⁴² in 2007.

140 Frauenhauskoordinierung e.V.: <http://www.frauenhauskoordinierung.de/>, 10.12.2008. See menu item "Aktuelles".

141 BIG e.V. - Berliner Interventionsprojekt gegen häusliche Gewalt: <http://www.big-interventionszentrale.de>, 10.12.2008.

142 Bundesministerium für Familie, Senioren, Frauen und Jugend: Aktionsplan II der Bundesregierung zur Bekämpfung von Gewalt gegen Frauen: <http://www.bmfsfj.de/bmfsfj/generator/Kategorien/Publikationen/Publikationen,did=100962.html>, 10.12.2008.

Upcoming Issues

Although a positive development is recognisable on the national level (legislation, action plan) a stagnation or regression is visible in certain federal states of Germany regarding allocation of budget or implementation of concrete measures. It is planned to allocate budget on a national level to realise important activities for victims of domestic violence. As in other European countries, there is an ongoing discussion about special services for specific target groups of survivors of domestic violence such as migrant women and women with disabilities also in Germany.

The German CEDAW shadow report "Alternativbericht der Allianz von Frauenorganisationen Deutschlands"¹⁴³ was released on October 15th 2008.

Legal Measures

Domestic violence against women is classified as a criminal offence in Germany but it is regulated differently in the legislation of each federal state.

Protection Law / Protective Measures

As part of the protection law¹⁴⁴ police are enabled to apply the eviction and barring order which hinders the perpetrator of accessing the common place of living. Since German society is more sensitized regarding violence against women, the number of implementations of the protection law has increased. Court accompaniment free of charge for survivors of domestic violence is not implemented in the law. However, a petition can be filled in and, depending on the financial situation of the survivor, legal costs are covered by the state.

Marital Rape

In 1997 the exception clause § 177 in the Criminal Code was annulled and equated the penalization of marital rape with rape. Marital rape is treated as an official criminal act and is automatically charged by the district attorney's office. Both legal regulations of domestic violence cases and of marital rape are prosecuted in Germany.

Sexual Harassment

Sexual harassment at the workplace is defined as discrimination and prohibited under the General Equal Treatment Act.¹⁴⁵

Anti-Stalking Law

Germany has an anti-stalking law¹⁴⁶ which came into force in 2007.

143 Alternativbericht der Allianz von Frauenorganisationen Deutschlands: United Nations Human Rights: http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/AGWO_ger.pdf, 10.12.2008.

144 Gesetz zum zivilrechtlichen Schutz vor Gewalttaten und Nachstellungen, Bundesministerium der Justiz: <http://bundesrecht.juris.de/gewschg/BJNR351310001.html>, 10.12.2008.

145 CoE 2007a: 194.

146 Anti-Stalking Gesetz - Gesetz zur Strafbarkeit beharrlicher Nachstellungen, e-juristen.de: <http://www.e-juristen.de/Rechtsauskunft/Stalking-Stalkinggesetz/>, 10.12.2008.

GREECE

Population: 11.171.740¹⁴⁷

Female inhabitants: 5.639.693¹⁴⁸ = 50,48 % of total population

CEDAW ratified: yes (1983)

Optional Protocol of CEDAW ratified: yes (2002)

Member of Council of Europe: yes (1949)

Member of European Union: yes (1981)

Facts and Figures

Latest number of femicides yearly: no data available,¹⁴⁹

Latest number of DV cases reported by police yearly: no data available,¹⁵⁰

Latest number of DV cases reported by women's shelters yearly: no data available;

Prevalence of DV: reliable data are not available. The 1st and only epidemiological survey conducted in Greece¹⁵¹ resulted in such small numbers (e.g. 3.6% and 3.5% for physical and sexual abuse, respectively) as to suggest the assumption that either the measurement was unreliable or domestic violence is still a taboo issue for Greek society. Further, there is no routine screening for IPV (or other type of screening) in any of the hospitals or other health care setting in Greece.

Services for Women Victims of Violence

Women's Helplines:

In Greece there are 4 national helplines available for women victims of violence: there are 2 national helplines providing specified service to women victims of violence. One of them is funded by the church and offers counselling in Greek language free of charge for clients applying the service. The second national helpline for women victims of violence is operated by an NGO offering multi-lingual counselling. It is funded by various sources and depending on the financial situation service is provided 6 hours a day. The phone call is free of charge but only if clients do not call from a mobile phone.

Further, there are 2 other national helplines which can also be contacted by women victims of violence. One of them is available for all citizens with all kinds of problems including women victims of violence. It is free of charge for clients calling the helpline and counselling is provided 24 hours a day but not multi-lingually. It is 100% financed by the Ministry of Health. The second helpline is also free of charge and available 24 hours a day, offering specified counselling for children victims of abuse and women victims of violence if accompanied by children. This helpline is operated by an NGO and financed through a combination of various sources.

147 Official projection for 2007. Official Census of 2001: 10.964.020.

148 This is the official projection for 2007. Official Census of 2001: 5.536.338.

149 There are available some data concerning prisoners convicted for homicide but the gender of the victim or the relationship they had with the victim is not known.

150 Police supposedly records the cases but they do not publish the data.

151 Research Centre for Gender Equality, 2003.

Further 4 regional helplines provide help to women victims of violence free of charge. One of them (the helpline in Ioannina) is specialized in women victims of abuse. Except for the helpline in Arta-Syros, which is funded by the Women's Department of PASOKs¹⁵² Prefecture's Committee, all other regional helplines are operated by NGOs and financed through various sources. They are not available for their clients 24 hours a day and counselling is only provided in Greek.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	4	4	2	1	1 = 100 %
Regional	4	4	0	0	1 = 100 %

Women's Shelters:

In Greece there are 13 refuges, whereby 9 of them are state funded: 8 by the Ministry of Health and 1 by the Ministry of Interior (General Secretariat for Gender Equality) and by the municipality of Athens. The rest are run by NGO's and the Church. But their regime of functioning is still very unstable, mainly due to funding reasons. Exact data regarding shelter places for women victims of violence are only obtainable for the shelter funded by the Ministry of the Interior, which provides a total of 10 places for women with children. Considering the recommendation given by the European Parliament, 1.117 shelter places are needed in Greece. Out of the 14 Greek women's shelters existing, currently 1-2 of them are not exactly shelters for women survivors of domestic violence. They are rather for homeless people but they also accept abused women with children. There is no Greek women's shelter offering multi-lingual counselling. Due to the high rate of immigration, (Albanian, Bulgaria, Romania, former Soviet Union, Pakistan, India) this is a huge default.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
14	no data	1.117	no data	no data	0	9 = 100 %

152 PASOK: Greek Socialists Political Party.

GREECE

Further Services for Women Victims of Violence:

In Greece there are no intervention centres supporting women victims with proactive - multi-agency service, but there are 32 counselling centres which also officially support women victims of violence. Many of them are part of the social services of some Greek municipalities. The majority of services at this level lack solid financial resources. It is neither assured if they provide specialized and appropriate services to women survivors of domestic victims nor if they fulfil the quality standards necessary for doing so.

When Law 3500 was put into force, many discussions were made regarding the mediation procedure included in the Articles 11-14: if agreed by both, the victim and the perpetrator, the perpetrator has the opportunity to attend a counselling/treatment program for perpetrators instead of trial. In Greece no institution is specialized in batterers' treatment. So, the domestic violence district attorneys are constantly looking for settings that will accept this "task". Only a few settings accept the court's orders, which are also totally unspecialized. It is important to stress the fact that the government makes an agreement with the DA's that in order to undertake the court's order, both the victim and the perpetrator should attend therapy; here they use couple counselling, with all the negative consequences this could have for the victim.

There has also been a lot of discussion regarding training of health care professionals in order to be able to conduct screening, assessment and documentation of domestic violence cases in the course of their everyday practice. Unfortunately, the discussion begins and ends as an initiative of some Greek NGO's.

National Action Plan

Even though there are reports for the European Commission mentioning that Greece has an Action Plan against Domestic Violence,¹⁵³ except for one announcement made by the Minister of Interior, neither an Action Plan has been worked out, nor priorities or targets to be fulfilled. With Law 3500 (in 2006) the announcement of its establishment is once again repeated; however, a National Action Plan has never been put into effect.

Legal Measures

The law for "Combating Domestic Violence and other Articles" (No 3500) has been valid since January 2007. It includes provisions which treat domestic violence as a crime.

Protection Law / Protective Measures

Articles 15 and 18 of the Law No 3500 contain a protection order against the perpetrator which can be carried out by civil or criminal court. As reported by the WAVE partner organization "European Anti-Violence Network", many women are not aware of this possibility so the protection order is rarely implemented.

In Greece, free court accompaniment - meaning free legal advice and solicitor - is available for women survivors of domestic violence. Until February 2004, women victims of domestic violence were provided free legal advice and support (specialized solicitor) by the governmental agency for abused women.¹⁵⁴ In 2004, the Law No 3226 was introduced, based on which the Greek Lawyers' Association is obliged to provide free legal assistance to citizens of the EU MS with low income and, under specific conditions, to

153 E.g. in the "Combating violence against women: Stocktaking study on the measures and actions taken in Council of Europe member States" prepared in 2006 by Prof. Dr. Carol Hagemann-White.

154 The Consultation Centers for women victims of abuse of the General Secretariat for Gender Equality-only in Athens and Piraeus, the capital and the port of the capital of Greece.

immigrants living in Greece. There is a special provision (Article 22 / Law 3500), that domestic violence victims can apply for the benefits of this law, independently of their income. However, free legal advice and solicitor are hardly ever provided. The process to obtain free legal assistance is so bureaucratically complicated that even professionals give up the effort and try to find different solutions. Victims are not informed about this service and even the district attorneys are not aware that women victims of violence are entitled to this service without being low income citizens. Except for the huge bureaucracy, a victim has to go through these laws by herself; the lawyers assigned by the secretary of the court have refused one after another to undertake the case, on the grounds of various excuses. Then the victim has to pursue the next attorney that will be assigned to her, and so on. In addition to that not all lawyers are specialized in domestic violence laws, so the result of the trial is not guaranteed. Further, a documentation of domestic cases is nonexistent in Greek hospitals.

To sum up one could say: Law 3500/2006 indeed regulates issues concerning domestic violence against women, but it is not satisfactory because it does not fulfil the requirements for the confrontation with the phenomenon of domestic violence against women. Besides the positive steps and the voting of the Law, which has some negative features, the General Secretariat for Gender Equality, the Research Centre for Gender Equality (KETHI) and the competent Ministries have not yet done what they should do.¹⁵⁵

Marital Rape

Rape in marriage is criminalized in the Greek domestic violence law of 2007 (Article 8).¹⁵⁶

Sexual Harassment

With the law on the “Implementation of the principle of equal treatment of men and women” (3488/2006), sexual harassment in the workplace was defined as discrimination on the basis of gender. It can be prosecuted through civic, administrative, disciplinary or criminal punitive measures.¹⁵⁷

Anti-Stalking Law

Greece does not yet have a specific anti-stalking law. Stalking thus can only be charged if it consists of behaviour prosecutable under other laws. Also civil law provisions can be applied in stalking cases, i.e. protection orders.¹⁵⁸

155 Alexia Tsouni

156 CoE 2007a: 204.

157 CoE 2007a: 202.

158 Modena Group on Stalking 2007: 91f.

HUNGARY

Population: 10.066.158

Female inhabitants: 5.287.080

CEDAW ratified: yes (1980)

Optional Protocol of CEDAW ratified: yes (2000)

Member of Council of Europe: yes (1990)

Member of European Union: yes (2004)

Facts and Figures

Latest number of femicides yearly: in 2006, men committed 75 homicides and 1.879 physical assaults against women;¹⁵⁹

Latest number of DV cases reported by police yearly: no data available;

Latest number of DV cases reported by women's shelters yearly: no data available;

Prevalence of DV: every 5th Hungarian woman experiences physical violence in her lifetime. There are no data available for other forms of domestic violence.

Services for Women Victims of Violence

Women's Helplines:

In Hungary there are 2 national helplines providing help to women victims of violence: 1 is operated by an NGO offering professional multilingual service in Czech, German, English free of charge to women survivors of any form of violence - mostly domestic violence. It is available 16 hours a day and financed by the state, by international donations, and 1 % of the total costs is covered by the telecommunication company T-COM.

The second national helpline is state operated and 100 % financed through state funding. It offers specialized services to women victims of violence 24hours a day in several languages (German, English) and free of charge.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	2	2	1	2	1 = 100 %
Regional	0	/	/	/	0 %

¹⁵⁹ According to police statistics for 2006.

Women's Shelters:

Actually there are no women's shelters in Hungary, since clients accommodated in shelters are typically couples. Currently shelters are not only accessible to women but also to men. These 10 women's shelters - 9 crisis shelters and 1 super confidential shelter - mentioned in the table below follow to some extent the international quality standards applying to services for women survivors of domestic violence but they do not fulfil all important ones. For example, approximately 75 % of all social workers employed in shelters have not attended gender-based violence training and do not apply a gender-based approach. However, in contrast to the 108 so called "family shelters" these 10 women's shelters also accommodate abused women who do not have children or keep the shelter address secret from the perpetrator even if women and their children are hosted. Women can only stay there for 30 days. Later they either have to find a place by themselves or they get a place in a "family shelter". In 2007, 1.367 women and 8 men were accommodated in these 10 shelters. By the end of 2008, 2 more crisis shelters will be available for victims of domestic violence.

60% of the clients hosted in the 108 "family shelters/homes" are victims of domestic violence. The family shelters are 100 % state funded (Ministry of Social Affairs and Labour).



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
10 approx.	100 approx.	1.006	906	no answer	no answer	no answer

National Action Plan

Hungary does not yet have a National Action Plan combating domestic violence against women, however, in cooperation with WAVE Focal Point "NaNE - Women's Rights Association"¹⁶⁰ - it is planned to start drafting one by September 2008.

160 NaNE: <http://www.nane.hu>, 10.12.2008.

HUNGARY

Legal Measures

Domestic violence against women is not classified as a criminal act in Hungarian legislation. Domestic violence cases are handled based on one or more of the existing paragraphs of the present criminal code - physical assault, restriction of freedom of movement, etc. The lack of a specific paragraph is a huge obstacle in supporting survivors of domestic violence and combating it.

Protection Law / Protective Measures

Also the existing restraining order which was implemented in 2006 is highly questioned and criticized as useless by NGOs working in the field of violence against women since these paragraphs (part of Code of Criminal Procedure) do not meet the needs of survivors of domestic violence. This protection law can only be carried out by the criminal court. It is a procedural law without deadlines for the court to act upon a request, limiting the restraining of the perpetrator to stay away for a period of 10 to 30 days (minimum/maximum), only if there is a criminal procedure against the perpetrator, and only if he/she is accused already.¹⁶¹ Victims of domestic violence do not have the right to apply for free court accompaniment.

Marital Rape

Marital rape is a criminal offence but only theoretically as it is hardly ever prosecuted.

Sexual Harassment

There is no definition or prohibition of sexual harassment in the workplace in Hungarian Criminal Code.¹⁶²

Anti-Stalking Law

There is an anti-stalking paragraph established in the criminal code called “harassment” since January 2008. Regarding to WAVE Focal Point NaNE - this law is difficult to apply for domestic violence cases: it only pertains to ex-partners / spouses; otherwise it is a general law. As yet, only a few cases have been prosecuted.

161 For more information on the restraining order in Hungary, see Website of the Women’s Rights Association Nane: http://www.nane.hu/egyesulet/mediafigyelem/restrainingorder_criticism_Jul2006.pdf, 10.12.2008.

162 Stop Violence against Women: <http://www.stopvaw.org/Hungary.html>, 10.12. 2008.

ICELAND

Population: 307.672

Female inhabitants: 151.096 = 49,11 % of total population

CEDAW ratified: yes (1985)

Optional Protocol of CEDAW ratified: yes (2001)

Member of Council of Europe: yes (1950)

Member of European Union: no

Facts and Figures

Latest number of femicides yearly: 1 in 2004, none since;

Latest number of DV cases reported by police yearly: 15 % of women visiting the Wio.;

Latest number of DV cases reported by women's shelters yearly: every year around 0,25 % of the female population visits the women's shelter;

Prevalence of DV: no answer.

Services for Women Victims of Violence

Women's Helplines:

The first women's helpline was established in 1982. In Iceland there are 2 national helplines providing service free of charge to women survivors of violence. Only 1 is available 24 hours a day, 365 days a year for clients searching for help. Counselling is not provided multilingually. This is only offered by the Multicultural Centre which is not specifically for victims of domestic violence. The second one offers its services 10 hours a day. Both helplines are 75 % state funded. Further, there are no regional helplines specified to serve women victims of violence.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	2	2	1	0	75 %
Regional	0	/	/	/	0 %

ICELAND

Women's Shelters:

The first and only women's shelter in Iceland was opened in 1982. It provides 20 places for women victims of violence, and multilingual service is available 24 hours a day 356 days a year. Also the women's shelter is funded by the state covering 75 % of total costs. According to the recommendation of European Parliament there are still 10 more shelter places needed in Iceland.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
1	20	30	10	1	1	75 %

Further Services for Women Victims of Violence:

Besides shelters and helplines there are several counselling centres for women survivors of violence such as: Stígamót, a counselling and information centre for victims of sexual violence, the Women's Counselling, providing free legal and social work advice for women, and the Intercultural Centre, offering free legal and general advice for immigrants in their own language.

National Action Plan

The latest and 1st "National Plan of Action to Deal with Domestic Violence and Sexual Violence"¹⁶³ was issued in 2006. NGOs such as representatives of the two women's shelters Stígamót and WAVE Focal Point Kvennaathvarfið¹⁶⁴ took part in the development of the Action Plan and many NGOs' suggestions were adopted. The downside is that there is really no funding allotted to most of the actions that shall be taken.

163 Plan of Action to deal with domestic violence and sexual violence: http://www.felagsmalaraduneyti.is/media/acrobat-enskar_sidur/Plan_of_Action_to_deal_with_Domestic_and_Sexual_Violence.pdf, 10.12.2008.

164 Kvennaathvarfið: <http://www.kvennaathvarf.is>, 10.12.2008.

Legal Measures

Domestic violence against women is classified as a criminal offence in Iceland. A new law on gender equality also includes paragraphs on gender based violence. Once again a bill on the Austrian model was not passed this year. Very few domestic violence cases are prosecuted for various reasons. One of the main issues is the burden of proof and which factors are seen to be relevant for obtaining a criminal sentence.

Protection Law / Protective Measures

In order to protect survivors of domestic violence, it is possible by law to file for a restraining order in stalking cases as well as cases involving domestic violence or other persecution, but obtaining one is EXTREMELY difficult. Court accompaniment is freely available for some victims of sexual violence but not for women affected by domestic violence.

Marital Rape

Marital rape is a criminal offence in the legislation. It has been prosecuted in only very few instances. There are hardly any cases involving co-habitants where the man was sentenced.

Sexual Harassment

Sexual harassment is dealt with in Articles 17 and 25 and 26 of the 2000 “Act on the Equal Status and Equal Rights of Women and Men”¹⁶⁵ of Iceland.

Sexual harassment is punishable by fines but the law apparently has not been effectively enforced.¹⁶⁶

Anti-Stalking Law

Stalking is punishable by law but very few cases are brought before the courts.

165 English translation of the Act at: International Womens Rights Action Watch – Asia Pacific:
http://www.iwraw-ap.org/resources/pdf/GE_Iceland1.PDF, 10.12.2008.

166 U.S. Department of State: <http://www.state.gov/g/drl/rls/hrrpt/2007/100564.htm>, 10.12.2008.

IRELAND

Population: 4.314.634

Female inhabitants: 2.157.669 = 50 % of total population

CEDAW ratified: yes (1985)

Optional Protocol of CEDAW ratified: yes (2000)

Member of Council of Europe: yes (1949)

Member of European Union: yes (1973)

Facts and Figures

Latest number of femicides yearly: 12 women;

Latest number of DV cases reported by police yearly: no data available; regarding stats on breaches of orders there were 1180 cases recorded in 2006;

Latest number of DV cases reported by women's shelters yearly: 1.952 women admitted to refuges, 2.985 children admitted to refuges, 34.385 helpline calls nationally, and more than 5000 women accessed domestic violence services in 2006;

Prevalence of DV: regarding a research carried out by the National Crime Council, 1 in 7 women have experienced severely abusive behaviour of a physical, sexual or emotional nature from a partner at some time in their lives; 1 woman in 11 has experienced severe physical abuse in a relationship. The survey estimates that 213.000 women in Ireland have been severely abused by a partner. Women's Aid own research in 1995 found that 15% of women who had ever been in an intimate relationship had experience domestic violence by a current or former partner.

Services for Women Victims of Violence

Women's Helplines:

In 1994 the first Irish Women's Helpline was established in Dublin. In Ireland 2 national helplines provide help for women survivors of violence. 1 of them is located in Northern Ireland which can be contacted 24 hours a day while the second one is located in Dublin and run by Irish Women's Aid.¹⁶⁷ The latter is currently available 12 hours a day every day except Christmas Day. Both are free of charge for women using this service and 85% financed by state funding.

Further, there are approximately 38 regional helplines for women victims of violence operated by other domestic violence support services such as counselling centres.

¹⁶⁷ Womens Aid: <http://www.womensaid.ie/>, 10.12.2008.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	2	2	1	no answer	85 %
Regional	38 approx.	no answer	no answer	no answer	no answer

Women's Shelters:

In 1986 the Rathmines Refuge was opened as the first custom built women's refuge in Ireland.¹⁶⁸ According to the Website of the National Network of Women's Refuges and Support Service,¹⁶⁹ as of October 2008 there are about 21 shelters available for women survivors of domestic violence and their children, offering an approximate capacity of 300 shelter places. In order to meet the recommendation of the European Parliament, 131 family shelter places are still needed. Most shelters provide their services 24 hours a day, 365 days a year.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
21 approx.	300 approx.	431	131	most	no answer	no answer

Further Services for Women Victims of Violence:

About 15 domestic violence support services provide help for women and children affected by violence. A general overview of all these services can be found at: The National Network of Women's Refuges and Support Service.¹⁷⁰

National Action Plan

Currently in Ireland, a Strategic Plan is being developed by COSC, the National Office for the Prevention of Domestic, Sexual and Gender-based Violence.

¹⁶⁸ Womens Aid: <http://www.womensaid.ie/pages/home/TWENTY/milestones.HTM>, 10.12.2008.

¹⁶⁹ National Network of Women's Refuges and Support Service: http://www.nnwrss.ie/current_members.htm, 10.12.2008.

¹⁷⁰ The National Network of Women's Refuges and Support Service: http://www.nnwrss.ie/current_members.htm, 10.12.2008.

Legal Measures

Domestic violence is classified as a criminal offence in Domestic Violence Amendment - Act 2002 of the Irish legislation¹⁷¹ and is also prosecuted. The law itself has never been amended since its enforcement in 1996.¹⁷²

Protection Law / Protective Measures

There are 4 main kinds of protection available for survivors of domestic violence from the courts: (1) a protection order as temporary safety order. A court may make this order when a person applies for a safety- and / or barring order. A protection order only lasts until the full court hearing of the application for a safety or barring order. (2) a safety order simply prohibits a person from using or threatening violence towards the person applying for the order and / or dependent children. (3) an interim barring order as temporary barring order. A court may make this order when a person applies for a barring order. An interim barring order only lasts until the full court hearing of the application for a barring order and is only made in exceptional circumstances. (4) a barring order requires a person, against whom the order is made, to leave and stay away from the place of residence of the person applying for the order and / or dependent children. A breach of any order made under the domestic violence legislation is a criminal offence. The Gardaí can arrest and charge a person who breaches such an order.

Many domestic violence services offer court accompaniment to women, but there are not court accompaniment services everywhere and services cannot always meet the demands. In 2006 € 538.400 were granted by the Commission for the support of victims of crime for court accompaniment.¹⁷³

The “Domestic Violence Act 1996” does not offer protection to parties with a child in common and not residing together, and cohabitants who do not meet the eligibility criteria. Women’s Aid has been lobbying for over 10 years to amend the Act.¹⁷⁴

Marital Rape

Marital rape has been a crime since 1990; however, there has been only one successful prosecution since then.

Sexual Harassment

Sexual harassment at the workplace is prohibited. Only a few cases of sexual harassment have been reported to the authorities, in which the law was enforced.¹⁷⁵

Anti-Stalking Law

An anti-stalking law has not yet been developed in Irish legislation.

There is the “Non-Fatal Offences Act”, section 10 of which could be used theoretically in stalking cases. Apparently, this is very hard to do in practice and thus many women who are stalked do not have effective legal recourse.¹⁷⁶

171 Legislation: Domestic Violence Act 1996; Irish Statute Book: <http://www.irishstatutebook.ie/1996/en/act/pub/0001/index.html>, 10.12.2008, and Legal Aid Board: http://www.legalaidboard.ie/lab/Publishing.nsf/Content/Leaflet_7, 10.12.2008.

172 Domestic Violence Act, 1996, Irish Statute Book: <http://www.irishstatutebook.ie/1996/en/act/pub/0001/index.html>, or Leaflet on DV, Legal Aid Board: http://www.legalaidboard.ie/lab/Publishing.nsf/Content/Leaflet_7, 10.12.2008.

173 Commission for the support of Victims of Crime Annual Report 2006.

174 Ireland shadow report: Domestic Violence, submitted to the CEDAW Committee by Women’s Aid in 2004, WAVE-network: http://www.wave-network.org/images/doku/shadowreport_womensaid_ireland_2004.pdf, 10.12.2008.

175 U.S. Department of State: <http://www.state.gov/g/drl/rls/hrrpt/2007/100565.htm>, 10.12.2008.

176 University of Modena and Reggio Emilia, Modena Group on Stalking: Protecting Women from the new crime of stalking: a Comparison of Legislative Approaches within the European Union, Final Report, 2007: http://stalking.medlegmo.unimo.it/RAPPORTO_versione_finale_011007.pdf, 10.12.2008.

ITALY

Population: 59.131.287

Female inhabitants: 30.412.846 = 51,43 % of total population

CEDAW ratified: yes (1985)

Optional Protocol of CEDAW ratified: yes (2000)

Member of Council of Europe: yes (1949)

Member of European Union: yes (1957)

Facts and Figures

Latest number of femicides yearly: 126 (2007);¹⁷⁷

Latest number of DV cases reported by police yearly: 2.373 cases (2006);

Latest number of DV cases reported by women's shelters yearly: no data available; in Emilia Romagna - region of Bologna -, 2.454 women were accommodated in 11 shelters in 2007. Only one study exists on violence against women carried out on the national level by the National Institute of Statistics - ISTAT.¹⁷⁸ The sample of this study contains just 3 % of female victims of domestic violence who were served by NGOs;

Prevalence of DV: 14,3 % of Italian woman are likely to experience domestic violence.¹⁷⁹

Services for Women Victims of Violence

Women's Helplines:

The first and only 1 national helpline providing specified service for women victims of domestic violence free of charge was established by the end of 2006. Due to a lack of funding the helpline was hardly advertised at the beginning. Multilingual counselling is offered around the clock. It is 100 % financed through state funding.

Further, there are about 100 regional helplines available for women affected by male violence. Most of them are run by women counselling centres. Due to a lack of resources no regional helplines usually can be contacted free of call charge and provide 24 hours a day. Most of them are available on an average of 8 hours. Regional helplines are not state funded. Only the green line in Alto Adige (Südtirol) is fully financed by the province. It is the only regional womens helpline in Italy which offers 24 hours' service and multilingual counselling in Italian and German language.

177 Study by Sonia Giari 2008 and Casa Delle Donne, Per Non Subire Violenza – Bologna, 2005, p. 82; 2006, p. 101.

178 ISTAT 2006: http://www.istat.it/salastampa/comunicati/non_calendario/20070221_00/, 10.12.2008.

179 Ibid.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	1	1	1	1	100%
Regional	100 approx.	1	1	1	0%

Women's Shelters:

In Italy, the first women's shelter was founded in 1989. Since then about 39 refuges have been set up offering an approximate number of 270 shelter places. In consideration of the recommendation of the European Parliament claiming 5.913 family places for women victims of violence and their children, this number depicts the situation of women's services in Italy quite well: despite all the efforts of feminists, services cannot be expanded due to the lack of financial support by the state. The absence of national institutional funds further decreases the quality of services for women victims of violence: there is no shelter in Italy that fulfils all European Quality Standards on combating domestic violence against women - such as: confidential service available 24 hours and free of charge, female operators specifically trained in treating women victims of violence and their children. The continued existence of services mostly depends on the goodwill of local politicians and on the assistance of donors.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
39 approx.	270 approx.	5.913	5.643	no data	no data	90 %

Further Services for Women Victims of Violence:

More than 100 feminist women's associations have been set up in Italy since the 1990s, running so-called antiviolence centres, women's shelters and helplines. There are no intervention centres in Italy. An ongoing attempt of NGOs is recognisable to organize themselves in the national network "Rete dei centri antiviolenza e delle case delle donne"¹⁸⁰ and in territory networks and to offer training for public officers working with women and children survivors of domestic violence. The local institutions are often not willing to cooperate.

180 Rete dei centri antiviolenza e delle case delle donne, Centrianti Violenza: <http://www.centriantiviolenza.eu>, 10.12.2008.

National Action Plan

Italy has no Action Plan in combating domestic violence against women on a national but only on a regional level. As recently as in 2007, the Ministry of Equality became aware of Action Plans and in 2008 some funds were allocated for implementing actions to combat domestic violence on a local level. Results of this initiative were 17 projects¹⁸¹ carried out by institutional and private organizations. Most of these projects aim to create a network on local level, between public institutions and NGOs, organising trainings etc. In 2007 all Italian NGOs and institutions working in the field of domestic violence - such as WAVE Focal Point “Casa delle Donne per non subire violenza”¹⁸² were invited by the Ministry of Equality to develop an effective law against gender violence: “Misure di sensibilizzazione e prevenzione, nonché repressione dei delitti contro la persona e nell’ambito della famiglia, per l’orientamento sessuale, l’identità di genere ed ogni altra causa di discriminazione”.¹⁸³ Due to the change of government in April 2008, this law was presented but never put into force - except for some parts of the anti-stalking law: it was included in a controversial law called “On security”¹⁸⁴ highly criticized by NGOs. Since the Italian Ministry of Equality is meagrely funded, they are unable to finance projects.

Upcoming Issues

In September 2008 – DIRE – the first umbrella organisation of Italian womens shelter was formally established. A Website will be launched soon.

Legal Measures

Domestic violence against women is classified as a criminal offence in Italian legislation and can be prosecuted based on three articles: (1) “Maltrattamenti in famiglia o verso i fanciulli - ART. 572 codice penale” - “violence in family or against children”: depending on the dimension of violence the perpetrator can be imprisoned from 1 to 5 years. In case of a long period of victim violation the perpetrator is punished for “abuse”. If the survivor was violated “just one time” misdemeanor such as aggression, rape, insult are treated as “singular offence”. (2) If children are victims of domestic violence or a woman is not legally divorced from her violent husband then l’Art. 570 codice penale: “Violazione degli obblighi di assistenza familiare” - “violation of family assistance” can be applied. It punishes a person who has left home or behaves against the order or the morality of families, and refuses to participate in the parents or spouses obligations with 1 year prison or a fine from 103.000 - 1.032.000 Euro. (3) “Legge 4 aprile 2001 n. 154 - Norme contro la violenza nelle relazioni familiari” was developed by NGOs and women parliamentarians. It contains protection measures and obliges perpetrators to pay alimony to the victim, especially if the perpetrator is the only one who receives a salary - which is mostly the case.

181 Dipartimento per le Pari Opportunità: http://www.pariopportunita.gov.it/Pari_Opportunita/UserFiles/PrimoPiano/graduatoria_violenza.pdf, 10.12.2008.

182 Casa delle Donne per non subire violenza: <http://www.casadonne.it>, 10.12.2008.

183 Prevention and repression against domestic violence, sexual identities, gender identity and every kind of discrimination.

184 On security: This law contains measures for the army in the cities, special repressive measures against Roma people, etc.

Protection Law / Protective Measures

Although these laws are more often applied nowadays there are still many cases which are not reported by women affected by domestic violence. Too little support for survivors of domestic violence generally and the lack of legal aid and court accompaniment free of charge for victims hinders them from making a complaint at the court. Mostly police, doctors or social workers are aware of violations but women are left alone with their problems.

Italy has implemented a protection order for survivors of domestic violence. Perpetrators are banned from the house/flat and are only allowed access to the place with court permission. Particularly dangerous perpetrators are forbidden to appear at places which are frequented by the victims such as school, kindergarten, the work place, the family's home etc. The protection order can be carried out by police and by civil court.

Regarding to ISTAT 2006¹⁸⁵ only 7 % of women abused by their partner - (just 4 % if not violated by partner) - report the violence to the police. Most of the reported cases are not brought to court because professionals who are confronted with cases of domestic violence are not sensitised to this form of violence and misclassify and downplay them as "quarrels between people".

Marital Rape

A similar situation can be detected for marital rape which is classified as a criminal offence.¹⁸⁶ 91,6 % of rape cases are not reported and only 4,4 % of women report sexual violation by a partner. As clearly depicted by the ISTAT study (2006)¹⁸⁷ most sexual abuse is committed by partners: 69 % of the women were raped by the partner, 17,5 % by a friend, and 6,2 % by a stranger.

Sexual Harassment

Italy has a number of legal provisions regarding sexual harassment which is also due to the efforts of women trade unionists. A major legal improvement was achieved in 2005, when the EU directive 73/2002/EC was brought into effect by a legislative decree. With this decree, sexual harassment in the workplace was ranked with other forms of discrimination and protection measures of the Italian legislation were extended to this field. A definition of sexual harassment was also provided with this decree.¹⁸⁸

Anti-Stalking Law

The current government is working on an anti-stalking law which has not yet been implemented.¹⁸⁹

The Italian government seems to recognize the importance of allocating more funds to combat violence against women which might also be caused by the White Ribbon Campaign against Violence Against Women – which has taken place in Italy for a few years. Further, Italian women NGOs have started to consolidate a huge network. There is a discussion going on if women services should be public or private. This discussion was raised since many governmental institutions in Southern Italy receive funds from the EU but they still have to follow governmental advice. In cooperation between the municipality of Bologna and WAVE Focal Point - Casa Delle Donne - a perpetrator program was developed.¹⁹⁰

185 ISTAT: http://www.istat.it/salastampa/comunicati/non_calendario/20070221_00/, 10.12.2008.

186 Legge n. 66 del 15 febbraio 1996 Norme contro la violenza sessuale/Measures against sexual violence.

187 ISTAT: http://www.istat.it/salastampa/comunicati/non_calendario/20070221_00/, 10.12.2008.

188 Council of Europe: Legislation in the Member States of the Council of Europe in the field of violence against women, Volume II: Italy to United Kingdom. Published by the Directorate General of Human Rights, Strasbourg, January 2007. The report will be quoted hereafter as: CoE 2007b.

189 KILA: <http://www.kila.it/archivio-notizie-in-primo-piano/approvato-il-disegno-di-legge-sullo-stalking-2.html>, 10.12.2008.

190 Men Using Violence in Intimate Relationships: http://www.muviproject.eu/index.php?option=com_content&task=view&id=12&Itemid=30&ln=it, 10.12.2008.

LATVIA

Population: 2.270.894

Female inhabitants: 1.223.990 = 53,89 % of total population

CEDAW ratified: yes (1992)

Optional Protocol of CEDAW ratified: NO

Member of Council of Europe: yes (1995)

Member of European Union: yes (2004)

Facts and Figures

Latest number of femicides yearly: 35 women are killed and 120 women are heavily beaten by their partners every year (unofficial statistics, no official statistics available);

Latest number of DV cases reported by police yearly: no state statistic available; although state institutions have been criticised because of this for a long time, there are no changes expected in the near future. As reported by police on municipality level, domestic violence cases (family conflicts) - are the most frequent reason for police calls;

Latest number of DV cases reported by women's shelters yearly: no data available since there are no women's shelters in Latvia, just shelters for children and their mothers;

Prevalence of DV: there are no official data available because no prevalence study on domestic violence against women has been conducted thus far in Latvia. However, an online survey¹⁹¹ was carried out by some students and researchers in 2006 which shows that 36,7 % of participants admitted to knowing a woman in their environment who suffers from domestic violence. As the main reason for a woman not to leave her violent partner, financial dependency (54 %) and lack of her own living place (43 %) was declared.

Services for Women Victims of Violence

Women's Helplines:

In Latvia there are 3 national helplines for children and teenagers but no specific national or regional helpline for women survivors of domestic violence. The only opportunity for the latter getting help but not specified support is "Skables" the national helpline for all people in crisis situations. It is available 24 hours and provides multilingual service in Latvian and Russian.

191 Women Delfi, online survey: <http://woman.delfi.lv/relationships/couple/article.php?id=19712669>, 10.12.2008.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	0	/	/	/	0 %
Regional	0	/	/	/	0 %

Women's Shelters:

Latvia does not provide any safe place for women affected by violence. There is no women's shelter established so far, only 16 shelters for children and their mothers. In these so called Crisis Centres women affected by violence without children are usually not accommodated.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
0	0	228	228	/	/	0 %

National Action Plan

In 2008 the 1st National Action Plan on Combating Domestic Violence "Par Programmu vardarbības ģimenē mazināšanai 2008.–2011.gadam" ("LV", 96 (3880)¹⁹² was established in Latvia, but the allocated amount of money (approx. 750 000 EUR for 4 years) is not enough to put effective activities into practice. Other NGOs but not WAVE Focal Point - Crisis centre "Skalbes"¹⁹³ were involved in the developing process of the Action Plan.

Upcoming Issues

Initiated by the National Action Plan 2008 - 2011 discussions are currently being held regarding overall changes in legislation related to cases of domestic violence against women. It seems to be difficult to implement changes which meet the needs of women survivors of domestic violence caused by completely unrealistic views of some public authorities (e.g. Ministry of Justice, Ministry of Interior) which do not meet the social reality of people affected by domestic violence from a professional point of view. As an awareness raising activity about men's violence against women the campaign "Put on a button - Support a Woman" was organised in August 2008.

¹⁹² National Action Plan - Par Programmu vardarbības ģimenē mazināšanai 2008.–2011.gadam (LV, 96 (3880), 20.06.2008, Likumi: <http://www.likumi.lv/doc.php?id=177115>, 10.12.2008.

¹⁹³ Crisis centre Skalbes: <http://www.skalbes.lv>, 10.12.2008.

Legal Measures

Domestic violence against women is classified as a criminal offence in Latvian legislation¹⁹⁴ only if it is related to bodily injuries.¹⁹⁵ But there are no specific measurements for domestic violence cases in the criminal law. According to the criminal procedure law, public prosecution has to be initiated in domestic violence cases, but lack of definition of domestic violence is the reason why there are many domestic violence cases where public prosecution has not been initiated.

Protection Law / Protective Measures

Latvia does not have a protection law for survivors of domestic violence. Only if public prosecution is initiated, can police, prosecutor or criminal (penal) court apply for prohibition from approaching a specific person or location (Criminal Procedure Law, Section 243). The legal aim of Section 243 of Criminal Procedure Law is to ensure objective and undisturbed criminal proceedings, but not to ensure the safety of a victim. For that reason this law is not often implemented in cases related to domestic violence.

Marital Rape

Marital rape is not specifically declared as a criminal act and also not prosecuted. There is only a general regulation in the criminal law (section 159) regarding rape.

Sexual Harassment

Through an amendment of the Labour Law in 2004 (section 29.4), harassment is defined as discrimination in the Latvian legal system. Sexual harassment is not punishable as a criminal offence against the person.¹⁹⁶

Anti-Stalking Law

An anti-stalking law is not established in the legislation of Latvia until now.

194 Domestic Violence Laws in Latvia, Stop Violence against Women: http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/Latvia_Laws.doc, 10.12.2008.

195 Domestic Violence Laws in Latvia, Stop Violence against Women: http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/Latvia_Laws.doc, 10.12.2008.

196 CoE 2007b: 18.

LIECHTENSTEIN

Population: 35.168

Female inhabitants: 17.825 = 50,68 % of total population

CEDAW ratified: yes (1995)

Optional Protocol of CEDAW ratified: yes (2001)

Member of Council of Europe: yes (1978)

Member of European Union: NO

Facts and Figures

Latest number of femicides yearly: 1 woman (2007);

Latest number of DV cases reported by police yearly: since 1st of February 2001 – when the protection order came into force containing precaution eviction as a measure of protecting women victims of violence – 221 interventions have been carried out by police (in 2007: 49 interventions). In 86 cases a dispute settlement was applied (in 2007: 19 dispute settlements) while in 52 cases a barring order was imposed (in 2007: 7 barring orders). In 2007, 21 women and 5 men were affected by violence. In 10 cases both – men and women turned violent;

Latest number of DV cases reported by women's shelters yearly: 17 women and 23 children were accommodated in the women's shelter in 2007;

Prevalence of DV: 29 % women in Liechtenstein are likely to experience domestic violence.

Services for Women Victims of Violence

Women's Helplines:

The national helpline in Liechtenstein specialized in women survivors of domestic violence is operated by WAVE Focal Point Frauenhaus Liechtenstein¹⁹⁷ 24 hours, 7 days a week. Women asking for help are charged the standard phone costs. Counselling is offered in different languages depending on the language qualifications of staff members and, if necessary, in cooperation with interpreters. 70 % of the operating costs are covered by state funding. The remaining cost coverage depends on donations, membership fees and fees paid by women to cover costs - (see below: Women's Shelters).

197 Frauenhaus Liechtenstein: <http://frauenhaus.li/>, 10.12.2008.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	1	0	1	1	70 %
Regional	0	/	/	/	0 %

Women's Shelters:

In 1991 the first women's shelter was established in Liechtenstein, resulting from the women counselling centre INFRA - Informations- und Kontaktstelle für Frauen. With a total capacity of 3 family shelter places for women survivors of violence, Liechtenstein is one out of 5 European countries fulfilling the number of shelter places recommended by the European Parliament. Besides offering safe accommodation and counselling in cooperation with interpreters to women and children victims of family violence, the NGO shelter also operates a 24 hour women's helpline specializing in violence against women. Women are not charged rent for staying in a shelter and can usually stay there for free. Only a modest fee is asked from women with employment.

70% of total shelter costs are covered by state funding while the remaining amount is allocated by donations and fundraising projects. Due to the geographical location of the Frauenhaus Liechtenstein and the lack of more than 500 shelter places, women from Switzerland are hosted in the women's shelter in Liechtenstein if there are no free shelter places available in Switzerland. The costs incurred by accommodating Swiss women are covered by the state of Switzerland. The women's shelter Liechtenstein is part of DAO, the Swiss umbrella organization of women's shelters.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
1	3	3	0	1	0	70%

Further Services for Women Victims of Violence:

Besides the counselling service offered by the women's NGO refuge in Liechtenstein, women victims of violence get support from the state counselling centre "Amt für Soziale Dienste" which also offers therapeutic consultation to women affected by violence. Infra – the counselling centre for women - is not specialized in women survivors of domestic violence, but offers legal aid and support in the divorce process. Women victims of violence are placed in the women's shelter.

National Action Plan

Liechtenstein has not yet developed a National Action Plan on combating domestic violence. However, on the 1st of April 2008, the government has taken the decision to establish one. Further steps have been initiated to start the procedure. It is highly recommended to involve all NGOs in this process who have been working in combating violence against women for years, and to include their valuable expertise.

Upcoming Issues

The implementation of two activities would improve the situation of women and children affected by domestic violence in Liechtenstein significantly: firstly, a better cooperation between all professionals working with women survivors of violence. Although there is a round table of domestic violence established attended by official state bodies, representatives of NGOs are excluded from this discussion circle. This has a very contra-productive effect in supporting women victims of violence, especially since the women's shelter Liechtenstein strives to fill a role as a women's intervention centre. Secondly, as part of becoming an intervention centre, the women's shelter needs the official permission in order to apply a proactive counselling approach. It should be officially possible for counsellors to visit women survivors of violence outside the official counselling centres.

Legal Measures

Domestic Violence against women is defined as a criminal act in legislation and is being prosecuted as well. In 2001, the "Violence Protection Act" came into force.

Protection Law / Protective Measures

Survivors of violence against women are protected by a protection law which can be carried out by police. Police have the right to expel a potential perpetrator and issue a temporary restraining order when there is anticipation of a grievous attack on life, health or liberty of a person.¹⁹⁸ The restraining order was put into force in February 2001.

Victims of domestic violence have the right to free court accompaniment but only for women survivors of violence with a monthly salary of less than 3000 Franken.

Marital Rape

Since 2001, marital rape is classified as a criminal offence in the legislation of Liechtenstein. It is regulated in § 202 of the Penal Code ("Sexual domestic violence").

Sexual Harassment

In an amendment of the Penal Code, sexual harassment in the workplace was prohibited (§ 203). It is punishable with fines or imprisonment of a maximum of six months.¹⁹⁹

Anti-Stalking Law

An anti-stalking law has been implemented in Liechtenstein since August 2007.

198 CoE 2007b: 23.

199 CoE 2007b: 24.

LITHUANIA

Population: 3.384.879

Female inhabitants: 1.807.916

CEDAW ratified: yes (1995)

Optional Protocol of CEDAW ratified: yes (2004)

Member of Council of Europe: yes (1993)

Member of European Union: yes (2004)

Facts and Figures

Latest number of femicides yearly: 23 (2007), 16 (9 month, 2008);

Latest number of DV cases reported by police yearly: available data only on the all calls to polices stations concerning domestic violence: 14.396 (9 month, 2008), 33.165 (2007) - no gender differentiation; cases of violence against women investigated by police: 5.615 (9 month, 2008), 9.974 (2007);

Latest number of DV cases reported by women's shelters yearly: no data available;

Prevalence of DV: 63,3 % of Lithuanian women have been victims of male physical or sexual violence or threats after their 16th birthday.

Services for Women Victims of Violence

Women's Helplines:

The first Lithuanian national helpline for women victims of violence was established by the Vilnius Women's House in 2001. Gender sensitized counselling is provided in Lithuanian, Russian, Polish, and English only during working hours. The phone call is free of charge for all clients accessing this service. State funding as well as financial means allocated through international projects are received to finance this and other domestic violence support services.

Another National Women's Helpline is operated by Klaipeda social and psychological

Help centre. Counselling service is available for all women survivors of gender based violence in Lithuanian and Russian free of charge. During the weekends the helpline can be contacted 24 hours a day, while on working days, counselling service is only provided from 10 am – 9 pm. The women's helpline of Klaipeda social and psychological help centre is subsidized by state funding.

LITHUANIA



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	2	2	0	2	no answer
Regional	0	/	/	/	0%

Women's Shelters:

The notion “shelter” has no counterpart in Lithuanian reality. No specified refuges for women and children affected by domestic violence have been established thus far. Women survivors of violence seek refuge in the municipal pension “Mother and the child” which was established in 1996. Only inhabitants of Vilnius are accommodated there. The “Mother and Child” Pension has a capacity of 72 places and is accessible 24 hours a day. Counselling is offered in Lithuanian, Russian, and Polish. The Vilnius “Caritas” for homeless with a total capacity of 13 places also hosts mothers with children aged up to 1,5 years, pregnant women and pregnant adolescents. It is reachable 24 hours a day and clients are served in Lithuanian, Russian and Polish. Another place where women survivors of violence seek shelter is the Kaunas Generations House, providing 8 places, only to mothers with babies. The service is only available for inhabitants of Kaunas 24 hours a day in Lithuanian and Russian. Further, several NGOs and social help institutions across the country, mostly depending on a project based financing, provide rooms/beds for women victims of violence from time to time.

Municipalities have been encouraged by the Ministry of Social Affairs to apply for EU structural funds for establishing social institutions for all kinds of risk groups, including women victims of violence. Those aid organisations are not specifically approached by women survivors of domestic and other forms of gender based violence.

According to the recommendation of the European Parliament, 385 family places for women victims of domestic violence are needed in Lithuania, provided by organisations specialized in gender violence in the sphere of intimate relationships and other forms of intra-family violence.

Lithuanian NGOs working in the field of domestic violence against women criticise the tendency to define women victims of gender based violence as a homogeneous risk group. They demand specialized services for women affected by domestic violence which also focus on empowering women and advocating their rights.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
0	0	385	385	/	/	0 %

Further Services for Women Victims of Violence:

The Vilnius Women's House / Crisis Center for Women was established in 1996. Besides operating the National 24-hour Helpline, it offers specified counselling for women affected by all forms of gender

based violence. Other main service providers for women survivors of violence are Women's NGOs, running crisis centres and/or counselling centres. Due to a lack of secured state funding, most of them are forced to operate on project bases financing, encountering huge difficulties in terms of sustainability; therefore the number is changeable.

National Action Plan

In 2006 the National Action Plan "DĖL VALSTYBINĖS SMURTO PRIEŠ MOTERIS MAŽINIMO STRATEGIJOS IR JOS ĮGYVENDINIMO PRIEMONIŲ 2007–2009 METŲ PLANO PATVIRTINIMO"²⁰⁰ was enacted. It was developed in cooperation with Lithuanian WAVE Focal Point "Vilnius Women's House / Crisis Centre for Women".²⁰¹

Legal Measures

There is no specific law regulating domestic violence in Lithuania, nor is it defined as a specific criminal offence. It is therefore prosecuted among other crimes. According to the shadow report to CEDAW from 2008, domestic violence is legally still regarded as a private matter.²⁰²

Protection Law / Protective Measures

There is no protection law. The Code of Criminal Procedures entails the opportunity to separate the perpetrator from the victimized family members and remove him from the common home. But reportedly, this provision is not being realized and enforced in practice (CEDAW shadow report 2008: 5).

Regarding free court accompaniment, the WAVE focal point reports that there is, but with secondary legal help being grossly aggravated, and not implemented.

Marital Rape

Marital rape is not specifically defined or prosecuted in the law.

Sexual Harassment

Article 2 part 5 of the Law on Equal Opportunities of Women and Men defines sexual harassment at the workplace as an offensive act. It is also referred to in the Labor Code and the Criminal Code.²⁰³

A problem with the prosecution of sexual harassment is that the burden of proof rests on the affected person. NGOs therefore call for an amendment in the Law of Equal Opportunities and a reversal of the burden of proof on the victim. Apparently, such an amendment was already submitted by the Ombudsman for Equal Opportunities.²⁰⁴

Anti-Stalking Law

There is no anti-stalking law implemented in Lithuania.

200 DEL VALSTYBINES SMURTO PRIEŠ MOTERIS MAŽINIMO STRATEGIJOS IR JOS ĮGYVENDINIMO PRIEMONIŲ 2007-2009 METU PLANO PATVIRTINIMO: <http://www.vmotnam.lt/contents;12>; 03.12.2008. See also: <http://www.socmin.lt/>, 10.12.2008.

201 Information about Vilnius Women's House / Crisis Centre for Women in English: <http://www.javlb.org/bridges/issue6/raidis.html>, 10.12.2008.

202 CEDAW Shadow report 2008, International Women's Humans Rights: http://www.iwraw-ap.org/resources/pdf/41_shadow_reports/Lithuania_SR_amended_2_July_2008.pdf, 10.12.2008 and: Stop Violence against Women: <http://www.stopvaw.org/Lithuania2.html>, 10.12.2008.

203 CoE 2007b: 36f.

204 CEDAW Shadow report 2008, International Women's Humans Rights: http://www.iwraw-ap.org/resources/pdf/41_shadow_reports/Lithuania_SR_amended_2_July_2008.pdf, 10.12.2008 and: Stop Violence against Women: <http://www.stopvaw.org/Lithuania2.html>, 10.12.2008.

LUXEMBOURG

Population: 483.800

Female inhabitants: 244.200 = 50,47 % of total population

CEDAW ratified: yes (1989)

Optional Protocol of CEDAW ratified: yes (2003)

Member of Council of Europe: yes (1949)

Member of European Union: yes (1957)

Facts and Figures

Latest number of femicides yearly: 2 women (2006);

Latest number of DV cases reported by police yearly: 435 cases;

Latest number of DV cases reported by women's shelters yearly: 228 women in shelters, 211 implementations of barring order; 1467 women in counselling centers - (2007);

Prevalence of DV: every 5th women in Luxembourg is likely to experience domestic violence (no official statistics available).

Services for Women Victims of Violence

Women's Helplines:

The first Luxembourgian women's helpline was established in 1998. At the present time there is 1 national helpline for survivors of violence and women in distress. The helpline is 100 % state funded however, the awarded amount of money does not cover the cost of phone calls from clients making use of the service. Thus, the helpline is not free of charge. Multilingual telephone counselling is available from Monday to Friday, four hours a day. In the remaining time women seeking help can contact the Luxembourgian women's shelters. The helpline is 100 % state funded.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	1	0	0	1	100 %
Regional	9	0	2	9	100 %

Women's Shelters:

In 1976 a refuge for stranded, homeless girls – “Foyer Paula Bové”, - was established by nuns. The first women's shelter in Luxemburg based on feminist principles is the “Fraenhaus Lëtzebuerg” which was opened in 1980. Since then 8 more shelters for women victims of violence have been set up offering a total number of 144 shelter places. Therewith Luxemburg fulfils both recommendations of shelter places given by the European Parliament, as well as by the Council of Europe. The latter claims 1 family shelter place per 70.000 inhabitants which are 63 shelter places for Luxembourg. All 9 women's shelters are accessible 24 hours a day providing multilingual services in languages such as Luxemburgish, French, German, English, Portuguese, Serbo-Croatian, and Spanish. They are 100 % state funded. The 9 women's shelters are not connected through an umbrella organization.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
9	144	48	0	9	9	100 %

Further Services for Women Victims of Violence:

Besides 7 counselling centres serving women victims of violence, there is 1 intervention centre in Luxembourg the SAVVD – Service d'assistance aux victimes de violence domestique, coordinating different facilities providing help to women survivors of domestic violence. Further 1 perpetrator program is afforded by Riicht eraus.²⁰⁵ An overview on current activities taking place to combat violence against women in Luxembourg is given by the website of Ministry of Equality.²⁰⁶

National Action Plan

The latest National Action Plan on for Gender Equality²⁰⁷ was developed in 2007 in cooperation with NGOs such as WAVE Focal Point “Femmes en Detresse asb”.²⁰⁸ It also contains measures against violence against women.

205 Riicht eraus: www.riichteraus.lu, 10.12.2008.

206 Ministry of Equality: www.mega.public.lu, 10.12.2008.

207 National Action Plan for Gender Equality: http://www.mega.public.lu/publications/1_brochures/2006/pan_egalite/PAN.pdf, 10.12.2008.

208 Femmes en Detresse asbl: <http://www.fed.lu>, 10.12.2008.

Legal Measures

Domestic violence against women is defined as a criminal offence in the Luxembourgian legislation and also prosecuted. The Domestic Violence Act came into force on 1 November 2003.²⁰⁹

Protection Law / Protective Measures

A protection law is established that can only be carried out by police with the authorization of prosecutors. Survivors of domestic violence have the right of free court accompaniment and free legal support during the court procedure (depending on their financial situation).

According to the WAVE focal point, violence against women experts are currently trying to intervene against different changes in legislation such as modifications in barring order and in perpetrator programs since these changes do not meet the requirements as they are defined by NGO-professionals.

Marital Rape

Marital offence is classified as a criminal offence and prosecuted.

Sexual Harassment

In 2000, the “Law on Protection Against Sexual Harassment in the Workplace” was introduced. It provides a definition of sexual harassment. The burden of proof rests with the perpetrator.²¹⁰

Anti-Stalking Law

There is no anti-stalking law which punishes perpetrators who harm their victims and terrorize them with all kinds of stalking activities. But the legislator put forward a proposal for a draft of a new anti-stalking law. Currently, within the framework of an ongoing legislation projects, violence against women experts work on an anti-stalking law.

209 CoE 2007b: 44.

210 CoE 2007b: 50.

MACEDONIA

Population: 2.041.941

Female inhabitants: 1.018.202 = 49,86 % of total population

CEDAW ratified: yes (1994)

Optional Protocol of CEDAW ratified: yes (2003)

Member of Council of Europe: yes (1995)

Member of European Union: no

Facts and Figures

Latest number of femicides yearly: 2 women were killed in the first half of the year 2008. In the same period 2 more attempted murders against women by their partners are registered;

Latest number of DV cases reported by police yearly: in 2008 the police have registered 193 criminal acts, 433 misdemeanors and 2.238 complaints in relation with domestic violence against women in the first half of the year 2008. In comparison with the same period in 2007, the number of criminal acts has increased by 24.5 %. The same applies for the number of complaints which has risen by 45 %, while the misdemeanors have decreased by 2 %. 95.4 % of the offenders are men and 4.6 % are women. Most of the criminal acts are “criminal acts against life and body of a person” equitable with physical violence. In this regard, the most reported type of criminal act is “bodily injury” which are 67.4 % of all criminal acts related to domestic violence (130 out of 193). 7 criminal acts are registered as “heavy bodily injury”; regarding psychological violence (“criminal acts against freedoms and rights of the citizens”): 33 criminal acts “endangering security”, 12 criminal acts “coercion”, 1 criminal act “unlawful arrest”; concerning sexual violence (“criminal acts against sexual freedom and sexual morality”) 3 criminal acts of rape and 2 criminal acts of sexual attack upon a child. 81 % (169) of domestic violence victims are women.²¹¹ 101 of the women survivors are wives, 13 ex wives, 44 parents (in 26 cases the mothers and in 18 cases the fathers);²¹²

Latest number of DV cases reported by women’s shelters yearly: in the period January - September 2008, the Centres for Social Welfare has registered 445 cases of domestic violence. Women were the victims in 390 of these cases;²¹³

Prevalence of DV: according to the study “Life in a Shadow” conducted by the Association ESE in 2007 every 2nd woman is affected by some form of psychological violence. 36,5 % of the women state control of movement and contacts by their partner. The most common forms of physical violence (17,7 %) are slaps (87.5 %), threats of use of force (70.1 %), grabbing and shoving (63.9 %). The most severe forms of physical violence are most rarely used – burning or scalding (2.5 %) or the use of a knife or a gun (9.9 %). Every 4th woman reported having been physically attacked within her family. It is indicated that almost every 5th woman (18.9 %) has reported recurrence of physical violence over 20 times. 10 % of women have experienced the dominant form of sexual violence such as unwanted sexual intercourse (85.5 % of the reported sexual violence), humiliating sexual intercourse, forced watching of pornographic films and pimping are represented to a far lesser extent.

211 There are 38 men victims of domestic violence registered.

212 The situation with domestic violence cases in the first half of 2008, Ministry of Interior: www.mvr.gov.mk, 10.12.2008.

213 Source of data: Unit for Social Inclusion within Ministry of Labour and Social Policy of Macedonia.

MACEDONIA

Services for Women Victims of Violence

Women's Helplines:

In 1994 the first Macedonian National Womens – 15 700 National SOS Line - was founded by the Organization of Women of City Skopje (OZS). Multilingual counselling is available 24 hours, free of charge for survivors of domestic violence and the phone costs are free. It is 100 % financially supported by the Ministry of Labor and Social Policy.

The second Macedonian national helpline is the SOS National Mobile Line for victims of all kinds of violence, including domestic violence, sexual harassment and human trafficking. It is operated by the NGO UWOM and financed in cooperation with different mobile providers. Only the dialling code changes depending on the provider, while the helpline number is always the same 141700.²¹⁴ Phone calls to VIP and COSMOFON are free of charge. If calling the T-mobile line clients are charged 10 MKD once for unlimited time to talk. 30 % of the money which is raised through the T-mobile line goes directly as subsidy to the helpline. SOS National Mobile Line can be contacted for help 24 hours a day and advises women victims of violence in Macedonian, English, Turkish and Albanian. In contrast to the National SOS Line, it does not receive any state funding.

Telephone Counselling is also offered by the NGO Chris Centre Nadez which can be contacted by women victims of violence 24 hours a day all year. Telephone counselling is offered in foreign languages depending on the qualifications of employees. Also the NGO Crisis Centre does not receive any state funding. Many efforts are spent with fundraising activities. Due to the uncertain financial situation, long-term planning is nearly impossible and employees are often forced to work for no salary if fund raising activities have not been profitable.

Besides telephone counseling, 3 Macedonian Women's Helplines additionally provide temporary shelter for the victims. While the clients of both national helplines are accommodated 24-48 hours, the NGO Crisis Center Nadez hosts women up to 1 month.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	2	1	2	2	1 = 0 % 1 = 100 %
Regional	1	no answer	1	1	0 %

Women's Shelters:

The first Macedonian women's shelter – the state shelter in Skopje - was 2001. In 2008, Macedonia has 7 shelters - 6 state shelters and 1 NGO shelter - offering a total number of approximately 75 places to women survivors of violence and their children. As regulated in the Macedonian Family Legislation implemented in 2004, women can stay in a state shelter for at least six months with option of extension up to six months additionally. All state shelters are to 100 % financed through state funding while only the premisses of the NGO shelter are provided by the Ministry of labor and social policy. The latter relies on international donors and fundraising activities. Currently the NGO women's shelter only has financial means to be operated on a minimum level until the end of January 2009. It will be closed by the beginning of February 2009 if no subsidies can be allocated. All attempts by the operators of the

214 Numbers of the SOS National Mobile Lines: +38970-141700; +38975-141700; +38977-141700.

NGO shelter have failed to adopt an unoccupied house in possession of the state to provide better facilities to women and their children. Only the NGO shelter accepts women 24 hours a day all the year. State shelters can not be contacted directly. They are under jurisdiction of the Centers for social welfare.

Generally there are no specialized programs for the work with victims accommodated in shelters, neither for women nor for children. Child-oriented facilities are missing in all shelters which do not offer child-specific counselling and treatment.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
7	75 approx.	204	129	1	0	1 = 0 % 6 = 100 %

Further Services for Women Victims of Violence:

The Center for Social Welfare is the main counselling centre, providing not only psycho-social intervention, but also legal aid and representation as well as medical care. As enshrined in the act of the Macedonian Family Law, all victims of violence are entitled to access these services. Free legal aid, psycho-social help and court representation is offered by the Centres of Legal Aid of the NGO organisation and WAVE project partner ESE which have been functioning for five years in Skopje, Tetovo and Shtip. From the beginning of its operations until December 2008, 2.232 victims of domestic violence have been legally and psycho-socially supported at the legal Aid Centre in Skopje.

National Action Plan

The Government of Republic of Macedonia in April has adopted the National Strategy for Prevention against Domestic Violence. With this, Republic of Macedonia as a country has established strategic response toward this severe form of violence against women, defining concrete priority areas, as well as measures and activities for their achievement for the period 2008-2011. The process of preparation of the strategy was initiated by Association ESE in partnership with the Ministry of Labour and Social Policy. The Ministry of Interior, Ministry of Health, Ministry of Justice, Ministry of Education, relevant civil society organizations and academic institutions were also directly involved in the process of preparation of this strategic document. The following priority areas are incorporated within the National strategy: establishment of multi-coordinated approach, prevention of the phenomena through activities within the educational process, education of professional structures, promotion of the system of protection, promotion of the civil justice system, promotion of the criminal justice system, documentation of cases and data collection, establishment of mechanisms for monitoring and implementation of the strategy.²¹⁵

Macedonia has also developed a National Plan for Action for Gender Equality²¹⁶ which contains a special section on "women and violence" where the issue of support and protection of victims of DV is treated. The National Plan for Action for Gender Equality was set up by the National Council of Women of Macedonia in cooperation with NGOs such as WAVE Focal Point "Union of Women's Organizations of the Republic of Macedonia - UWOM"²¹⁷ and adopted in 2007.

²¹⁵ The research Life in a shadow of Association ESE was the basis for the preparation of the National strategy, incorporating detailed data about the dark number of the phenomenon and institutional response toward it. Association ESE – Narrative report 2007/2008.

²¹⁶ Action Plan, Ministry of Labour and Social Policy of Macedonia: www.mtsp.gov.mk, 10.12.2008.

²¹⁷ Union of Women's Organizations of the Republic of Macedonia - UWOM: <http://www.sozm.org.mk>, 10.12.2008.

Upcoming Issues

Taking into consideration the adoption of the National strategy, its implementation is of great importance. The first step toward implementation is the initiation of the project “Prevention and elimination of domestic violence in Macedonia”.²¹⁸ This process was initiated by the Association ESE from Macedonia and WAVE from Austria. It is financially supported by the Federal Ministry of Social Affairs and Consumer Protection of Austria. Ministry of Labour and Social Policy of Republic of Macedonia is the national partner in the implementation of this initiative.

Legal Measures

Domestic violence against women is classified as a criminal offence in the Criminal Code of the Macdonian legislation and implemented as well. Among amendments of the Penal Code in 2004, punishment for “family crimes” was increased.²¹⁹ An exception to the more severe sanctioning of the criminal offenses committed within domestic violence is made in circumstances when the victim of domestic violence harms the offender, that is, threatens his life. When these criminal offenses are perpetrated as a consequence of domestic violence, the perpetrators of these offenses (the domestic violence victims) are subject to a more lenient sanctioning – unlike the basic offense.²²⁰

Protection Law

There is no protection order for survivors of domestic violence but with amendments to the family legislation in 2004 several protection measures were introduced. Among them are temporary protection measures such as restraint orders or removal from home, which can be ordered by court only.²²¹

The adoption of a separate protection law for victims of DV is currently being discussed. Court accompaniment for women affected by domestic violence is offered free of charge by ESE Legal Aid Centre however, it is not established as a right in Macedonian legislation.

Marital Rape

The Penal Code does not classify marital rape specifically.

Sexual Harassment

Sexual harassment is addressed in several legal acts in Macedonia. Amendments of the Penal Code i.e. established punishment of three months to three years.

Sexual harassment in the workplace can further be prosecuted under antidiscrimination laws and is included in the Law on Equal Opportunities for Women and Men. By 2007, no prosecutions for sexual harassment in the workplace had been made.²²²

Anti-Stalking Law

There is no anti-stalking law established which would hinder perpetrators from harassing their victims.

218 WAVE- Network: <http://www.wave-network.org/start.asp?ID=23025>, 10.12.2008.

219 Stop Violence against Women: <http://www.stopvaw.org/Macedonia.html>, 10.12.2008.

220 Life in a shadow - research on the dark number and institutional response toward domestic violence in Republic of Macedonia, Association ESE, 2007; Association ESE: http://www.esem.org.mk/Root/mak/default_mak.asp, 10.12.2008.

221 Ibid.

222 Stop Violence against Women: <http://www.stopvaw.org/Macedonia.html>, 10.12.2008.

MALTA

Population: 407.810

Female inhabitants: 205.197 = 50,31 % of total population

CEDAW ratified: yes (1991)

Optional Protocol of CEDAW ratified: no

Member of Council of Europe: yes (1965)

Member of European Union: yes (2004)

Facts and Figures

Latest number of femicides yearly: no answer;

Latest number of DV cases reported by police yearly: no answer;

Latest number of DV cases reported by women's shelters yearly: shelters tend to operate at a full or almost full capacity most of the year, with peak times being Christmas and summer;

Prevalence of DV: no data available.²²³

Services for Women Victims of Violence

Women's Helplines:

In Malta there is 1 national helpline providing 24 hours' service for survivors of domestic violence, victims of child abuse and mental health clients. Counselling is offered in Maltese and English without being charged for the phone call. The costs for operating the helpline are fully covered by state funding.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	1	1	1	1	100 %
Regional	0	/	/	/	0 %

223 A prevalence survey is intended to be carried out by the Commission on Domestic Violence soon.

MALTA

Women's Shelters:

In Malta 4 women's shelters have been established providing services in Maltese and English, some also in Italian, Arabic and French: 1 state emergency shelter with a capacity of 15 beds accommodating women and children, 1 NGO emergency shelter providing 13 individual rooms for women and their accompanying children, 1 church-run NGO emergency shelter in Gozo with 6 rooms for women and their children (due to refurbishing it is not available currently), and 1 second stage shelter consisting of 9 individual flats for women and their children. All 3 emergency shelters are operational 24 hours a day. While the state emergency shelter is fully funded by state, the 3 remaining NGO shelters are partly financed through state funding and partly by church and other donations. With a total number of 43 women's shelters Malta has established the number of shelter places recommended by the European Parliament.

Further, there is 1 NGO hostel for homeless women with a capacity of 17 beds in total to accommodate both women and their children which is accessible 24 hours a day and partly state funded.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
4	43 approx.	40	0	3	4	no answer

Further Services for Women Victims of Violence:

Malta does not have intervention centres, however they have a main State Social Work Agency with a specialised Unit on Domestic Violence which is available for people dropping in during regular office hours, or making appointments. This unit is however understaffed. A Central Police Vice Squad deals with cases of severe domestic violence when referred to them via district police or social workers.

National Action Plan

Based on the “Council of Europe Blueprint for the Campaign to Eliminate Violence Against Women” developed by The Commission on Domestic Violence, the rudiments of a National Action Plan on Combating Domestic Violence for 2007/2008 in Malta have been drawn up.

Upcoming Issues

Currently the Commission on Domestic Violence is awaiting confirmation of its members by the Ministry of Social Policy since the national elections in March 2008. Although it has continued to work, this work is limited by not being officially in place. The commission has 3 sub-committees which have not met since March 2008 – these cover research, service development, and media awareness. As soon as membership is confirmed these sub-committees will be able to continue their work.

Legal Measures

According to the Domestic Violence Act (2005) and the Constitution of a Domestic Violence Commission (2006) domestic violence against women is clearly defined as criminal act within the legislation of Malta. Violence against women is prosecuted through that law.

Protection Law / Protective Measures

Malta has court orders that can preclude the alleged perpetrator from approaching the victim and other involved persons, including preventing them from staying in the matrimonial home. These can only be ordered by the court.

Formally survivors of domestic violence do not have the right on free court accompaniment. Social workers from the State Agency or from the shelters accompany women to court if possible and required. However since services are currently understaffed this is often problematic. Victim Support Malta (NGO) also provides accompaniment on occasion.

Marital Rape

Marital rape is not specifically defined per se but falls under the general definition of rape.

Sexual Harassment

Sexual Harassment is prohibited in Malta in both, the Employment and Industrial Relations Act (Articles 29 and 32) and the Equality for Men and Women Act (Articles 1–3). It is punishable by a fine and/or imprisonment of six months at the most.²²⁴

Anti-Stalking Law

Malta introduced specific anti-stalking provisions in the Penal Code in 2005 (Article 251), albeit under the term of “harassment”.²²⁵

224 CoE 2007b: 60f.

225 Modena Group on Stalking 2007: 55.

MONTENEGRO

Population: 620.145

Female inhabitants: 314.920 = 50,78% of total population

CEDAW ratified: yes (2006)

Optional Protocol of CEDAW ratified: yes (2006)

Member of Council of Europe: yes (2007)

Member of European Union: NO

Facts and Figures

Latest number of femicides yearly: no data available, no official statistics;

Latest number of DV cases reported by police yearly: no data available; the state has not developed common indicators to evaluate the scale of violence against women. In Montenegro criminal statistics record only the type of criminal offence; see monitoring report 2007;²²⁶

Latest number of DV cases reported by women's shelters yearly: no official data available; from 03.08.1999 till 23.08. 2006 there were 1,601 persons (women and children victims of domestic violence, women from refugee camps, single mothers, and victims of sex trafficking) placed in the shelter "Podgorica". During this period 1,738 persons sought help over the SOS Hotline "Podgorica";²²⁷

Prevalence of DV: according to a representative poll of 500 women, every 4th Montenegrin woman claims to be regularly beaten up by her husband, and every 5th woman has been literally thrown out of the house at least once.

Services for Women Victims of Violence

Women's Helplines:²²⁸

"Podgorica", the first SOS Hotline for Women and Children Victims of Violence, was established as the first Montenegrin women's NGO in February 1997. Besides providing telephone counselling "Podgorica" is actively working on the prevention and elimination of violence against women and children in: offering free legal, psychological and pedagogical help, in mediating between victims of violence and government institutions such as courts, social services, and the Ministry of Interior, in carrying out public awareness raising activities, in realizing scientific research project and in providing education trainings.

In January 2001 the Network of SOS Hotlines in Montenegro originated, consisting of 9 women's helplines²²⁹ located in different cities in Montenegro. These helplines were established with help provided

226 Monitoring Report 2007, Stop Violence against Women: http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/Montenegro_2.pdf, 10.12.2008.

227 Ibid: 61.

228 Ibid.

229 Center for girls in Podgorica, SOS Nikšić, Bar, Ulcinj, Berane, Pljevlja, Rozaje, Plav, and Bijelo Polje. Monitoring Report 2007, Stop Violence against Women: http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/Montenegro_2.pdf, p. 35, 10.12.2008.

by activists/trainers of the SOS Hotline “Podgorica”. All organizations within the network are autonomous independent groups dealing with the problem of violence against women and children. They work according to the principles of women’s solidarity and a feminist approach to violence. Telephone counselling is provided every day from 5.p.m. - 9.p.m. While the services are offered free-of-charge to clients, they must pay phone costs when calling the hotline. Further, every organization is involved into a data collection project about the clients.

No Montenegrin women’s helplines receive any state funding. They are primarily funded by foreign donors.



Women’s Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	1	0	0	no answer	0 %
Regional	9	0	0	no answer	0 %

Women’s Shelters:²³⁰

The Women’s Safe House, “Podgorica” was established in 1999 as the first shelter for victims of domestic violence in Montenegro. Besides temporary placement this organization provides victims with medical, psychological, social, and legal help, assistance in finding a job, placement in hospitals or other institutions, or placement in some other shelter outside of Montenegro. Although it also accommodates women survivors of domestic violence and their children, it is focused on women trafficking. The Women’s Safe House “Nora” was established in 2001 in Nikšić. Besides accommodation this NGO offers psychological, legal, medical, and social help for women and children victims of violence. In 2005 there were a total of 67 women. All services are offered free of charge and are provided by volunteers trained for work with survivors of violence.

Neither NGO receives any state funding but both are solely financed by international donors.



Women’s Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
2	33 approx.	62	29	no answer	no answer	0 %

²³⁰ Data from Monitoring Report 2007, Stop Violence against Women: http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/Montenegro_2.pdf, 10.12.2008.

MONTENEGRO

Further Services for Women Victims of Violence:²³¹

There are no crisis intervention centres in Montenegro. Intervention programs for perpetrators do not exist, except for the possibility of the aforementioned security measures in the Criminal Code.

National Action Plan

The government of the Republic of Montenegro adopted the National Program on Violence Prevention (2003–2006) in November 2003. All forms of violence (physical, psychological, and sexual) in all human relations, within and outside of institutions, fall within the scope of this document. The document is based on a gender mainstreaming principle but it does not explicitly address violence against women. Improving legislation, establishing multidisciplinary cooperation among all who work on addressing violence, providing all health services necessary for adequate treatment of the problem of violence and to improving the status of women are mentioned among other things, as strategic goals. For the latter there is neither a detailed description on what has to be done to reach this aim nor is a separate budget allocated for this. Several NGOs were involved in the developing process of this paper. Most of the national program envisaged priority activities, such as institutional counselling work; establishment of a database; campaigns; research projects; legislative reform; trainings for professionals; establishment of an ombudsperson for women and children have not yet been implemented due to a lack of funds and insufficient interest from the implementers.

231 Ibid.

Legal Measures

In 2002 the Criminal Code was amended to contain the offence of domestic violence. Article 220 on “Violence in the Family or Family Community” now prescribes the punishment of a fine (the amount is determined by the judge on a case-by-case basis) or a maximum of one year of imprisonment. Currently, the criminal code (last amended in June 2006) penalizes different forms of violence against women, 24 named criminal acts against sexual freedom, criminal acts against marriage and family such as marital rape, and criminal acts against humanity and other well-being as protected by international law. Of all criminal charges initiated by citizens, 33.31% ended up as simple “warnings” issued to the violators by the police officers. In 44.51% of the cases court procedures were initiated, but only 23.97% of the cases resulted in a court sentence. This clearly implies an absence of positive practice by the prosecution and judiciary.

Protection Law / Protective Measures

According to Article 139(3) of this law, the perpetrator cannot be deprived of living in his/her flat and seeing his/her family members/relatives, except when criminal proceedings are initiated for a crime committed against the family member/close relative. This law can just be carried out by court not by police.²³²

Survivors of domestic violence do not have the right for free court accompaniment. The law on litigation procedure ensures free legal representation in case the party is not able to afford the costs of a legal representative. This is applicable both for parties who do not have or cannot access their property. Besides this mechanism, there is no other form of free legal help in the state institutions. Victims of violence against women often turn only to NGOs for free legal assistance.

Marital Rape

As stated above, marital rape is specifically addressed in the Criminal Code.

Sexual Harassment

Apparently, there is no specific law prohibiting sexual harassment. Article 207 of the Criminal Code, though, prohibits sexual intercourse through abuse of position. Punishment for this act ranges from three months to three years of imprisonment.²³³

Anti-Stalking Law

An anti-stalking law is not established in the Montenegrin legislation so far.

232 According to the Code of Criminal Procedure, if there is no investigation, there are rules for a quick procedure. A judge who receives a private charge or complaint from the person, who suffered the loss/damage, may investigate the relative acts to determine whether they are regular. If so, within 30 days the judge sets a main trial date and, if sentencing the perpetrator, the court can pronounce the following sanctions: a court warning, suspended sentence, fine, or imprisonment for up to one year with measures depriving the perpetrator of an object or property, or prohibiting usage of a motor vehicle.

233 Stop Violence against Women: http://www.stopvaw.org/Montenegro_Country_Page.html, 10.12.2008.

NETHERLANDS

Population: 16.357.992

Female inhabitants: 8.269.478 = 50,55 % of total population

CEDAW ratified: yes (1991); 5th report will be submitted in 2008²³⁴

Optional Protocol of CEDAW ratified: yes (2002)

Member of Council of Europe: yes (1949)

Member of European Union: yes (1957)

Facts and Figures

Latest number of femicides yearly: 60 to 80 women approx.;

Latest number of DV cases reported by police yearly: 63.131 cases (males / females) - 2006;

Latest number of DV cases reported by women's shelters yearly: 18.249 cases(2001);²³⁵

Prevalence of DV: regarding the Ministry of Social Affairs and Employment approx. 200.000 women in the Netherlands are abused by their partners or ex-partners every year.²³⁶ According to WAVE Focal Point "MOVISIE, kennis en advies voor maatschappelijke ontwikkeling"²³⁷ the total number of victims of domestic violence is approx 500.000. 410.000 of them (= 82%) are women.

Services for Women Victims of Violence

Women's Helplines:

Due to the different specification and orientation on target groups, it is difficult to give an exact number of women's helplines in the Netherlands: some of them are only "back office", some only serve survivors of violence, while others offer services to both target groups. Besides that, there are some helplines not only providing help to survivors and witnesses of domestic violence, but to all people affected by different kind of violence. Most helplines are available 24 hours a day. Multilingual counseling is only offered by some organizations usually in Arabic, Turkish, and English. Besides telephone counseling, most helplines can also be contacted by email or helpchats. All Dutch helplines are 100 % state funded - 60 % on the national level and 40 % by municipalities. However clients are charged the standard phone costs when accessing the service.

234 nr.4 dutch: Monitor Uitvoering van de Concluding Comments CEDAW (02-07-08): http://www.aimforhumanrights.nl/fileadmin/user_upload/pdf/02-07-08_monitor_CEDAW.doc, 10.12.2008.

235 http://www.brancherapporten.minvws.nl/object_document/o804n16509.html, 10.12.2008.

236 http://internationalezaken.szw.nl/index.cfm?fuseaction=dsp_rubriek&rubriek_id=13040, 10.12.2008.

237 MOVISIE, kennis en advies voor maatschappelijke ontwikkeling: <http://www.movisie.nl> , 10.12.2008.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	0	/	/	/	0 %
Regional	38	0	most	some	100 %

Women's Shelters:

In the Netherlands about 32 organisations have been established operating several shelters in approximately 100 different locations. About 2.430 shelter places are available for women survivors of violence and their children. Therewith the Netherlands fulfil the recommendations of the European Parliament according to the number of family shelter places per inhabitants. Multilingual service is provided in cooperation with interpreters 24 hours a day. All women's shelters are 100% funded by the state, receiving financial means from the Ministry of Health and Social Welfare and as well as from municipalities.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
100	2.430	1.635	0	100	100	100 %

Further Services for Women Victims of Violence:

There are 38 Advice and Support Centres for Domestic Violence - ASHG in the Netherlands which are comparable to intervention centres. ASHGs are the first contact points for women affected by domestic violence, but also for professionals and witnesses, and sometimes other target groups, to get help and information on behalf of violence against women. Together they form a complete network of organisations connecting all services providing help to a woman affected by violence.

National Action Plan

The government has introduced a new Action Plan on Combating Domestic Violence for 2008-2011 which includes the expertise of NGOs and other organizations working in the field of violence against women. As a follow up of the existing program²³⁸ it is entitled "De volgende fase" - "The next phase".

238 National Action Plan: Domestic Violence, August 2008/F&A 8840 – Feiten en Achtergronden – The Dutch Ministry of Justice: http://english.justitie.nl/images/HUISELIJK%20GEWELD%20ENGELS%208840_tcm35-14187.pdf, 10.12.2008.

NETHERLANDS

Legal Measures

Still, violence against women is only indirectly classified as a criminal offence in the Dutch legislation although cases of DV are prosecuted.

Protection Law / Protective Measures

On the 1st of January 2009 a restraining order for domestic violence perpetrators²³⁹ comes into force as a new part of the protection law which can be carried out by executive police officers. It does not implement court accompaniment free of charge for women victims of violence, a service which is not standard in the Netherlands so far and is only sometimes provided by Slachtofferhulp.²⁴⁰ Besides the new restraining order a strong focus in current discussions is set on the development of special programs for children victims of domestic violence, who were abused and witnessed family violation.

Marital Rape

Marital rape is prohibited in the Criminal Code of the Netherlands.

Sexual Harassment

Legal regulations regarding sexual harassment are included in several Laws, i.e. in the Bill amending the Working Conditions Act, the Equal Treatment Act or the Civil Code.²⁴¹

Anti-Stalking Law

An anti-stalking law was also implemented in the year 2000.²⁴²

239 Improved protection for abandoned women and domestic abuse victims - The Dutch Ministry of Justice: <http://english.justitie.nl/currenttopics/pressreleases/archives-2008/improved-protection-for-abandoned-women-and-domestic-abuse-victims.aspx?cp=35&cs=1578>, 10.12.2008.

240 Slachtofferhulp: <http://www.slachtofferhulp.nl/>. 10.12.2008.

241 CoE 2007b:76f.

242 The Dutch Anti-Stalking Law - Modena Group on Stalking, 2007: http://stalking.medlegmo.unimo.it/RAPPORTO_versione_finale_011007.pdf, 10.12.2008.

NORWAY

Population: 4.681.134

Female inhabitants: 2.355.346 = 50,31 % of total population

CEDAW ratified: yes (1981)

Optional Protocol of CEDAW ratified: yes (2002)

Member of Council of Europe: yes (1949)

Member of European Union: no

Facts and Figures

Latest number of femicides yearly: 6 - 12 women;

Latest number of DV cases reported by police yearly: no answer;

Latest number of DV cases reported by women's shelters yearly: no data available. In Norway no unified statistical data collection on a national level has been undertaken thus far. Moreover, many female survivors of domestic violence in shelters (about 63 % of women) do not want to report their cases;

Prevalence of DV: every 4th Norwegian woman is likely to experience domestic violence.

Services for Women Victims of Violence

Women's Helplines:

In Norway no National Women's helpline has thus far been established supporting women survivors of domestic violence. It was planned to open one in 2008.

Most shelters operate a 24 hour telephone line free of charge, providing multilingual counselling to women affected by violence.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	0	/	/	/	0 %
Regional	45 approx.	45	most	45	no answer

NORWAY

Women's Shelters:

The first Norwegian women's shelter was opened in 1968. Since then 50 more women's shelters with a total capacity of 788 shelter places have been established for women victims of violence and their children. Therewith Norway fulfils the number of shelter places recommended by the European Parliament. According to WAVE Focal Point Krisesentersekretariatet/The Secretariat of the Shelter Movement²⁴³ the number of women searching for help in a shelter is still increasing. More shelter places are needed to administer appropriate help to all of them. Multilingual counselling is provided by all shelters. Most women's refuges can be contacted 24 hours a day all the year. All Norwegian women's shelters are 100 % financed through state funding. About 20 % of the costs are covered by municipalities.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
51	788	468	0	51	51	100 %

Further Services for Women Victims of Violence:

In 2001 each police department had a domestic violence expert coordinator who organised the cooperation between different professions involved in cases of domestic violence.

National Action Plan

In 2000, the 3rd "Norwegian Government's Plan of Action to Combat Domestic Violence 2007 - 2009"²⁴⁴ was developed in cooperation with NGOs such as WAVE Focal Point - "Krisesentersekretariatet / The Secretariat of the Shelter Movement"²⁴⁵. NGOs provided research results on violence against women and an informal platform of action was also organised by them.

243 Krisesentersekretariatet - The Secretariat of the Shelter Movement: <http://www.krisesenter.com>, 10.12.2008.

244 Norwegian Government's Plan of Action to Combat Domestic Violence 2007 - 2009; Norwegian Government: http://www.regjeringen.no/nb/dep/jd/dok/lover_regler/reglement/2004/Action-Plan-to-Combat-Domestic-Violence.html?id=272366, 10.12.2008.

245 Krisesentersekretariatet - The Secretariat of the Shelter Movement: <http://www.krisesenter.com>, 10.12.2008.

Upcoming Issues

Although many services are available for women affected by domestic violence, the number of women accommodated by shelters is still increasing. In the future, more efforts need to be put into prevention work.

Another topic highly discussed in Norway, is the huge number of migrant women seeking help in women's refuges. In 2006, 50 % of all women accommodated in Norwegian shelters were migrants. Many of them are married to native men. It is important to get a better understanding of this phenomenon. More research should be carried out on this issue.

Another discussion brought up recently focuses on the financial situation of women affected by violence. About 48 % of women living in shelters were forbidden by their partners to apply for a job. A strong connection between violence against women and inoccupation or economic dependency on their husbands is recognised.

Legal Measures

Domestic violence against women has been classified as criminal offence in Norwegian legislation since 2007 and also prosecuted.

Protection Law / Protective Measures

A protection order defends survivors of domestic violence from their perpetrator. Since 2003 police can banish the violent criminal from the joint house / flat in case of acute danger. All these cases are brought to court whereby all victims of domestic violence have the right to get free court accompaniment. This support is offered by free legal aid and shelters.

Marital Rape

Marital rape is indictable since 1981.

Sexual Harassment

The Working Environment Act prohibits sexual harassment. In 2002, protection against sexual harassment was also included in Norway's Gender Equality Act. First studies on the issue have been conducted by different universities and trade unions.²⁴⁶

Anti-Stalking Law

Stalking actions can be prosecuted, although no specific anti-stalking law has yet been established.

246 CoE 2007b: 86.

POLAND

Population: 38.125.479

Female inhabitants: 19.698.704 = 51,66 % of total population

CEDAW ratified: yes (1980)

Optional Protocol of CEDAW ratified: yes (2003)

Member of Council of Europe: yes (1991)

Member of European Union: yes (2004)

Facts and Figures

Latest number of femicides yearly: 243 women;²⁴⁷

Latest number of DV cases reported by police yearly: 130.682 cases in total, 76.162 female victim's cases (adults only) - (2007);²⁴⁸

Latest number of DV cases reported by women's shelters yearly: no answer;

Prevalence of DV: frequent violence in current or previous partnerships: physical 15 % of women, other forms 27 % of women and men altogether.²⁴⁹

Services for Women Victims of Violence

Women's Helplines:

The first national women's helpline was founded in 1995. Since then 1 national helpline "Niebieska Linia (Blue Line)"²⁵⁰ - 0-801-120-002 and several dozen regional women's helplines have been established. Due to a lack of financial resources the "Niebieska Linia" for survivors of domestic violence is neither available 24 hours nor does it offer multilingual service. The phone call is not completely free of charge: clients pay the first impulse. "Niebieska Linia" is fully funded by the state.

The regional helplines provide service to victims of different kinds of violence including women survivors of domestic violence. Clients usually pay the costs of a standard phone call when contacting a helpline. Some of them offer phone calls free of charge. Most regional helplines receive state funding from municipalities.

247 Estimated average over a 5 year period (2000 – 2005).

248 Data provided by Niebieska Linia (Blue Line): www.niebieskalinia.pl, 10.12.2008.

249 According to Centrum Badania Opinii Społecznej - CBOS', *Przemoc i Konflikty W Domu*, Warszawa, 2005: http://www.cbos.pl/SPISKOM.POL/2005/K_027_05.PDF, 10.12.2008.

250 Niebieska Linia (Blue Line): www.niebieskalinia.pl, 10.12.2008.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	1	0	0	0	100 %
Regional	no data	most	no answer	no answer	no answer

Women's Shelters:

The first Polish women's refuge was opened in the 90's. In 2008 an approximate number of 65 women's shelter has been established: 17 NGO shelters (according to "Niebieska Linia - Blue Line") especially intended for women victims of domestic violence, 15 state shelters for women with children, and 33 SOWs - specialist support centres for the victims of domestic violence. The latter can be considered shelters to some extent. The number of shelter places provided by NGO women's shelter is unknown. The SOWs together with state shelters can accommodate a total number of 1.321 women and children living in Poland – still 2.491 family places too less in order to reach the number of shelter places recommended by the European parliament. Some state shelters are available 24 hours a day. Some of them also offer multilingual services to women clients. An exact number is unavailable. More detailed information about services supplied by NGO shelters does not exist. While state shelters are usually 100 % state-financed, (shelters for women with children by municipalities) NGO shelters generally have a variety of financial sources such as: EU funds, donations, the Catholic Church, and even state funds for NGOs - so called FIO, for instance, or municipalities.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
65 approx.	1.321 + NGO places approx.	3.812	2.491	some	some	48 = 100 %

POLAND

Further Services for Women Victims of Violence:

Further, there are 317 so called OIKs (“Crisis Intervention Center”) in Poland, operated by local government / municipalities. Their main aim is to provide specialist help - mainly psychological, legal support and accommodation for victims in crisis situations caused by accidents, natural disasters, violence of any kind, etc.

According to the database of WAVE Focal Point Niebieska Linia there are 269 active Information-Counselling Points/Centres - so called PIKs - run by different kinds of organisations. 182 of them report to be especially intended for victims of domestic violence. The actual number of institutions and organizations that offer psychological counselling for women survivors of domestic violence is much higher (about 1.000 according database Niebieska Linia). As a result of the “National Program on Counteracting Family Violence” about 50 perpetrator programs have been established in Poland. There are difficulties in forming groups for these programs considering the fact that perpetrators cannot be forced to attend them.

National Action Plan

In 2006 the 1st exclusive “National Program on Counteracting Family Violence for 2006 – 2016”²⁵¹ was established. NGOs such as WAVE Focal Point “Niebieska Linia (Blue Line)”²⁵² collaborated with state’s agencies and municipal institutions in carrying out local Action Plans (e.g. in Warsaw), which are required on a national level, both in the afore-mentioned program and in the Act of 29 July 2005 on counteracting family violence.

Upcoming Issues

Currently, NGOs have been drawing attention to the problematic gaps in Polish law on domestic violence. Besides the demand to change the protection law so that it can also be obeyed by police, NGOs also demand an explicit prohibition of corporal punishment of children in Polish law.

251 National Program on Counteracting Family Violence for 2006 – 2016, Ministry of Labour and Social Policy: <http://www.mps.gov.pl/indextxt.php?gid=990>, 10.12.2008; Ministry of Labour and Social Policy: http://www.mps.gov.pl/_download.php?f=userfiles%2FFile%2FDepartament+Pomocy+Spolecznej%2FKrajowy+Program+Przeciwdzialania+Przemocy+w+Rodzinie-na+strone.doc, 10.12.2008; Niebieska Linia (Blue Line): <http://www.niebieskalinia.pl/newsy.php?id=546>, 10.12.2008.

252 Niebieska Linia (Blue Line): www.niebieskalinia.pl, 10.12.2008.

Legal Measures

Domestic violence against women is classified as a criminal offence in Polish legislation and also implemented. Domestic violence is defined in Article 2(2) of the Act on Counteracting Violence in the Family (2005).²⁵³

Protection Law / Protective Measures

Although there is a protection order for women affected by violence in case of acute danger, it can just be carried out by civil court not by police. Women survivors of domestic violence do not have the right to apply for court accompaniment free of charge after the difficult step of reporting the crime to police.

Marital Rape

There is no specific provision regarding marital rape in Poland. It is prosecuted on the victim's petition under Article 197 of the Penal Code (as an offence on "sexual freedom of a person and morality").²⁵⁴ According to the Polish Shadow report to CEDAW, the criminal justice system is extremely ineffective, and victims of rape face many legal obstacles.²⁵⁵

Sexual Harassment

Sexual harassment was defined in an amendment to the Labour Code. The law however is reportedly not fully enforced.²⁵⁶

Anti-Stalking Law

No anti-stalking law has thus far been established.

253 Open Society Institute (2007), Violence against Women. Does the Government Care in Poland?, Stop Violence Against Women: http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/Poland_4.pdf, 10.12.2008.

254 Coe 2007b: 93.

255 Shadow report on the implementation of CEDAW, Republic of Poland, 2006, IWRAP - International Women's Rights Action Watch - Asia Pacific: <http://www.iwraw-ap.org/resources/pdf/Poland%20final%20SR.pdf>, 10.12.2008.

256 Ibid.

PORTUGAL

Population: 10.599.095

Female inhabitants: 5.469.158 = 51,60 % of total population

CEDAW ratified: yes (1980)

Optional Protocol of CEDAW ratified: yes (2002)

Member of Council of Europe: yes (1976)

Member of European Union: yes (1986)

Facts and Figures

Latest number of femicides yearly: 35 women (Jan - Aug. 2008), 25 women (2007), 39 women (2006);

Latest number of DV cases reported by police yearly: 13.050 cases (2007);

Latest number of DV cases reported by women's shelters yearly: no answer;

Prevalence of DV: every 3rd Portuguese women is likely to experience domestic violence.

Services for Women Victims of Violence

Women's Helplines:

In Portugal, 3 national helplines and 1 regional helpline offer help to women survivors of violence.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	3	no answer	no answer	no answer	no answer
Regional	1	no answer	no answer	no answer	no answer

Women's Shelters:

In Portugal 37 shelters for women survivors of domestic violence and their children have been established, offering a total number of approximately 400 places. In order to fulfil the recommendation of shelter places given by the European Parliament, 659 more family places are needed. All 37 Portuguese women's shelters can be contacted 24 hours a day all year. Multilingual services are not provided to clients. The Portuguese Ministry of Social Security allocates money to women's shelters which are 100% state funded.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
37 approx.	400 approx.	1.059	659	37	no	no answer

National Action Plan

The 3rd National Plan against Domestic Violence from 2007-2010²⁵⁷ went into force in June 2007. It was developed in cooperation with NGOs such as WAVE Focal Point- "Associação de Mulheres Contra a Violência (AMCV)".²⁵⁸ One of its key provisions is guaranteed free access to health care for victims of domestic violence.

257 3rd National Plan against Domestic Violence from 2007-2010, Portal do Governo: http://www.portugal.gov.pt/NR/rdonlyres/2ED803E2-B64B-4586-8FB2-9BFEDAD8D9DF/0/Prop_3_Plano_Contra_Violencia_Domestica.pdf, 10.12.2008.

258 Associação de Mulheres Contra a Violência - AMCV: <http://www.amcv.org.pt/>, 10.12.2008.

Legal Measures

Since 2007, the Portuguese legislation contains a law which clearly classifies domestic violence against women as a criminal act which is also prosecuted.

Protection Law / Protective Measures

There is still a huge lack of support for women survivors of domestic violence in Portugal: victims are not protected through a protection law from their perpetrator. Even if a woman is encouraged enough to report the criminal acts to authorities, there is no free court accompaniment, free legal advice and solicitor for survivors of domestic violence.

The question also has to be raised if the extraordinary increase of femicides within the last 8 months can be stopped simply by changing gun control laws. The answer is clear: besides establishing laws that protect women from being harmed and killed by their partners, a special budget line in the state budget has to be allocated in order to increase the number and quality of services for survivors of domestic violence and to sensitize Portuguese society that violence against women is intolerable. In the field of domestic violence there is an attempt to focus on mental issues of women suffering domestic violence. "CIG - the Commission for Citizen and Gender Equality"²⁵⁹ is an official department offering such special services. With the reorganisation of the Commission for Equality and Women's Rights, women's issues and women's NGOs have lost strength and violence against women is treated as all other forms of discrimination.²⁶⁰

Marital Rape

Marital rape is mentioned particularly within the law of 2007 and it is defined as rape.

Sexual Harassment

The Labour Code, adopted in 2003, has a specific provision on harassment in Article 24, where it is defined as discrimination. However, the Portuguese Criminal Code contains no specific provisions concerning sexual harassment.²⁶¹

Anti-Stalking Law

There is no anti-stalking law which would penalize stalkers who psychologically traumatise their victims.

259 Commission for Citizen and Gender Equality - CIG: http://195.23.38.178/conciliar/files/conciliar-WHO_ARE_WE.pdf, 10.12.2008.

260 For further information see also the Shadow report to CEDAW, prepared by the Portuguese Platform for Women's Rights, October 2008: International Women's Rights Action Watch - Asia Pacific: http://www.iwraw-ap.org/resources/pdf/42_shadow_reports/ShadowReport_42CEDAW_Session_PORTUGAL_PPDM_final.pdf, 10.12.2008.

261 CoE 2007b: 105f.

ROMANIA

Population: 21.698.181 (2002)

Female inhabitants: 11.116.831 = 51,2 % of total population (2002)

CEDAW ratified: yes (1982)

Optional Protocol of CEDAW ratified: yes (2003)

Member of Council of Europe: yes (1993)

Member of European Union: yes (2007)

Facts and Figures

Latest number of femicides yearly: 224 women / 22 minors - (2004-2007);

Latest number of DV cases reported by police yearly: 33.730 cases - (2004-2007);

Latest number of DV cases reported by women's shelters yearly: no answer;

Prevalence of DV: according to the National Agency for the Protection of the Family, the number of violence cases has increased by 25 % compared to 2007.²⁶² Also the police is providing data on domestic crime but the data collection is neither systematic nor does it includes information collected by other sectors such as social services, the medical sector, police, courts.

Services for Women Victims of Violence

Women's Helplines:

According to the Romania Monitoring Report²⁶³ written by Roxana Tesiu, employee from WAVE Focal Point - "Center for Partnership and Equality",²⁶⁴ - there are 7 hotlines which are contacted by women victims of violence. However only 3 of them are specialized for women clients affected by domestic violence. Only 1 of them can be contacted by clients 24 hours a day.

262 National Agency for Family Protection Romania: <http://www.anpf.ro/?limba=En>, 10.12.2008.

263 Romanian Monitoring Report 2007, Stop Violence against Women: http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/Romania_2.pdf (page 33f), 10.12.2008.

264 Center for Partnership and Equality: <http://cpe.ro>, 10.12.2008.

ROMANIA



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	3	no answer	1	no answer	no answer
Regional	no answer	no answer	no answer	no answer	no answer

Women's Shelters:

The first Transylvanian women's shelter was opened by the Association Artemis in Cluj-Napoca in 2002. According to National Agency for the Protection of Family there are 55 womens shelter available for women victims of violence. They are either operated by public institutions (5 of them), as shelters administrated by NGOs (10 shelters), or as organisations funded by state and private sources (8 of them).²⁶⁵ Together they only provide a total number of 210 shelter places to 11.116.831 women living in this country. 1.959 family shelter places must be established in order to meet the number of shelter places recommended by the European Parliament. The shelters are financed by different sources such as state funding, international funding (EU), and private donations.

There is no umbrella organisation for the shelters in Romania. A network of 33 NGOs active in the field of combating domestic violence - known as the VIF coalition - exists since 2003.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
55	210	2.169	1.959	no answer	no answer	no answer

Further Services for Women Victims of Violence:

There are 25 crisis intervention centres, including 20 NGO-operated centres and 5 state centres. These centres provide services for women victims of violence including phone counselling, social, psychological, and legal counselling, representation in court, medical assistance, support groups, job placement, vocational orientation, financial support, mediation services, and individual and group therapy. Most of the NGOs' services receive external funding especially from the European Union (Phare and Socrates Programs). Public centres are funded by local municipalities or by central budget, as well as through EU grants. Training on violence against women is not formally included in the training curriculum of people who are confronted with cases of domestic violence against women - except for the rough training for social workers and psychologists. Training in this area is usually provided by NGOs. However, NGOs do not have the capacity to provide these services to all institutions in the whole country. Besides that, it is difficult to implement the same quality standards. The lack of a special budget line in the state budget, activity indicators and political will in addressing violence against women makes it very difficult to improve the support for survivors of domestic violence and tackling this crime.

²⁶⁵ Romanian Monitoring Report 2007, Stop Violence against Women: http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/Romania_2.pdf (page 28f), 10.12.2008. Remaining number of shelters: unclear.

National Action Plan

In Romania the “National Agency for Equal Opportunity (ANES)”²⁶⁶ under the authority of the Ministry of Labour is responsible for gender equality. A “National Strategy and an Action Plan for Equality of Chances between Women and Men 2006 -2007” were developed but have not yet been implemented. A specific Action Plan on eliminating violence against women does not exist.

Legal Measures

According to Romanian Domestic Violence Law No. 217 of 2003 Domestic Violence is classified as a criminal offence. However, domestic violence applies a family-centred perspective instead of the women’s human rights paradigm. The punishments depend on the severity of violence. The law is rarely implemented. Among other things, this is caused by the fact that a case of violence against women is dropped immediately if a victim withdraws her report, which often happens under pressure of the perpetrator and family concerns.

Protection Law / Protective Measures

The legislation does not contain a proper restraining order in cases of family violence, as it is not specified for survivors of domestic violence against women. The protective measure of forbidding the return to the family home for a determined period of time can be pronounced by the court only if the aggressor has been sentenced to jail for at least one year and if he is a menace to the other members of the family.²⁶⁷ The protection order can only be carried out by civil court and in practice it is not very effective. In theory, survivors of domestic violence also have the opportunity to apply for free court accompaniment. According to WAVE Focal Point “Association for Liberty and Equality of Gender - ALEG”, free legal advice and solicitor is seldom implemented unless an active NGO working in this field is pushing for this to happen.

Marital Rape

One could consider that marital rape is included under physical injuries in Romanian legislation although it is not specifically mentioned in the law. Marital rape is rarely prosecuted (WAVE Focal Point - Association for Liberty and Equality of Gender / ALEG) - has not heard about any case so far) since many women are not aware that this is an abuse which should be reported as a criminal act and not a “wife’s duty”.

Sexual Harassment

In Romania, sexual harassment - especially at work - can generally be punished according to 223 Penal Code and law 202/2002. The perpetrator can be sentenced to imprisonment for from 3 months up to 1 year. The victim has to make a complaint which is very difficult for women, since the general attitude in Romanian society is still to blame the harassed victim, accusing her of being responsible for what has happened to her. Thus, many women are afraid of making the harassment public and to start a legal process. Even if the harassed woman overcomes the psychological barrier and reports the crime, the aggressor can escape any punishment by reconciliation with the victim. It is more important to separate the victim from the perpetrator, and to provide protection to the victim, than to try to keep a family together with a violent background. No perpetrator has yet been convicted.

Anti-Stalking Law

No anti-stalking law has been developed and established in Romanian legislation yet.

266 National Agency for Equal Opportunity - ANES: <http://www.anes.ro>, 10.12.2008.

267 Romanian Fact Sheet 2006, Stop Violence against Women: http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/ROMANIA_VAW_FACT_SHEET_2006_3.pdf, 10.12.2008.

RUSSIAN FEDERATION

Population: 142.220.968

Female inhabitants: 76.371.980 of total population

CEDAW ratified: yes (1981)

Optional Protocol of CEDAW ratified: yes (2004)

Member of Council of Europe: yes (1996)

Member of European Union: NO

Facts and Figures

Latest number of femicides yearly: 9.000 women (2003);²⁶⁸ 14.000 women (1999);²⁶⁹

Latest number of DV cases reported by police yearly: no data available; police usually do not record the majority of the cases;

Latest number of DV cases reported by women's shelters yearly: no answer;

Prevalence of DV: no data.

According to WAVE Focal Point - "ANNA Association No to Violence - National Center for Prevention of Violence",²⁷⁰ Moscow - there are no official statistics or systemic data collection on registration of cases of violence against women in Russia. The data collected on domestic crimes by the Ministry of Interior are gender-neutral.

Services for Women Victims of Violence

Women's Helplines:

Russia has no national helpline supporting women victims of violence. In 1993 the first Russian women's helpline was established by WAVE Focal Point ANNA which also organises a network consisting of approximately 150 regional women's helplines. They are operated by NGOs and governmental agencies working with women survivors of domestic violence. Only the helpline in Barnaul, Altai Region receives state funding from the Department of Social Protection, while all others function on a voluntary basis. Due to the lack of funding, only 1 regional women's helpline is available 24 hours a day and no helpline provides multilingual services.

268 These data were officially provided by Ministry of Interior to Amnesty International in 2005.

269 The State Party's Report to the Committee on the Elimination of Discrimination against Women (CEDAW), 1999.

270 ANNA Association No to Violence - National Center for Prevention of Violence: <http://www.owl.ru/anna>, 10.12.2008.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	0	/	/	/	0 %
Regional	100 approx.	100	1	0	1 = 100 %

Women's Shelters:

In 1996 the first Russian women shelter was opened in St. Petersburg. In Russia, a country with a population of approximately 142 million people, there are only 16 refuges available for victims of domestic violence and for victims of trafficking. In average they can house 5-10 women survivors with children; thus there are approximately 200 shelter places available in the whole country. Information on the total number of people on the waiting lists, on the number of requests for placement in a shelter and the proportion of existing shelter places is not available. However, the number of obtainable shelter places is very few. For instance, in Moscow, the largest Russian city with about 9 million inhabitants, there is not a single shelter for women survivors of violence. Due to a lack of funding, service can often not be provided 24 hours a day and multilingually.

15 shelters are state run and 100 % financed by the local city departments of social development. Only 1 women's shelter is operated by an NGO located in Murmansk, which does not receive any money from the state: In Russia "... women's NGOs were never able to run shelters due to a lack of resources and a lack of recognition by the state, which is controlling and bureaucratic. NGOs have difficulties in getting registered and risk losing their registration. It is also very difficult to get permission to run a shelter as a non-state organization."²⁷¹



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
16	200 approx.	14.222	14.022	0	0	99 %

Further Services for Women Victims of Violence:

Despite extremely difficult conditions, women's organizations have managed to establish women's crisis centres. There are 19 main crisis centres for women that provide services such as hotline counselling, face-to-face counselling and self-help groups. These are operated by NGOs. Women's centres are supported by "ANNA, a National Center for the Prevention of Violence in Moscow", which started as the first crisis centre in Russia in 1993. "ANNA" brings together over 150 NGOs and government agencies dealing with violence against women²⁷². Intervention centres have not been established so far.

²⁷¹ Website of ANNA: http://www.owl.ru/anna/index_ru.htm, 10.12.12008 in Rosa Logar: The European Women's Shelter Movement and its contribution to change: New challenges and future perspectives, 2008, p.11.

²⁷² Ibid.

National Action Plan

There is no special National Plan of Actions for Combating Violence against Women in the Russian Federation. From 2001 to 2005 the National Action Plan for Gender Equality adopted by the Ministry of Labour and Social Development came into force. There were problems in implementing the plan since it has taken a lot of time until the plan was reorganized by the Ministry of Labour and Social Development and by the Ministry of Health. That was an interagency plan with the Ministry of Interior being a key institution responsible for legal protection of survivors. However, special laws or acts on any forms of violence against women have not been adopted, except of Article 152 on trafficking in minors. The latter was included into the Criminal Code in 2003. There are no other National Action Plans focusing on equal rights / violence against women thus far.²⁷³

Legal Measures

Violence against women, particularly domestic violence, is not recognized by Russian criminal law as a separate offence. The criminal code of the Russian Federation has no specific definition of domestic violence. It makes only a few references to the relationship between those involved in an act of crime. Cases of domestic violence against women are often considered by law enforcement officials as part of “violence in the private sphere” (*bytovoe nasilie*).²⁷⁴ The only way to protect a victim and to punish a perpetrator through criminal procedures is to refer to the articles of the criminal law on bodily injuries or other crimes. Acts of domestic violence against women, like any violent crime against a person, are punishable under Part VII of the Russian criminal code (crimes against the person). They may be prosecuted under several Articles.²⁷⁵ None of these articles refers to the relationship between the perpetrator and the victim. The law does not recognize the seriousness of domestic violence against women, where often the acts of violence cause only minor damage to victim’s health but the impact of repeated abuse can have long-term consequences for psychological condition of the victim. Only Article 117 considers as aggravating circumstances: if the victim is a minor, is apparently helpless “or... is materially or otherwise dependent on the guilty person”. However, this article is rarely invoked.

Protection Law / Protective Measures

There is neither a protection order nor a court accompaniment available free of charge for victims of domestic violence as there is no separate law / or legal provisions on domestic violence in the Russian legislation.²⁷⁶

273 The information was provided by Tatiana Melnikova, Chief Consultant, Department for Social Policy, Family & Women, Ministry for Health Care and Social Development of Russia.

274 Bytovoe nasilie is thus different from organized crime or state violence.

275 Article 112 (intentional causing of average gravity harm to health); Article 115 (intentional causing of minor harm to health), Article 116 (beating); Article 119 (threat of homicide or of causing grave harm to health), Article 117 (torture, the causing of physical or mental suffering by means of the systematic infliction of beatings or other forcible actions). The translation of these articles follows William E. Butler, *Criminal Code of the Russian Federation*, Fourth Edition, London, 2004.

276 Stop Violence against Women: http://www.stopvaw.org/Russian_Federation.html, 10.12.2008; Contributed by Larissa Ponarina, Russian Federation National VAW Monitor.

Marital Rape

Marital rape is not classified separately as a criminal offense. No article in the Russian Criminal Code regulating rape and sexual abuse²⁷⁷ includes the note of relationship between the perpetrator and the victim.

Sexual Harassment

Sexual harassment is not defined in the legal system of the Russian Federation. It can be prosecuted under Article 132 (Violent Sexual Actions) or Article 133 (Compulsion to Perform Sexual Actions) of the Criminal Code. There is further a prohibition of discrimination (based, i.e. on sex) included in the Labour Law.²⁷⁸

Anti-Stalking Law

There is no anti-stalking law in the Russian Federation.

277 Articles 131 to 133 (criminalized rape or sexual abuse), Article 131. (rape), Article 132. (violent sexual actions), Article 133 (compulsion to perform sexual actions).

278 Stop Violence against Women: http://www.stopvaw.org/Russian_Federation.html, 10.12.2008.

SERBIA

Population: 7.397.651

Female inhabitants: 3.800.809

CEDAW ratified: yes (2001)

Optional Protocol of CEDAW ratified: yes (2003)

Member of Council of Europe: yes (2003)

Member of European Union: NO

Facts and Figures

Latest number of femicides yearly: no data available – approx. 1 woman weekly or 50 women yearly: estimation by WAVE Focal Point “Autonomous Women’s Center”²⁷⁹;

Latest number of DV cases reported by police yearly: 2.191 cases (2006), 1.397 cases (2005), 1.009 cases (2004), 664 cases (2003), 192 cases (2002).²⁸⁰ Only 16.5 % of domestic violence cases were reported to the police in Serbia;

Latest number of cases reported by women’s shelters yearly: no data available;

Prevalence of DV: according to the latest research carried out in 2002, every 3rd women in Serbia is a victim of physical violence, every 2nd is a victim of psychological violence, and 1 woman out of 11 reports sexual violations. These numbers were confirmed by indirect interrogations of respondents: 50.1% of the respondents know at least 1 case of domestic violence in other families; 26.9 % have some indication that a woman and her children are affected by domestic violence (Vidaković, 2002:14,15). Although several studies on violence against women²⁸¹ have been carried out in Serbia, no systematic, comprehensive survey of different forms of gender-based violence has been conducted on a nationally-representative sample. Roma women, but also women from other discriminated groups are underrepresented.

279 Data collected by police are not available. The estimations are based press-clipping for all reports on murders of women for a specific period carried out by the Autonomous Women’s Center: <http://www.womenngo.org.yu>, 10.12.2008.

280 Data from National Institution for Statistics.

281 (1) Out of a total sample of 1.456 girls/women aged 15 to 50 from in Belgrade, 23.7% declared to have had an experience of violence against women at some point in their lives. (Study on Domestic Violence and its Health Consequences, Autonomous Women’s Center, 2005.); (2) Study on Domestic Violence, Victimology Society of Serbia, 2002: sample of 700 adult women from rural and urban municipalities in seven Serbian cities; (3) Studies of Prevalence and Characteristics of Sexual Violence against Adolescents (Brankovic, in 2001; 2003; 2005; 2007): nationally-representative sample of 4000 high-school students in Serbia.

Services for Women Victims of Violence

Women's Helplines:

Presently in Serbia, 1 helpline is reachable from the whole country and is advertised as a national helpline for women and girls survivors of violence. Phone calls and services, which are not provided 24 hours a day, are free of charge for clients. Multilingual counselling is also not supplied to women speaking another language other than Serbian. About 35 regional helplines can be contacted by women and girls survivors of violence, Roma women survivors of violence, and women with disabilities affected by violence. These helplines usually do not offer 24 hour service. Except of 2 hotlines specializing in Roma women affected by violence, multilingual counselling is not available. Most regional women's helplines are financed by donors from international organisation. About 5% of the costs are covered by state funding.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	1	1	0	0	no answer
Regional	33 - 35	no answer	0	2	5 %

Women's Shelters:

The Autonomous Women's Centre in Belgrade is not only the first one established in Serbia, but also one of the oldest in Eastern Europe, operating since 1993.²⁸² Currently there are 8 shelters accommodating women survivors of domestic violence. Multilingual service is not provided to clients and only 3 women's refuges have financial resources to be available 24 hours a day.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
8	no answer	739	/	3	0	no answer

282 Autonomous Women's Center Belgrade: <http://www.womenngo.org.yu/english/>, 10.12.2008.

National Action Plan

A NAP against violence against women does not exist in Serbia. In 2006 the “National Strategy for Improvement of Women’s Position and Gender Equality” was drafted for the period from 2007-2010. It was developed by 6 work groups consisting of more than 30 women’s NGO’s and other experts. One of these 6 groups was especially focussed on violence against women. This work group was also joined by experts of the two WAVE Focal Points - “Autonomous Women’s Center” and “Center for prevention of Domestic Violence”. The elaborated document was partly adopted by Sector for Gender Equality (within the Ministry of Work and Social Issues): the content was shortened and changed to a certain extent. Now NGOs are waiting for its implementation.

Usually national strategies ignore the problem of violence against women or do not address it properly. For example: a National Action Plan against violence has been developed without involvement of women’s NGOs. It neither defines violence against women as a special category of violence nor are there any special measures mentioned to tackle this problem. This action plan has not been enacted thus far.

In 2008, the autonomous province of Vojvodina developed the “Strategy Against Domestic Violence in Vojvodina in 2007”,²⁸³ which is currently undergoing the enactment procedure.

Legal Measures

Article 194 of the Criminal Code in Serbian legislation classifies domestic violence as a criminal act which is also prosecuted. However, a domestic violence survey in Serbia shows that a high percentage of women do not consider domestic violence a criminal offence. This depicts the lack of prevention work and activities of awareness raising (media campaigns, school programs etc.). In the last several years there has been a great increase in the number of convictions for this criminal offence due to extensive education and training provided by women’s NGOs. In Serbia, sentences for acts of violence in the family have been decreased by the changes of the Criminal Code adopted in 2005 (from three years of imprisonment to one year).²⁸⁴ If the violence resulted in the death of a victim who was previously molested, the perpetrator can be punished with a much higher sentence.²⁸⁵ Consequently, the severity of the sanction depends on the prosecutor’s qualification of the situation – as a criminal act qualified as domestic violence against women (with a lower sentence) or as a criminal act with a qualified form of murder (with a much higher sentence).

283 Strategy against Domestic Violence in Vojvodina in 2007: http://www.minrzs.sr.gov.yu/portal/index.php?option=com_content&view=category&layout=blog&id=14&Itemid=135, 10.12.2008.

284 For the most severe form of violence, resulting in the death of the victim, the perpetrator can now be sentenced to imprisonment with a minimum term of three years up to a maximum of 12 years, while the previous Criminal Code prescribed a minimum sentence of 10 years. The sanctions for this latter form of domestic violence have not been brought into proportion with those for the qualified form of serious murder.

285 A minimum of 10 years of imprisonment, with a maximum of 30 to 40 years.

Protection Law / Protective Measures

Serbia has a protection order, however, practices in the entire country show that courts still rarely order them, or that existing measures are ineffective in protecting victims. As a consequence, women and children survivors of domestic violence are forced to leave the house or apartment and to seek shelter, not the violent party, who usually stays at home. Due to lack of jurisprudence and effective protection of victims during the criminal procedure, the perpetrator has the opportunity to pressure them, and they often withdraw the charges. The Law on Criminal Procedure²⁸⁶ in Serbia can not be carried out by police but enables the court to protect the victim against insults, threats and other attacks, and to warn the violator or impose a fine (Art. 109). It is criticized that the courts often react too slowly. The newly adopted Family Law (2005) in Serbia has a new custody procedure when children are victims of domestic violence. In those cases the process is urgent. The court may order separation of a child from a violent parent.

There is an obligatory paragraph within the legislation that entitles survivors of domestic violence to court accompaniment free of charge although the government is neither actually finances nor offers such a service. Some women's NGOs do provide that service for women suffering violence against women.

Marital Rape

Marital rape is not defined as a separate criminal offence. The definition of rape in earlier law excluded the husband. The ongoing law does not have this exclusion. However in the case of rape committed by a spouse, criminal prosecution is started upon request from the wife. Marital rape is prosecuted but not ex officio. The victim has to initiate the proceeding. The perpetrator can be sentenced to imprisonment for up to 10 years, with much more severe sentences (up to 18 years) in cases of aggravating circumstances or where the victim died. However, national studies have shown that marital rape is usually neither reported nor prosecuted.

Sexual Harassment

The Labour Law of Serbia (2001) prohibits discrimination of people seeking employment and employees based on several grounds, including sex and marital status. An amendment to the Criminal Code in 2003 is also related to sexual harassment and trafficking.²⁸⁷

Anti-Stalking Law

An anti-stalking law has not been established in the criminal law of Serbia.

286 In Serbia the perpetrator may be removed from the family house or apartment, even if he owns or rents the property. This measure was introduced recently by the new Family Law (2005). To protect victims of violence in the family, it provides a range of measures that temporarily forbid or limit personal relations of the perpetrator with other family members. Besides the removal of the perpetrator from the family house or apartment, these measures are: ordering the victim to be moved to the family house or apartment, prohibition of approaching the family member at a certain distance, prohibition of access to the place of residence or workplace of the family member, and prohibition of stalking the family member. These protective orders may last up to one year, and may be extended as long as necessary. This Law demands that courts deal with cases of domestic violence as an urgent matter.

287 UNIFEM - United Nations Development Fund for Women: http://www.unifem.sk/index.cfm?module=project&page=country&CountryISO=RS#_ftn11, 10.12.2008.

SLOVAKIA

Population: 5.393.637

Female inhabitants: 2.775.353 = 51,45 % of total population

CEDAW ratified: yes (1993); 3rd and 4th periodic report – 41st session 2008²⁸⁸

Optional Protocol of CEDAW ratified: yes (2000)

Member of Council of Europe: yes (1993)

Member of European Union: yes (2004)

Facts and Figures

Latest number of femicides yearly: no data available;

Latest number of DV cases reported by police yearly: no data available;

Latest number of DV cases reported by women's shelters yearly: no data available;

Prevalence of DV: out of all adult women in Slovakia aged 15-65 who have had an intimate partner, 29.3 % have experienced violence from at least 1 of their partners, which means every 3rd woman.²⁸⁹

Services for Women Victims of Violence

Women's Helplines:

In Slovakia, 6 national and 1 regional helpline specializing in women victims of violence can be contacted. Only some of them are reachable 24 hours a day.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	6	no data	some	no data	no data
Regional	1	no data	no data	no data	no data

²⁸⁸ Office of the United Nations High Commissioner for Human Rights: <http://www2.ohchr.org/english/bodies/cedaw/cedaws41.htm>, 10.12.2008.

²⁸⁹ Bodnárová, B. -Filadelfiová, J., Domestic violence and Violence against Women in the Slovak Republic, Summary Report from the Representative Research, Bratislava: SŠPR, 2003.

Women's Shelters:

Despite the fact that every 3rd women living in Slovakia experiences violence caused by their partners at least once in their life, there are only 2 shelters available for women victims of violence providing a total capacity of 46 shelter places. 493 shelter places must be established in order to fulfil the number of family places recommended by the European Parliament. The Slovakian government however is "... speaking of 31 women's shelters, ... This clearly shows what not all states have understood yet, namely, that survivors of violence need specialized services applying principles of empowerment and safety and that services like homeless shelters or general social services do not offer adequate support."²⁹⁰ Both women's shelters are 75 – 80 % state funded.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
2	46	539	493	no answer	no data	75-80 %

National Action Plan

Slovakia has worked out a "National Action Plan on Prevention and Elimination of Violence against Women for years 2005-2008"²⁹¹ in cooperation with NGOs such as WAVE Focal Point "FENESTRA - Interest Association of Women".²⁹² This cooperation of drafting and implementing documents and plans on violence against women was described as unsystematic and inconsistent. As a result, separate activities are carried out especially at the local and regional levels mostly initiated by the NGOs. Besides that, the NAP fails to define the expected financial and personnel costs for its effective implementation. In reality, the government has not allocated any funds for implementation of the NAP; the tasks assigned to political instances only formally.²⁹³

290 Rosa Logar: The European Women's Shelter Movement and its contribution to change: New challenges and future perspectives, 2008, p.10.

291 National Action Plan on Prevention and Elimination of Violence against Women for years 2005-2008, Ministerstvo práce sociálnych vecí a rodiny SR: <http://www.employment.gov.sk/new/index.php?SMC=1&id=1473>, 10.12.2008.

292 FENESTRA - Interest Association of Women: <http://www.fenestra.sk>, 10.12.2008.

293 Shadow Report to the Committee on the Elimination of Discrimination against Women for the Slovak Republic 41st Session 30 June to 18 July 2008; p. 19, United Nations Human Rights: http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/IWRAW_Asia_Pacific_Slovak41.pdf, 10.12.2008.

Legal Measures

Domestic violence against women and all its forms are classified as a criminal offence in Slovak legislation under Section 208 of the Penal Code (Abuse of a close and dependent person). However, there is still a strong tendency to see only brutal physical assault as violence and to trivialize other forms of violence. Other than physical violence, which is often not even considered violence - especially psychological violence. The as to whether the victim has suffered psychologically due to the perpetrator's actions, a court expert registered with the court experts' register - regardless of whether he/she focuses his/her work around psychological symptoms of violence, if he/she is specialized in the area of violence against women or if he/she updates their expertise - can do the examination and furnish an opinion.

Protection Law / Protective Measures

In the Penal Code (see the government report, paragraph 134) of the Slovak legislation the restraining order ordering the violent person to stay at least 5 meters from the injured party and preventing the violent person from staying in the vicinity of the injured party's dwelling within adequate restrictions was defined by the court as a part of sentence or in the case of conditional discharge. Yet, it is clear from practice that this provision was hardly ever applied. Victims of domestic violence do not have the right to apply for court accompaniment free of charge.

Marital Rape

Marital rape is established as a criminal act and also prosecuted.

Currently attention is turned towards the implementation of the new Slovak NAP. Further, a draft has been developed regarding new police legislation on protection of violence against women. NGOs working in the field of domestic violence claim to allocate funds for increasing the number of women's refuges for setting up specialized services within the social services network that reflect the needs of women – survivors of violence. At the present time, no Intervention Centre is coordinating services provided to women affected by violence. 2 women's refuges providing services specifically to women – survivors of couple violence and their children - offering approx. 46 places and 5 counselling centres provide services specifically to the above target group in Slovakia. None of the women's refuges meets the basic standards recommended by the EU – free of charge services.

Sexual Harassment

There is no explicit reference to sexual harassment in Slovakian law. A number of other provisions such as the prohibition of discrimination in the Labour Act, or “harassment” as defined in the Antidiscrimination Act, could be applied regarding sexual harassment.²⁹⁴

Anti-Stalking Law

There is no anti-stalking law established thus far.

294 CoE 2007b: 148.

SLOVENIA

Population: 2.010.377

Female inhabitants: 1.023.395 = 50,9 % of total population

CEDAW ratified: yes (1992)

Optional Protocol of CEDAW ratified: yes (2004)

Member of Council of Europe: yes (1993)

Member of European Union: yes (2004)

Facts and Figures

Latest number of femicides yearly: 7 women (2007);

Latest number of DV cases reported by police yearly: 4.329 cases (2007);

Latest number of DV cases reported by women's shelters yearly: no data;

Prevalence of DV: no country research done yet; according to the estimation of WAVE Focal Point "Association SOS Helpline for Women and Children",²⁹⁵ every 5th woman experiences domestic violence in is Slovenia.

Services for Women Victims of Violence

Women's Helplines:

In Slovenia, 1 national helpline for women and children victims of violence operates free of charge. Due to a lack of funding, neither service can be provided 24 hours a day all year, nor is counselling offered multilingually. The helpline is reachable for women survivors only 10 hours during week and 4 hours during weekends and holiday. Currently the total budget to run the women's helpline averages up to approximately 107.000 EUR per year. A part is covered by the Ministry of Work, Family and Social Affairs and by municipalities. The remaining amount is financed through private foundations.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	1	1	0	0	no answer
Regional	0	/	/	/	0%

295 Association SOS Helpline for Women and Children: <http://www.drustvo-sos.si>, 10.12.2008.

SLOVENIA

Women's Shelters:

In Slovenia 11 women's shelters and 1 crisis centre are available for women victims of violence and their children. They provide a total number of 182 beds in 63 rooms. In order to reach the number recommended by the European Parliament, 19 more family places are needed. All women's refuges are reachable 24 hours a day however women are not accepted at night. They first have to attend a counselling meeting where they decide whether to be accommodated in a shelter or not. Service is not offered multilingually. All Slovenian women's shelters are financially supported by the Ministry of labour, Ministry of Family and Social Affairs and by municipalities. The financial means allocated through state funding are insufficient to cover all costs. Managers of shelters are forced to undertake fundraising activities, collecting money from private foundations, donations, and the Church.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
12	182	201	19	12	0	no answer

SPAIN

Population: 44.474.631

Female inhabitants: 22.531.907 = 50,66 % of total population

CEDAW ratified: yes (1984)

Optional Protocol of CEDAW ratified: yes (2001)

Member of Council of Europe: yes (1977)

Member of European Union: yes (1986)

Facts and Figures

Latest number of femicides yearly: 71 women (2007); 560 women (1999-2007);²⁹⁶

Latest number of DV cases reported by police yearly: 80.751 total complaints (2006), 33.950 cases first 3 months in 2008;²⁹⁷

Latest number of DV cases reported by women's shelters yearly: no answer;

Prevalence of DV: extrapolating the data for 2006 to the total number of women aged 18 and over residing in Spain at the beginning of 2008, the number of women considered abused would rise to more than 1.800.000. The number of women who classify themselves as having been abused in the last year would be approx. 608.000.

Services for Women Victims of Violence

Women's Helplines:

In Spain there is 1 national women's helpline 24 hours available for women affected by violence and their children, which was established under the Real Decreto 903/1997 in June 1997. Clients receive multilingual services if needed and the phone call is free of charge. The Spanish national women's helpline is 100 % subsidized through state funding.

Besides that 17 regional helplines – the 112 helplines²⁹⁸ – can be contacted by women victims of domestic violence. All of them operate free of charge. Only 1 regional helpline provides 24 hour service and multilingual counselling to the clients.

296 Comisión para la investigación de malos tratos a mujeres: www.malostratos.org, 10.12.2008.

297 Ministerio de Igualdad: <http://www.migualdad.es/violencia-mujer/index.html>, 10.12.2008.

298 112.es: <http://www.112.es/>, 10.12.2008.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	1	1	1	1	100 %
Regional	17	17	1	1	100 %

Women's Shelters:

In 1985, the first Spanish women's refuge was opened in Murcia Region which currently counts 6 women's shelters providing 85 shelter places to women survivors of violence and their children. As reported by WAVE Focal Point IMRM,²⁹⁹ all 6 shelters are fully state funded and provide multilingual counselling. 24 hour service is only offered by 1 shelter. All over Spain there are about 120 shelters for women affected by violence.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
120 approx.	no answer	4.447	/	no answer	no answer	no answer

National Action Plan

The "Plan Nacional de sensibilización y prevención de la violencia de género"³⁰⁰ was prepared by the Spanish government in 2006. In 2008 it was resolved by the Ministry of Equality to improve this action plan.³⁰¹ No deadline has been set.

299 IMRM - Programas Europeos - European Programmes: www.imrm.es, 10.12.2008. Sources: Annual report of the national observatory on violence against women; National Action Plan 2008; Organic Act 1/2004 of 28 December on Integrated Protection Measures against Gender Violence.

300 Plan Nacional de sensibilización y prevención de la violencia de género, Ministerio de Igualdad: <http://www.migualdad.es/violencia-mujer/index.html> 10.12.2008.

301 For further information see Ministerio de Igualdad: <http://www.migualdad.es/>, 10.12.2008.

Legal Measures

Domestic violence is classified as a criminal offence in Spanish legislation. “Circular 4/03” drafted by the department of Public Prosecutions provides details of the new criminal categories introduced by “Organic Act 11/2003” to prosecute domestic violence, specifically occasional abuse and regular abuse.

Protection Law / Protective Measures

According to “Article 20, Legal aid”, women victims of gender violence who prove they have insufficient means to initiate legal action, as stipulated in “Act 1/1996 of 10 January on Free Legal Aid”, have the right to be defended and represented free of charge by a lawyer or court representative in all administrative processes and proceedings that ensue directly or indirectly from the violence suffered. In such cases, a single legal counsel shall take on the defence of the victim. This right is extensive to the successors in interest in the event that a victim dies. In any case, all victims of gender violence who so request shall be guaranteed free, specialist legal services, immediately available, notwithstanding that if they are later refused entitlement to free legal aid they must pay the appearing lawyer the fees corresponding to his or her intervention. Further, bar associations which require specialisation courses for future lawyers shall ensure that these include specific training to help them exercise an effective professional defence of gender violence victims.

By redrafting section 57 of the Criminal Code with “Organic Act 12/1999”, which regulates the protection of the sexual integrity and liberty of minors and disabled persons, the possibility of imposing in sentences as ancillary punishments for specific offences is constituted, according to the seriousness of the offence and the danger posed by the offender, restrictions on approximation and communication with the victim or family, prohibition to return to the place of the offence or to go to the residence of the victim. “Act 38/2002”, further introduces fast judgement of specific offences and minor offences, enabling, in cases of straightforward pre-trial proceedings - including those associated with domestic violence – these cases to be judged within 15 days from the perpetration of the offence, and the passing of sentences, following a prior plea of guilty by the defendant, immediately after the perpetration, in the Examining Magistrate’s Court. “Act 27/2003”, regulates the Protective Order of Victims of domestic violence for the first time in Spanish legal system. Only in its statement of motives, the difference between gender violence in the sphere of intimate relationships and other forms of intra-family violence is pointed out. It further calls for co-ordination between all sectors to reduce violence against women. “Circular 2/03 - on a number of procedural issues associated with the protective order”, highlights the legal nature of the protective order, as an entitlement to other types of measures (assistance, psychological, legal, financial, etc.) established in other laws, which confers the victim a comprehensive protection status.³⁰²

Sexual Harassment

Amendments in the Penal Code (Article 184) were also made in relation to sexual harassment: the penalties have been extended.³⁰³

Anti-Stalking Law

There is no legal order providing means to tackle stalking, a form of violence which is often practised by perpetrators to control and consciously terrorize a victim psychologically.

302 For further information see Ministerio de Igualdad: <http://www.migualdad.es/violencia-mujer/Documentos/leyviolencia.pdf>, 10.12.2008, and http://www.migualdad.es/violencia-mujer/Documentos/RealDecreto237_2005.pdf, 10.12.2008.

303 CoE 2007b: 170.

SWEDEN



Population: 9.113.257

Female inhabitants: 4.589.734 = 50,36 % of total population

CEDAW ratified: yes (1980)

Optional Protocol of CEDAW ratified: yes (2003)

Member of Council of Europe: yes (1949)

Member of European Union: yes (1995)

Facts and Figures

Latest number of femicides yearly: 20 women approx.;

Latest number of DV cases reported by police yearly: 25.000 cases approx.;

Latest number of DV cases reported by women's shelters yearly: no answer;

Prevalence of DV: about 300.000 women are likely to experience domestic violence.

Services for Women Victims of Violence

Women's Helplines:

The Swedish national women's helpline was established in December 2007. It is operated by the "National Centre for Knowledge on Men's Violence Against Women." The helpline is available 24 hours a day, 365 days a year providing help multilingual. Depending on the language qualifications of the staff, they work with interpreters if needed. The service but also the phone call is free of charge for all clients applying for support. The Swedish national women's helpline receives funding from the state.

Further, 150 regional women's helplines – operated by women's refuges – are available for women survivors of violence. All of them can provide their services free of charge and clients also do not pay for the phone call. No exact number of how many helplines can be contacted 24 hours a day, all year is available. The same applies for the question as to whether multilingual service is provided or not. Shelters have different financing models: all of them are subsidized by the state through funding coming from municipalities and additionally carry out fundraising activities in order to collect the money needed for operating the helpline.

SWEDEN



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	1	1	1	1	no answer
Regional	150	150	some	some	no answer

Women's Shelters:

In 1978 the first Swedish women's shelter was established in Stockholm. Since then 149 more women's shelters have been set up by 2008. There are 2 umbrella organisations for women's shelters in Sweden: Roks, the National Organisation for Women's and Girls' Shelters in Sweden was founded in 1984. It consist of about 100 member organisations, both women's and girls' shelters. All of them operate women's helplines and 5 of them offer specialized multi-lingual service. In 1996 the second umbrella organisation - SKR, the Swedish Association of Women's Shelters -was founded.

It is difficult to estimate the percentage of state funding since every member organisation works independently and a variety of financing strategies are applied. Many shelters receive funding from their local and/or regional municipalities, but to what extent differs greatly throughout the country.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
150	no answer	911	/	some	some	no data

National Action Plan

Based on several working meetings and in close cooperation with NGOs such as WAVE Focail Point "Kvinnojouren i Göteborg"³⁰⁴ - the Swedish government prepared a "National Action Plan for combating men's violence against women, violence and oppression in the name of honour and violence in same-sex relationship"³⁰⁵ in 2007. The Swedish government invested a great deal of money into this topic since the action plan was realised in November 2007.

³⁰⁴ Kvinnojouren i Göteborg: www.kvinnojourgoteborg.com , www.kvinnojour.com, 10.12.2008.

³⁰⁵ National Action Plan for combating men's violence against women, violence and oppression in the name of honour and violence in same-sex relationship, Government Office of Sweden: www.regeringen.se, 10.12.2008.

Upcoming Issues

A new research centre is currently being built on the Swedish west coast which aims to collect all kinds of information about domestic violence against women and to provide education for all professions working with women affected by violence. Until now there was only 1 centre on the Swedish south coast which was responsible for the whole country.

Legal Measures

Domestic violence against women is classified as a criminal offence in the Swedish legislation and prosecuted.

Protection Law / Protective Measures

In 2007 the law was changed and since then entitles women and children suffering domestic violence to get help from the municipality which includes: the right to get a place at a shelter, the right to get special help for the children, the right to get money for covering the living costs and all the support needed to start up a new life. Time has proved that these changes have already had a positive impact on victims. Court accompaniment is available for free for victims of domestic violence and implemented as well. The civil court is empowered to carry out the protection order in case of acute danger.

Marital Rape

Marital rape, too, is classified a criminal offence and prosecuted.

Sexual Harassment

According to the shadow report to CEDAW, Sweden has very good legislation, also as regards sexual harassment. There are however, problems with the implementation, i.e. gender discrimination and sexual harassment are not prosecuted or sanctioned very often.³⁰⁶

Anti-Stalking Law

An anti-stalking law has not yet been established, but is under development and should be put into force by 2009.

306 Shadow report to CEDAW, submitted by the Swedish CEDAW-Network and the Swedish Women's Lobby, 2007, International Women's Rights Action Watch: http://www.iwraw-ap.org/resources/pdf/40_shadow_reports/sweden_sr.pdf, 10.12.2008.

SWITZERLAND

Population: 7.508.739

Female inhabitants: 3.829.380 = 50,99 % of total population

CEDAW ratified: yes (1997)

Optional Protocol of CEDAW ratified: yes (2008)

Member of Council of Europe: yes (1963)

Member of European Union: NO

Facts and Figures

Latest number of femicides yearly: 25 women older than 14 years (2000 – 2004);³⁰⁷

Latest number of DV cases reported by police yearly: no data available; no unified, nationwide statistic on domestic violence available in Switzerland. First statistics on domestic violence are planned to be published in 2010;

Latest number of DV cases reported by women's shelters yearly: approx. 1032 womens in 2007;

Prevalence of DV: no answer - statements differs a great deal, depending on the Cantons.

Services for Women Victims of Violence

Women's Helplines:

The first Swiss women's helpline was founded in 1956. There is no national helpline for women affected by domestic violence in Switzerland, but 1 for all people in difficult situations called "Die Dargebotene Hand" and 1 especially for children and teenagers with all kind of problems - "Pro Juventute". Both offer telephone and Email-counselling.³⁰⁸

Instead of a national women's helpline, 2 internet platforms, "violencequefaire.ch - informations, réponses et discussions sur la violence dans le couple"³⁰⁹ and "comeva.ch",³¹⁰ offer counselling to French speaking people affected by family violence while the website "stop it"³¹¹ provides support to German speaking women victims of domestic violence.

Besides that, about 25 regional women's helplines can be contacted by women in danger. 18 of them are operated by the Swiss women's refuges free of charge. The remaining regional helplines are run by the 7 "Opferhilfestellen". Clients do not pay for phone calls when accessing the services of the latter. All regional helplines offer multilingual counselling in German, French, Italian, and English. Most of them are at least partially funded by the state.

307 Tötungsdelikte. Fokus häusliche Gewalt. Polizeilich registrierte Fälle 2000-20004: Bundesamt für Statistik. 2006: <http://www.bfs.admin.ch/bfs/portal/de/index/news/publikationen.Document.83618.pdf>, 10.12.2008.

308 Pro Juventute: www.143.ch, 10.12.2008.

309 Violencequefaire.ch - informations, réponses et discussions sur la violence dans le couple: www.violencequefaire.ch, 10.12.2008.

310 Comeva.ch: www.comeva.ch, 10.12.2008.

311 Stop it: www.stopit.ch, 10.12.2008.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	0	/	/	/	0 %
Regional	25 approx.	25	8	25	20-95 %

Women's Shelters:

The first women's refuge in Switzerland - the "Notunterkunft für geschlagene Frauen" was established in 1979. In 2008 a number of 18 women's shelters with a total capacity of 247 shelter places in 118 rooms are available for women affected by domestic violence and their children. Due to a lack of shelter places, women from Switzerland are accommodated in Liechtenstein from time to time. 503 more family places are required to reach the number of shelter places suggested by the European Parliament. The shelter staff in Swiss women's refuges is highly qualified to work with survivors of domestic violence. They have a good overview of all services available in the region. Except in case of danger, women can only contact a shelter in the region where they reside. Most refuges are available 24 hours a day all year. Multilingual counselling is usually provided in German, French, Italian and English language. If needed, interpreters support the conversation between women and social workers.

According to the announcement of the umbrella organisation of Swiss and Liechtenstein women's shelters, "DAO - Dachorganisation der Frauenhäuser Schweiz", on the occasion of the international women's day 08.03.2008, the total budget of all 18 women's shelters was up to 13 million Franken in 2006. The shelters are partly subsidised by state. The funding however does not cover the total costs of shelter operation. For this reason many women's refuges are forced to invest a lot of time into fund raising activities and are dependent on donations.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
18	247	750	503	14	18	55% approx.

Further Services for Women Victims of Violence:

10 out of 18 shelters additionally run counselling centres for women survivors of domestic violence. Further, there are other counselling centres and shelters providing help to victims of domestic violence such as: FIZ – Fachstelle Frauenhandel und Frauenmigration,³¹² "Mädchen Haus Zürich",³¹³ or "Centre d'accueil MalleyPrairie".³¹⁴

312 Fachstelle Frauenhandel und Frauenmigration - FIZ: www.fiz-info.ch, 10.12.2008.

313 Mädchen Haus Zürich: www.maedchenhaus.ch, 10.12.2008.

314 Centre d'accueil Malley Prairie: <http://www.malleyprairie.ch/fr/index.php>, 10.12.2008.

National Action Plan

Switzerland has a National Action Plan on equality of women and men - "Gleichstellung von Frau und Mann" - which also contains a chapter on violence against women. In 1999, the Action Plan was developed in cooperation with Amnesty International, domestic violence experts, but without NGO expert, working in the field of violence against women. A motion on preparing a specific Action Plan on Domestic Violence against Women was filed and defeated in 2005.

Legal Measures

Domestic violence against women is established as a criminal act in Swiss legislation (Art. 55 StGB)³¹⁵, however, it is regulated in each canton individually. In most cantons domestic violence is part of the police law.³¹⁶

More and more cases are classified as cases of domestic violence. There is an upward tendency towards discussion of this issue on a political level.

Protection Law / Protective Measures

As part of the “Opferhilfegesetz” (put in force on 1.1.1993), survivors of domestic violence have the right to apply for court accompaniment free of charge which is implemented. Depending on Cantons - such as Canton Bern, Zurich, St. Gallen - protection laws are implemented, which can be carried out by police.

Due to the high number of homicides in Switzerland, a new weapon law is to be inured by the end of 2008. Further, experts of domestic violence criticize the Swiss law of residence and claim to separate residence permit and matrimony. Other issues discussed in context with domestic violence are the need to increase protection and support of children witnessing and experiencing violence in the family.

Marital Rape

Marital rape in marriage is treated as a criminal offence and prosecuted.

Sexual Harassment

Sexual harassment is defined as discrimination and thus illegal in the law on equality between women and men (1996).³¹⁷ The punishment for sexual harassment has been lengthened in the new Penal Code.

Anti-Stalking Law

In Switzerland stalking is not classified as a criminal offence, however stalking can be prosecuted in combination with other misdemeanours - such as threat, harassment, constraint, etc. For this reason the Swiss anti-stalking order (1.7.2007), which is not part of the criminal but of the civil law, is difficult to implement, especially since psychological violence is not considered a criminal offence in this context. A current example which also caused attention in public, the case of army chief Roland Nef should be mentioned, who was suspended but not sentenced for stalking his ex-partner.

315 Art. 55 StGB, Schweizerische Eidgenossenschaft: http://www.admin.ch/ch/d/sr/311_0/a55a.html, 10.12.2008.

316 Gegen häusliche Gewalt – Stand Gesetzgebung: Schweizerische Eidgenossenschaft: http://www.ebg.admin.ch/themen/00009/00089/00094/index.html?lang=de&download=NHZLpZeg7t,lnp6iONTU042i2Z6in1acy4Zn4Z2qZpn02Yua2Z6gpJCDdIJ6g2ym162epYbg2c_JiKbNoKSn6A-, 10.12.2008.

317 CoE 2007b: 193.

TURKEY

Population: 69.689.256

Female inhabitants: 34.748.914 = 49,86 % of total population

CEDAW ratified: yes (1985)

Optional Protocol of CEDAW ratified: yes (2002)

Member of Council of Europe: yes (1949)

Member of European Union: no

Facts and Figures

Latest number of femicides yearly: no data available;

Latest number of DV cases reported by police yearly: no data available;

Latest number of DV cases reported by women's shelters yearly: no data available;

Prevalence of DV: no data available.

Services for Women Victims of Violence

Women's Helplines:

In Turkey there are 3 women's helplines supporting women affected by domestic violence. 1 of them is advertised as a national helpline available for all women in the whole country 24 hours a day. Services as well as phone calls are free of charge, however counselling is not offered multilingually. The national helpline is 100 % state funded. Additionally, 2 regional helplines can be contacted by women in danger: while 1 helpline serves women living in the city of Istanbul, the other takes calls coming from the district of Istanbul. Istanbul has more than 10 million inhabitants. Both regional helplines provide service free of charge 24 hours a day to women and their children affected by domestic violence. Multilingual counselling is not offered. In contrast to the national helpline, the 2 regional helplines are mainly financed through international funding (e.g. EU funding). They partly receive financial means from municipalities.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	1	1	1	0	100 %
Regional	2	2	2	0	no answer

TURKEY

Women's Shelters:

In Turkey, for a population of 34.748.914 women, only 20 women's shelters exist providing an approximate number of 340 shelter places. Those are usually only for women without counting the children who usually share the bed with their mother when accommodated in a women's refuge. According to the recommendation of the European Parliament, 6.628 more family shelter places for women victims of violence are needed. In Turkey however, no tendency is recognisable to open new women's refuges, but rather to shut down existing ones: e.g. the oldest feminist women's shelter in Turkey, "Mor Cati", had to be closed for lack of resources. The most challenging problem in Turkey is to establish women's shelters which apply a gender based approach. Currently, not a single women's refuge follows feminist principles in supporting women survivors of domestic violence. More money is needed to not only increase the number of organisations protecting women survivors of violence, but also their quality standards:

Turkish women's shelters do not accept women asking for support and protection during the night; refugees are generally not accommodated in shelters since service is only obtainable for Turkish citizens and for this reason also not offered multilingually. Despite the fact that most Kurdish women living in the country are fluent in Turkish, no special services are available for them.

Representatives of NGOs working with victims of domestic violence claim a specific budget allocated especially for domestic violence. This has already been demanded by NGO women during the working sessions developing the National Action Plan, but not accepted by representatives of the Turkish government which finally was the reason for refusing further cooperation.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
20 approx.	340 approx.	6.968	6.628	0	0	no answer

Further Services for Women Victims of Violence:

There are no intervention centres in Turkey and with few exceptions, the multi-agency approach in dealing with violence against women cases is not common.

National Action Plan

In 2008 an Action Plan on Domestic Violence was approved by the Turkish government for 2008-2010. At the beginning, NGOs such as WAVE Focal Point - “Morcati - Women Shelter’s Foundation” - were involved in developing important objectives which were to be realized in following the protocol. Due to conflicting opinions, further cooperation with NGOs was refused.

Legal Measures

Domestic violence against women is established as criminal act in Turkish legislation however as reported by NGOs there are many problems in prosecuting these laws.

Protection Law / Protective Measures

The same applies to court accompaniment, which is officially offered free of charge to survivors of domestic violence, however the government does not support this service at all which makes it difficult to implement. The existing protection law can only be carried out by the civil court which concedes the right to protect women affected by domestic violence from 3 to 6 months.

Marital Rape

Marital rape is legally considered a criminal act, but similar to domestic violence provisions, there are reportedly many implementation problems.

Sexual Harassment

The Turkish Criminal Code defines and prohibits sexual harassment in Article 105.³¹⁸

Anti-Stalking Law

There is no anti-stalking law in Turkey.

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318 CoE 2007b: 206.

UKRAINE

Population: 46.465.691

Female inhabitants: 25.031.011 = 53,86 of total population

CEDAW ratified: yes (1981)

Optional Protocol of CEDAW ratified: yes (2003)

Member of Council of Europe: yes (2005)

Member of European Union: NO

Facts and Figures

Latest number of femicides yearly: no answer;

Latest number of DV cases reported by police yearly: according to an analysis of court proceedings in the Ukrainian Supreme Court, carried out in 2005, a total number of 309.200 victims affected by violent crimes was registered. 98.500 of them were women and 13.500 minors.

In Ukraine, violence against women is only mentioned in relation to trafficking cases: 415 crimes of trafficking were registered in 2005. The rate is by 54.3% higher than in 2004. As informed by the “West-Ukrainian Women’s Perspectives Center”, every month about 5–8 women have either reported the refusal of police to accept a written statement about domestic violence or the hostile reaction of police officers towards complaints of domestic violence.

No other data are available on cases of violence against women regarding the court practice in the Ukraine, since no analyses thus far have been carried out;

Latest number of DV cases reported by women’s shelters yearly: no answer;

Prevalence of DV: no answer.

Services for Women Victims of Violence

Women’s Helplines:

In the Ukraine there is no women’s helpline providing specific service to women survivors of domestic violence. Women affected by violence can only contact a general national helpline if help is needed, which is not available 24 hours a day. The operating costs are solely covered by international funding allocated by the European Commission, ECPAT, UNICRI, etc.



Women's Helplines

	Number of Helplines	Call free of charge	Helplines with 24 / hour service	Helplines with multi-lingual service	State funding per %
National	1	1	0	no answer	0 %
Regional	no answer	/	/	/	0 %

Women's Shelters:

In the Ukraine, only 3 women's shelters provide protection to women victims of domestic violence with a total capacity of approximately 100 shelter places. In consideration of the number of shelter places recommended by the European Parliament, 4.546 more family shelter places are needed. In addition, there are 12 shelters for victims of human trafficking - 7 operated by NGOs with support from the International Organization for Migration and other international donors, and 5 operated by the Government.



Women's Shelters

Number of Shelters	Shelter places available	Shelter places needed	Shelter places missing	Shelters with 24/hour service	Shelters with multi-lingual service	State funding per %
3	100 approx.	4.646	4.546	no answer	no answer	no answer

National Action Plan

In the Ukraine the current "NATIONAL PLAN OF ACTION" on the improvement of the position of women and assistance to introduction of gender equality in society 2001 - 2005 years"³¹⁹ contains the actions related to violence against women.

319 National Action Plan 2001 - 2005, Stop Violence against Women: http://www.stopvaw.org/National_Action_Plan_of_Action.html, 10.12.2008.

UKRAINE

Legal Measures

Domestic violence against women is not recognized by criminal law as a separate offence. The only possibility to protect the victim and punish the perpetrator through the criminal procedure is using criminal law on bodily injuries or other crimes. The Law No. 2341–III of Ukraine of April 5, 2001³²⁰ (the criminal code) is gender-neutral. The following criminal acts classified by the criminal code are directly related to violence against women. An administrative fine is the most common punishment for the perpetrator provided by court. About 5–8 women reported the refusal of the police to accept a written statement about domestic violence or the hostile reaction of police officers to information about domestic violence every month. (Activities of the “West-Ukrainian Women’s Perspectives Center”).

Protection Law / Protective Measures

There is a protection order for victims of domestic violence included in the Ukraine legislation. The violation of a protective order is not penalized by the criminal code. The person who committed domestic violence after the receipt of the official warning about impermissibility of committing domestic violence, may be issued a protective order by a district inspector of militia or official of criminal juvenile service, approved by a chief of the respective body of internal affairs and public prosecutor. A protective order may be issued by a district police officer with agreement of the prosecutor. Protective orders prohibit a perpetrator from: committing acts of violence in the family, getting information about the location of the victim, searching for the victim if she is located in a place unknown to the perpetrator, visiting the victim if she is located outside of the common residence, or making telephone calls to the victim. The time limit for a protective order is 30 days. In practice, however, protective orders are not an effective way of protecting the human rights of the victim. The order prohibits the perpetrator from repeating violent acts, but does not evict the perpetrator from the house. Court accompaniment free of charge for women victims of violence is not a service offered to survivors of domestic violence in Ukraine.

Marital Rape

The criminal code does not contain the restriction that only extramarital sexual relations constitute rape; that is, rape can also occur between married people (Article 56 of the family code of Ukraine).

Sexual Harassment

Sexual harassment was defined in the Law on Equal Rights and Opportunities of Women and Men which entered into force in 2006. It is, however, only punishable under Article 154 of the Ukrainian Criminal Code: “Compulsion to sexual relations”. Due to the definition of that crime and difficulties to provide evidence, there has been no court practice on sexual harassment cases by now.³²¹

Anti-Stalking Law

There is also no anti-stalking law that protects women and children from being psychologically terrorised by perpetrators.

320 Law on Prevention of Domestic Violence (2001), Stop Violence against Women: http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/Ukraine_DV_Law.doc. 10.12.2008.

321 Stop Violence against Women: <http://www.stopvaw.org/Ukraine.html>: 10.12.2008.

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APPENDIX – CONTACT OF WAVE FOCAL POINTS:

Focal Points in Albania

Gender Alliance for Development Center

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Focal Points in Armenia

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Web: <http://www.wrcorg.am>

Focal Points in Austria

Austrian Women's Shelter Network - Information Centre Against Violence AOEf

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Network of Austrian Counselling Centres for Women and Girls – Netzwerk österr. Frauen- und Mädchenberatungsstellen

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E-mail: netzwerk@netzwerk-frauenberatung.at
Web: <http://www.netzwerk-frauenberatung.at>

Focal Points in Azerbaijan

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Law Initiative -

Commission on Women's Rights

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Focal Points in Belgium

Department social welfare and health / Provincial coordinator physical and sexual violence and aid to victims, Antwerpen

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Collectif pour Femmes Battues

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Focal Points in Bosnia and Herzegovina

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Bulgaria Gender Research Foundation

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Web: <http://www.bgrf.org/en/>

Focal Points in Croatia

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Web: <http://public.carnet.hr/azkz/#info>,
<http://www.zinfo.hr>

BABE

Srija Sarnavka, Zdravka Sadzakov
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E-mail: babe@babe.hr
Web: <http://www.babe.hr>; <http://www.ekviva.net>

Focal Points in Cyprus

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Women's Information and Support Centre

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