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How Gender Neutral Policy and Practice
Is Dismantling Women's Specialist Support
Services and Ways to Counteract It

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Phone: +43-1-548 27 20 **E-mail:** office@wave-network.org **Website:** www.wave-network.org

ZVR: 601608559

Authors: Baljit Banga, Mariana Emídio da Cunha, Sylvia Králová, Silvia Menecali, Lina Piskernik, Elizabeth Spouse, Irene Zeilinger

WAVE Thematic Working Group: Protecting Women's Specialist Services from Gender Neutral Policy and Practice

WAVE feedback and proofreading: Elena Floriani, Beverly Mtui

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1 Introduction

This handbook was born out of the request by the WAVE Advisory Board during their bi-annual meeting in May 2016 to address the issue of protecting women's specialist services from gender neutral policy and practice. From then on the Gender Neutrality working group was formed, made up of WAVE member experts from over 10 countries. The working group has had the chance to meet several times over the course of the last three years, including for a study visit to Scotland in August 2019. This handbook is a compilation of what the working group found to be the most pertinent points of information to know and actions to take regarding combating and navigating gender neutral policy and practice.

The purpose of this handbook is to inform employees and volunteers of women's specialist support services (WSS) about the dangers of gender neutral policy and practice, as well as to help them counteract it by providing best practice examples which they can apply to their own region and organisation. As the reader opens the handbook to the first chapter, they begin their journey with background information about what gender neutrality is in the social, economic and political context, emphasizing the importance of intersectionality. The following chapter lets case studies solidify what strategies are needed in order to protect women's support services from gender neutral policy. After this, the historical context of gender neutrality illustrates the causes behind the backlash against the gendered language of the Istanbul Convention in Bulgaria and Slovakia is discussed in Chapter 4. The reader will then learn more about techniques on how to navigate hostile spaces when one's organisation is underfunded or not funded at all in Chapter 5. This is followed by a chapter on a case study of the UK which shows the impact of public procurement policy on specialist women's organisations and Black and minoritised women's organisations. The next chapter covers the responsibility of the state which is then analysed more closely by the examination of the Istanbul Convention, CEDAW and the European Convention on Human Rights, highlighting key areas relating to the comprehensive violence against women and girls (VAWG) approach by diverse states defining their responsibilities as signatories. Following this, promising communication strategies for the battle against gender neutral policies are underlined and analysed. These are illustrated by promising practices from several organisations which are then followed by short explanations of the outcome as well as pointers on how to use those strategies for your own organisation. The handbook ends with a chapter on self-care techniques for those who work in the field to combat violence against women. This chapter covers the deep and real meaning of health and how to put in place every possible action to prevent and treat vicarious trauma, giving priority to the self-care experience.

This handbook was written by seven working group members with diverse expertise coming from various women's organisations and European countries. Therefore, you may see that the unique voice of each chapter will change. The handbook was a collective effort by these women and is thus credited in its entirety to all seven authors.

We hope that you will feel empowered and ready to fight the threat of gender neutral policy after reading this handbook!

2 Defining Gender Neutrality in the Social, Economic and Political Context and Making the Case for Reversal through Intersectionality

This chapter sets the context for the emergence of gender neutrality in policy and practice. In this handbook, gender neutrality is defined as a set of policies and regulations governing funding and service provision imposed by the state and governments to provide services that have been funded through public money to both men and women. Gender neutral policies and practices hide or diminish the root causes of gender inequality and gender-based violence by placing women-only services under threat and by failing to recognise the prevalence of male violence against women. Gender neutrality is a way of thinking that specifically targets women-only organisations to provide access to services to both men and women without considering historically unequal power relations between men and women that produce inequality. Gender neutrality threatens to dismantle the ethos of women-only organisations that challenge patriarchy as a root cause of women's inequality and violence against women. Gender neutrality denies women's access to safe women-only spaces.

Where gender neutral policies exist, specialist women's organisations are impacted in the following ways:

- They are under-funded and under-resourced with Black and minoritised women's organisations being disproportionately impacted through exclusion criteria in funding applications that fail to recognise specialist provision to specific groups of women.
- They have reduced capacity to undertake service or strategic planning because of short-termism in funding structures that prevent long-term planning.
- They struggle to generate reserve income and operate well below the three-month threshold often experiencing cash flow problems and lacking capacity to support emergency needs such as during the COVID-19 pandemic.
- The back office and infrastructure of organisations is under-resourced and reduces over time due to the lack of full cost recovery to fund overhead and related costs.
- The sustainability and survival of organisations past 12 months is severely impacted as a result of the culmination of the above.

The lack of government funding to the sector, or inappropriate funding systems that are created through gender neutral practices creates additional vulnerability that specifically targets women's organisations. Overtime, the sector is undermined through competition, unequal partnerships and mergers, and the loss of specialism.¹ These impacts are experienced disproportionately by diverse groups of women and this must be acknowledged in addressing gender neutrality. Gender neutrality exacerbates inequality and reduces women's participation in the social, economic and political systems serving to deepen the institutionalisation of sexism and misogyny and the racialisation of these discriminations. These issues are discussed throughout this handbook.

The chapter starts by outlining the importance of intersectionality in addressing gender neutrality, suggesting that all forms of interlocking oppression to which women are subjected must form the response to gender neutral policies and practices by governments. The chapter then considers how gender neutrality grows from the economic model of neoliberalism. Neoliberalism is a particular form of economic growth and development that ignores social value of the social and feminised economy relying upon masculinising economic interactions and behaviours.² Gender neutrality becomes an essential tool under the neoliberal system because it 'neutralises' inequality, disproportionality and marginalisation moving these experiences of oppression from structural and systemic processes to individual behaviour. As such, gender neutrality causes harm that is structural. The chapter then moves to a review of the economic growth model, at the expense of social development and how this is internalised within feminism thus creating a crisis within the progressive movement. The crisis suggests that rights, protections and resources cannot be secured in an economic context where inequalities are exacerbated because it creates internal division which undermines transformative aims of feminism and prevent feminist solidarity. This can also be understood as a 'divide and rule' of gender neutrality. Gender neutrality in this context creates disjointed approaches to social policy that accepts the notion of gains and losses in economic terms while social sectors are continuously disadvantaged. The chapter concludes with a critique of the organised backlash against women by offering key arguments against gender neutrality.

1 Imkaan. 2017. *Uncivil Partnerships. Reflections on Collaborative Working in the End Violence against Women and Girls Sector*. London. Ascent Partnership.

2 True, J. 2012. *The Political Economy of Violence against Women*. Oxford. Oxford University Press.

2.1 Gender Neutrality and the Importance of Intersectionality

At the time of writing this handbook, governments around the world are invested in responding to the COVID-19 crisis. The pandemic has exposed significant weaknesses within economic and political systems which collapsed in the face of it. Safety nets across European countries have not been able to address the demands imposed on welfare systems and social services. Many groups of people – migrants, asylum seekers, those employed in precarious job markets among many others – have been left excluded from the mainstream responses with many subjected to the conditions of absolute poverty including food insecurity. The COVID-19 crisis does not exist in isolation of existing inequalities. It does however exacerbate inequalities and creates an environment conducive to violence against women.³

There are two pandemics – violence against women and COVID-19 that require a coordinated regional and global response. It is important that WAVE considers gender neutrality in the context of the two pandemics, because COVID-19 has exposed the harm that gender neutral policies and practices by government have done to women across Europe. During this crisis, VAW has increased exponentially. When the COVID-19 pandemic becomes manageable, violence against women will continue to increase with the cumulative effect of demand being experienced by frontline specialist women's organisations. The two pandemics also exacerbate existing inequalities for diverse groups of women including Black and minoritised women, migrant women, disabled women among other groups. The severity and frequency of violence also increases as women are trapped in homes with violent perpetrators under restrictive lockdown measures. There will be a high proportion of cases in the categories of multiple complex intersectional needs requiring intensive woman-centred trauma-informed wrap-around support. Governments, through their inaction on VAW, or inappropriate action have created policy environments that exacerbate levels of VAW during this crisis. The two pandemics together heighten insecurities and vulnerabilities to which women are subjected creating a pervasive situation that requires both immediate emergency and long-term responses. A reversal on gender neutral policies and practices by governments supported by sustainable resourcing will address VAW as the curve on infection rates and exposure to COVID-19 flattens.

Before COVID-19, 22% of women responding to the FRA⁴ survey experienced physical and sexual violence in intimate relationships.⁵ 31% were repeatedly raped by their current partner. 20% experienced violence by their partner during pregnancy. One in 3 women experienced some form of physical and/or sexual assault since the age of 15 and 1 in 10 women experienced sexual violence since the age of 15. One in 10 experienced sexual violence by a non-partner involving more than one perpetrator since the age of 15. The FRA survey found that the scale of physical and sexual violence experienced by women across Europe required renewed policy attention to address VAW with sustainable support to specialist women's services. FRA concluded that the Council of Europe Istanbul Convention and the EU Victims' Directive set new standards for responding to victims and survivors of violence against women and required EU Member States to review their legislation in compliance with the Convention and the Directive.⁶

It is clear that in responding to the two pandemics, governments must address the impact of gender neutrality ensuring resources are allocated to specialist women's organisations including services directed to addressing the needs of Black and minoritised women and other groups of women under an intersectional framework of support. In addressing gender neutrality, the two pandemics reveal the importance of intersectionality in the framing of policy and allocation of resources addressing VAW and accounting for the disproportionate impact on specific groups of women who are subjected to systemic and institutional barriers that prevent their equal participation and access to rights, protections and resources.

Without a response to gender neutrality addressing structural inequality and erasure of the full scale of discrimination against all women (race, disability, sexuality, migrant status among other disadvantages), the VAW pandemic will continue disproportionately exacerbating inequalities. Audre Lorde said "much of western European history conditions us to see human differences in simplistic opposition to each other. Dominant/subordinate, good/bad, up/down, superior/inferior. In a society where good is defined in terms of profit rather than in terms of human need, there must always be some group of people who, through systematised oppression, can be made to feel surplus, to occupy the place of the dehumanised inferior".⁷ Gender neutrality is not a generalisation of oppression as this assumes that women can be placed in a single group subjected in the same way to oppressive state policies. It is not void of history and context.

3 EVAW. 2020. EVAW Briefing on the COVID-19 Pandemic and the Duty to Prevent Violence against Women and Girls. London. EVAW.

4 European Union Agency for Fundamental Rights.

5 Data in this section comes from European Union Agency for Fundamental Rights. 2014 Violence against Women: A EU-Wide Survey. Luxembourg. Publications Office of the European Union. This survey was published the same year of the introduction of the IC.

6 Ibid.

7 Lorde, A. 1984. Sister Outsider. New York. Ten Speed Press.

It is intersectional for diverse groups of minoritised women. This handbook frames the term gender neutrality critically in the context of interlocking oppression which requires governments to address through intersectional policymaking.

We must reimagine a different world when the COVID-19 crisis ends to address the violence against women pandemic. This invariably means that in addition to the gender neutrality discourse, wider oppressions impacting diverse groups of women need to be centred in the responses by states and governments. To address gender neutrality policy, the handbook considers the following ideas central to the reversal of harm against women:

- Create a responsive social policy framework that addresses historically-rooted and structurally-identified intersectional oppression to which women from diverse locations and backgrounds are subjected.
- Develop a post-COVID-19 social justice approach to social policy grounded in intersectionality and centring voices of diverse groups of women subjected to marginal locations through systemic and institutional discrimination within society that has thus far been ignored.
- Recognise race erasure in addition to gender neutral policies and practices which exclude many women from participation in society and continue their invisibilisation.
- Recognise erasure of all intersecting oppression.
- Remove women's rights from neoliberal conceptualisation of these rights as this framing supports an exclusionary economic growth model where inequality is exacerbated through the social and economic systems that are legitimised through hyper-masculinised political convictions.
- Seek equitable redistribution that must start with challenging systems of wealth accumulation and concentration.
- Move away from the idea that equality for all women can be achieved within an existing socio-economic and political system that is designed to disenfranchise and marginalise diverse groups of women.

This handbook suggests that gender neutrality is either created through neoliberalism or that neoliberalism provides a conducive environment for gender exclusion. The handbook suggests that intersectionality, correctly framed, addresses the harms of gender neutrality on diverse groups of women through gender inclusion. The idea of gender inclusion under intersectionality⁸ recognises the diverse and interlocking oppressions to which women are subjected.

To address gender neutrality appropriately in this handbook, it is critical to name diverse groups of women subjected to interlocking oppression. These groups of women include the following (not an exhaustive list):

- Black and minoritised women
- Disabled women
- Lesbian, bisexual and transgender women
- Women trafficked into different countries
- Women with insecure immigration status
- Migrant women
- Women experiencing caste oppression
- Women with mental health needs
- Women in and exiting prostitution
- Women in and exiting the prison system
- Women in the care system
- Women from Roma and traveller communities
- Women with problematic substance use issues
- Young women and girls groomed and/or subjected to any form of online abuse where they may not have met the perpetrator or have had any physical contact with him
- Women subjected to sexual harassment affecting their safety in public spaces
- Women subjected to sexual harassment in the workplace, education and other spaces they access to maximise their life chances and choices
- Women at risk or subjected to violence from gang association and/or involvement

8 Collins, P.H. and S. Bilge. 2016. Intersectionality. Cambridge. Polity Press.

- Women subjected to so-called 'harmful practices'
- Among other groups and categories of women subjected to gender-based violence at home and in the community, across sectors and industries and from the state⁹

Race and gender are neglected terms in policy.¹⁰ Other intersecting identities as stated above are equally marginalised in policy. One outcome of this process is gender neutrality. However, gender neutrality exists within a context where the lived experiences of all groups of women including Black and minoritised women are marginalised from policy.¹¹ This is done when policy fails to incorporate the needs, strategies and analysis of these groups. Neglect and marginalisation, in this location of absence, result in eugenics social constructs and conservative notions of family, society and nation are given place. Gender neutrality proliferates in this context and results from the failure of the state to respond. In the next section, the practice of policy as patriarchy, capitalism and neoliberalism is discussed.

2.2 Gender Neutrality Within Neoliberalism Resulting in Structural Harm

Gender neutrality is embedded in neoliberalism. Neoliberalism creates an economic and social infrastructure that enables the introduction of gender neutrality in public policy impacting decision-making about the kinds of policies that are developed, how resources are allocated and how sectors responding to social problems are shaped. Gender neutrality is not the only outcome of neoliberalism. Gender neutrality results from deficiencies or gaps in neoliberal policy. These deficiencies and gaps create a context for race erasure, or the continuation of a hostile environment and exacerbation of inequalities.

The risk in addressing gender neutrality in isolation of the wider context of interlocking oppression could mean that marginalisation is reproduced. "The institutionalised rejection of difference is an absolute necessity in a profit economy...as members of such an economy, we have all been programmed to respond to human differences between us with fear...to handle difference in one of three ways: ignore it, and if at all possible, copy it if we think it is dominant, or destroy it if we think it is subordinate".¹² A good example here is the 'backlash' which is institutionalised sexism and misogyny expressed through public policy making. The backlash results from failures by governments to introduce appropriate policies to protect the rights and resources of women. However, the backlash is not just about gender neutrality. It is also about disproportionality, that is the impact of additional barriers and disadvantage on specific groups of women. While the backlash is discussed in the context of gender neutrality, the hostile environment, which relates to a set of policies directed at migrants, asylum seekers and people with insecure immigration status, is also 'gendered' and racialised but isolated in discussions about the backlash. In this way, the hostile environment is ignored. The discussion of gender neutrality risks isolating the discourse from wider experiences of oppression, discrimination and disadvantage. Where gender neutrality fails to recognise the impact of inequality on diverse groups of women, it fails to frame oppression as intersectional. The following considerations address this problem:

Intersectionality as a core idea that considers the ways in which diverse groups of women are subjected to interlocking oppression that impacts their equality of participation in the economic, social and political systems.¹³

- A socio-economic and political analysis on the disproportionate impact of gender neutrality on diverse groups of women. Within the political economy of violence approach,¹⁴ race erasure must be a critical category that is linked to intersectionality providing a historical lens to view oppression.
- Resist temptation to categorise inequality understood as sexism and misogyny as the same for all groups of women to avoid reproducing inequalities for some groups of women.
- Following on from the above, within sexism and misogyny there is differential impact of inequality that causes significant harm to diverse groups of women. Identifying diverse harms by naming such harm through the intersectional lens, ensures that these harms can be addressed. Failing to identify diverse harms continues marginalisation to which diverse groups of women are subjected.¹⁵

9 Imkaan. 2018. From the Margin to the Centre. An Alternative Bill Addressing Violence against Women and Girls. London. Imkaan.

10 Williams, F. 1989. Social Policy. A Critical Introduction. Oxford. Polity Press.

11 Ibid.

12 Lorde, A. 1986. Siter Outsider. New York. Ten Speed Press.

13 Collins, P.H. and S. Bilge. 2016. Intersectionality. Cambridge. Polity Press.

14 True, J. 2012. The Political Economy of Violence against Women. Oxford. Oxford University Press.

15 Collins. P.H. 2000. Black Feminist Thought. New York. Routledge.

2.3 Economic Growth Model Fostering Gender Neutrality and Risk to Feminist Solidarity

Neoliberalism is based on a model of economic growth and development through increased competition. The neoliberal infrastructure is supported by fiscal policy such as reduced taxation and the introduction of private sector market measures over the social economy. The reduction of the welfare state under neoliberalism is gendered and racialised. For example, cuts in public expenditure have been far reaching and disproportionately affect women who are more likely to experience 'in and out of work' poverty with aggressive cuts in welfare benefits and to public sector employment and services.¹⁶ At the same time, wages, benefits and pensions are frozen or reduced especially in the gendered public sector.¹⁷ Cuts in funding, whether to state-funded services or from grants to specialist women's organisations, disproportionately affect women who are predominantly, if not exclusively, employed by the sector and as users of services. The idea of equality under an economic growth scenario is contested because the experience of most countries is that there is weakened compliance with equality legislation.¹⁸

The impact of these neoliberal measures is displacement. For example, the role of governments to provide safety nets to protect those subjected to vulnerabilities and insecurities resulting from additional barriers they face is reduced. In the VAW sector, the responsibility of governments in addressing violence is devolved to big non-specialist organisations competing for services on the basis of cost effectiveness. There is an overall reduction of social services through outsourcing under public-private procurement initiatives so that vast segments of the social economy become part of the private sector. Those using services become customers. As customers, the experience of services is individualised. The framing of social problems becomes depoliticised and moves away from a theoretical understanding of these problems within structural, institutional and economic systems.

In thinking about the model of economic growth in relation to women's equality and protection of rights and resources, under neoliberalism, divisionism and dissent are introduced once again within feminism¹⁹. Feminism begins another phase of co-optation and becomes narrowly defined as 'breaking the glass ceiling within corporate capitalism', increased political participation for some groups of women within existing political systems, and women's achievement measured through the neoliberal model of economic growth.²⁰ The problem with co-opted feminism, or corporate and generic feminism is that it becomes integrated within existing systems of neoliberal market orientation. While class oppression is made invisible, classism as an economic and social system become centrally located in feminism.²¹ There is an absence of intersectionality as ideas about equality become experiments in diversity. Diversity in this context is about assimilation of diverse groups within an unequal system. It is not about addressing inequality. Further, there is an erasure of race from the feminist discourse and the different and interlocking ways in which women are subjected to oppression are ignored by the neoliberal market-oriented system.²² An understanding of oppression is removed as a critical category and by doing this, historically grounded structural, institutional and systemic causes of oppression are made invisible in the discourse.

This is the process of internalisation that occurs within feminism as women's rights become aligned with market forces. It produces an exclusive opportunity from which few women benefit because it is individualising, corporate driven and corporatist. Gender neutrality enters public policy at this point. The neoliberal infrastructure that produces gender neutrality is legitimised in policy and practice through fund and resource management structures which rely upon internalisation within feminism. This creates an exclusive experience with women's rights and separates from intersectionality. Intersectionality is viewed as too complex, because it is grounded in alleviating the root cause of oppression for all women and embedded in social change and justice concepts which stand in stark contrast to and seek to replace neoliberal growth and development.

16 Durbin, S. Page, M and S. Walby. 2017. Gender equality and austerity: vulnerabilities, resistance and change IN Gender Work and Organisation. 24:1.

17 Ibid.

18 Ibid.

19 For now, the term feminism is being used in a generic sense to discuss the process of alienation. Feminism as transformative such as Black feminism, Intersectional feminism, Black intersectional feminism, Third World feminism, socialist feminism, eco-feminism, and many other forms that seek to replace existing structures of inequality and exploitation stand in contrast to generic feminism and present a challenge to co-opting forces (neo-liberal market orientation).

20 Mies, Maria. 2014. Patriarchy and Accumulation on a World Scale. Women in the International Division of Labour. London. Zed Books.

21 Ibid.

22 Collins, P.H. and S. Bilge. 2016. Intersectionality. Cambridge. Polity Press.

2.4 From Neoliberalism to the Organised Backlash

The backlash is a movement against the rights, protection and resources of diverse groups of women that seeks to 'reverse the clock' on many of the gains that women's rights advocates, activists and organisations have made over many years. The backlash is rooted in structural adjustment policies under neoliberal expansion imposed on and by western democracies. It is a movement rooted in socio-economic models of growth and development that legitimise these forms of growth and development based on existing systems of resource exploitation, mass market production, and globalisation of production. It introduces so-called 'equalising' measures in the marketplace.²³ For example, workers' rights are viewed as creating unfair advantage.²⁴ Under neoliberalism, rights are not expanded but rather reduced and removed from workers to 'level the playing field' with countries where such rights do not exist.²⁵ The consequence of this type of growth and development is the widening of gaps between different groups of people and women (Black, minoritised, disabled, migrant, among many other groups).

As socio-economic and political gaps widen, it creates a continuous marginalising impact resulting in disenfranchisement and lack of participation by vast sectors of society through capitalist accumulation and patriarchal reproduction.²⁶ This disproportionately impacts those on the lower end of the socioeconomic scale as it exacerbates these inequalities that are produced and reproduced under neoliberalism.²⁷ Under this model, the 'other' and 'outsider' are permanent categories. While socio-economic shifts may occur addressing inequalities, the dynamics that produce inequalities are permanent features within the system. This means that the system lacks capacity for transformation and progressive social change. This is clearly demonstrated by the backlash where the system reacts by reducing the rights and protections that were once secured. The backlash against migrant women, refugees, asylum seekers, LGBTQI rights, disabled people, travellers and Roma communities is produced by the system which both guarantees and then reduces rights and protections.

The backlash in this context negates that violence against women is 'gendered'. The term 'gendered' which was understood as the disproportionate impact of male violence against women becomes contested as it comes to mean that violence impacts both men and women and that there is no differential impact. Policies then resemble the gender neutrality discourse. The backlash is the re-imposition of the idea of the traditional family supported by a vast cross section from extreme right conservative parties to parties advocating single issues such as anti-immigration. These issues brought together form the challenge to the rights and protections gained by women generally.

The risk to feminism is that while it has many diverse expressions, when feminism is under threat it has the tendency to marginalise and re-centre a corporate mainstream or conservative feminism that is tied to the neoliberal marketplace. Progressive views within feminism addressing structural inequalities are reduced and isolated from the central discourse because they appear too complex. Feminism becomes focused on the rights and protections of some groups of women while other women continue to wait. The same system that produces the backlash also reduces feminism to specific demands, for example abortion rights in place of reproductive justice. The backlash is organised through the gradual reduction of rights, protections and resources and this process is legitimised by economic gains (which could be viewed as 'opportunities' for some groups of women).

Gender neutrality is a machine of masculinity in all aspects of policy²⁸ and must be confronted. This chapter has argued that gender neutrality is embedded within the economic system of neoliberalism that displaces the social sector. The system uses public procurement policy to carry out gender neutral policies and change the make-up and composition of VAW services. For victims and survivors, safe spaces are eroded where gender neutral policies and practices proliferate. The idea of shared experiences among diverse group of women for healing and recovery from violence are reshaped through commissioning because the system considers them too expensive to deliver.

These arguments that are made to justify gender neutrality can be reversed. For example, a study in the UK showed that for every £1 invested in women's services, between £5 and £11 worth of social value is generated for women, their families and the State.²⁹ The social value created by such organisations is between £1.7 million and £5.2 million through women's job opportunities, by preventing re-victimisation and by preventing health problems from arising or

23 True, J. 2012. *The Political Economy of Violence against Women*. Oxford. Oxford University Press. And Mies, Maria. 2014. *Patriarchy and Accumulation on a World Scale*. Women in the International Division of Labour. London. Zed Books.

24 Ibid.

25 Ibid.

26 Mies, Maria. 2014. *Patriarchy and Accumulation on a World Scale*. Women in the International Division of Labour. London. Zed Books.

27 Ibid.

28 True, J. 2012. *The Political Economy of Violence against Women*. Oxford. Oxford University Press.

29 Women's Budget Group and Women's Resource Centre. 2018. *Life-Changing and Life-Saving*. Funding for the Women's Sector. London. WBG and WRC.

worsening.³⁰ These arguments are important, because they highlight the value of woman-centred trauma-informed support.

Beyond the economics, the chapter also discussed that the idea most essential in addressing gender neutrality is intersectionality. Intersectionality addresses the domains of power and provides a critical enquiry and praxis on how heterogenous forms of violence contribute to social inequality and social injustice.³¹ This means that intersectionality that includes race, disability, sexuality, migrant status among other categories is an essential lens to transform public policy and challenge gender neutrality. However, it is not simply the inclusion of these categories that will make the difference. There must be a call to social justice and the transformation that is sought must bring about a fundamental shift in the domains of power moving from the transactional to the relational.³² While there may be continued debate about whether this can be achieved within the existing system, addressing gender neutrality through intersectionality means that a different approach to socio-economic and political systems must be considered.

30 Women's Budget Group and Women's Resource Centre. 2018. Life-Changing and Life-Saving. Funding for the Women's Sector. London. WBG and WRC.

31 Collins, P.H. and S. M. Bilge. 2016. Intersectionality. Cambridge. Polity Press.

32 Villanueva, E. 2018. Decolonising Wealth. Indigenous Wisdom to Health Divides and Restore Balance. Oakland. Berrett-Koehler Publishers.

3 Case Studies on Gender Neutrality – Identifying the Challenges and Sharing Strategies to Address Them

In this chapter, we explore gender neutrality through case studies. They highlight the heterogeneous composition of the gender neutral camp as well as the many forms that gender neutrality can take: how language is used to promote gender neutrality, how funding is withheld from women's specialist services, how laws can have the perverse effect to be wielded as weapons against survivors of the violence they aim to combat. Whatever its roots and whatever the motivations of its apologists, in all cases, gender neutrality has immediate, severe and destructive effects on women survivors and their children.

The Istanbul Convention explicitly calls for a gender-sensitive approach as a central prerequisite to effectively combat violence against women and domestic violence. Gender neutral detractors have used two major strategies in relation to the Istanbul Convention. On the one hand, there is outspoken resistance against the ratification of the Istanbul Convention – or, in the case of Poland, the intention to leave the Convention after ratification – because it is perceived as a major instrument of promoting policies and measures aiming for gender equality. On the other hand, several ratifying states do not heed the gender-specific approach of the Istanbul Convention and create gender neutral policies and services to comply. But if the Convention allowed for gender neutral policies of the second group of countries, the first group would not need to be afraid of its gendering impact and could ratify it. This contradictory interpretation of the Istanbul Convention is just one example of the complex composition of the gender neutral camp, a heterogeneous collection of actors with widely different political backgrounds and agendas.

As complex as the gender neutral camp is, so are their strategies and the forms that gender neutrality takes. The following examples form a non-exhaustive list of frequent manifestations of gender neutrality with a direct impact on violence against women and survivors.

3.1 Gender Neutral State-run Services

In many countries, state-run social services apply a gender neutral approach to cases of violence against women. As social services are important gatekeepers to fundamental rights such as social security, health services, housing or custody, their gender neutrality is highly problematic for survivors of violence. It also makes it more difficult for women's specialist services to advocate successfully for their clients' rights.

Historically, women's specialist services have emerged from the 1970s on because of the lack of response of social services to violence against women. Feminist scholars have described the (lack of) actions of public authorities as the State's complicity in violence against women³³. In spite of the power and so-called monopoly of violence of the State, its institutions seem unable to protect women against violence in public space, at work, in school and at home. The State and its institutions, including social services, represent and safeguard the interests of the dominant group, i.e. men, each time that they do not respond to violence against women, do not take it seriously, or hold the victims co-responsible for the violence, thus establishing women as "less equal" and second-class citizens and perpetuating their systemic oppression. Women's specialist services play a crucial role in safeguarding women's fundamental rights. They bridge the gap between their clients' needs and social services which do not recognise the systemic oppression of women that enables, legitimates and exacerbates the violence they experience.

3.1.1 Case Study: Slovenia

In Slovenia, state-run social services practice gender neutrality by holding women responsible for the violence they experience (and are thought to provoke through their behaviour) and believing men who claim victimhood when denied their male privilege of controlling and disciplining their partners and children. By trying to see "both sides of the story", these services minimise male violence against women and neglect to take into account the historic and structural power inequalities that lead to gender-based violence. For women's specialist services, this means more work, as they have to advocate more intensely, e.g. in multi-disciplinary team meetings, for their clients who feel excluded.

33 Jalna Hanmer (1977). Violence et contrôle social des femmes. Questions féministes 1, 68-88.

3.1.2 Case Study: Finland

When Finland ratified the Istanbul Convention, it created a government-run, gender neutral hotline, Nollalinja, for anyone experiencing violence and for organisations looking for advice on the topic. While the English presentation of Nollalinja mentions violence against women, the Finnish webpage uses only gender neutral language. A representation of violence as affecting women and men equally erases the gender differences in terms of perpetration, victimisation, contexts, short- and long-term consequences etc. The fact that this representation comes from a government-run service confers legitimacy and visibility to misinformation that hinders unaware actors from identifying gender-based violence and intervening effectively.

3.2 Gender Neutral Laws on Violence

Laws on violence are most often gender neutral, with severe effects on the distribution of resources to combat violence. In Norway, a gender neutral law on shelters for victims of domestic violence resulted in 22 of the 51 shelters being reserved for men. However, two years after the law entered into force, 10 of the men's shelters were not in use due to a lack of demand³⁴. This is just one of many examples how gender neutral laws have resulted in defunding women's specialist services for the benefit of parallel services for men that were not needed as urgently as those for women. This is particularly galling because it took several decades of intensive feminist advocacy and activism to achieve recognition for the necessity of women's specialist services, while there is next to no social mobilisation for similar services for men.

Gender neutrality in legal texts can also have other devastating results. Where custody laws do not take a father's violence against the mother into account, as is the case in most countries, violent fathers can obtain sole custody, especially if the violence has caused the mother's physical and/or mental health problems, poverty or homelessness. When custody is shared or violent fathers have visitation rights, this allows the perpetrators to extend the violence against their partners even long after a separation, including by instrumentalising the police. They claim a violation of their parental right to see their children, regardless of the mother's or children's safety.

3.2.1 Case Study: Ukraine

Gender neutral language is used throughout the Law on Prevention and Counteraction to Domestic Violence, which came into force in January 2018. The Law uses the term "a person that has suffered from domestic violence" (особа, яка постраждала від домашнього насильства; постраждала особа) to refer to the victim, and the "abuser" (кривдник) to refer to the perpetrator. There is no specific reference to violence against women in this or any other Ukrainian laws. Due to the gender neutral language, male perpetrators take advantage of the law and falsely file complaints against their supposedly violent partners. In many cases, the police do not further investigate and just assume that he is the victim and she the perpetrator. The police may then fail to protect the real victim and deny her – his (ex)partner – urgent protection orders since she is now treated as a perpetrator. On the contrary, the police may issue an urgent protective order against her or report her for the administrative misconduct of domestic violence, which then is referred to a local court. This is a particularly stark example for gender neutral domestic violence legislation being weaponised by perpetrators.

3.2.2 Case Study: Turkey

The Turkish government prioritises the promotion of the family over women's rights. This can be seen in the title of the Act of Family Protection and Prevention of Violence Against Women³⁵. This law, as well as other laws on violence in family relationships, is formulated in gender neutral terms, and there is no reference to violence against women in laws on aggravating circumstances.

34 Halperin-Kaddari R., Freeman MA (2016). Backlash Goes Global : Men's Groups, Patriarchal Family Policy, and the False Promise of Gender Law. Canadian Journal of Women and Law 28, pp. 182-210.

35 NATLEX: Turkey (781). (n.d.). Retrieved August 05, 2020, from http://ilo.org/dyn/natlex/natlex4.detail?p_lang=en

3.3 Defunding of Women's Specialist Services for the Benefit of Generic Services

Neoliberal policies have transmuted combating violence against women into a marketplace where women's specialist services have to compete with generic services. The empowering, victim-centered, needs-led approach to service provision that is typical for women's specialist services is not recognised as a quality criterion, distorting the market and advantaging gender neutral providers. As our case studies show, public procurement procedures and ever more exclusive selection criteria for public and private funding reduce the fundraising possibilities of women's specialist services and force them to lower their standards or cater to men, sometimes pushing them entirely out of the market.

3.3.1 Case Study: Denmark

While the country made big strides in improving service provision to women survivors of domestic violence since it ratified the Istanbul Convention, many gender neutral policies remain that hinder its full implementation. On the policy level, the national action plan is framed as combatting violence in close relations, the preferred gender neutral term in Denmark. Laws against violence are formulated in gender neutral terms; no specific law on violence against women and girls exists to this day, and the law on aggravating circumstances does not refer to violence against women. As all documents concerning the implementation of the Istanbul Convention are gender neutral, services are required to also be gender neutral. For instance, a national organisation against violence in close relations has been founded and funded. It serves victims and perpetrators of violence, while women's specialist services are defunded. Further, social services continue using the term "natural person" and make no distinction of the specific needs of women subjected to violence. Despite the need for a gender-specific response to trafficking, given the higher risk of violence against women who are trafficked or have insecure immigration status, the Danish trafficking approach is gender neutral.

3.3.2 Case Study: UK

Funding is a crucial issue for women's specialist services in this region, and gender neutrality represents an important challenge for them. Governments prefer funding very large charities, as, on the one hand, they have much more resources to promote their organisations and generate funding, and on the other hand, it is less administrative work for governments to manage few large grants than a lot of small ones. This centralised funding preference for large organisations means that funding often does not reach local women-specific services. For example, the Tampon Tax Fund, which is dedicated to improve the lives of disadvantaged women and girls and focuses explicitly on violence against women and girls as one of three issues, has a lower grant threshold of GBP 1 million; as a consequence, it allocates grants not to women's specialist services, but to generic organisations such as Victim Support and big housing associations, which do not have any expertise in violence against women and girls. Funding and commissioning processes often stipulate that beneficiaries must cater to all genders. This can be a significant issue since women's safe spaces are then threatened due to systemic underfunding, especially specialist BME, LGBTIQ+ or disabled women's organisations which are disproportionately impacted by cuts to funding and exclusion from funding opportunities.

3.4 Inclusion and Equality Used as Arguments Against Gender-specific Policies

A superficial analysis of gender-based violence may result in the erroneous idea that, as women are not the only people with a gender, any violence is gender-based. This approach considers violence only on the individual level of identity and neglects taking structural inequalities and power relations into account. Women's specialised services are often criticised for discriminating against men, and in several countries, gender neutral policies either exclude women-specific services from funding or force them to provide services to everyone, regardless of their gender, all in the name of equality.

In some cases, women-specific services are also accused of excluding non-binary or trans* persons as they base service provision on a binary definition of women and men. While it is a necessary and valuable strategy for gender equality in the long term to challenge the gender binary, the same binary has immediate, material consequences, including in the form of gender-based violence. Women's specialised services are tailored to the specific needs of survivors read and identifying as women. To meet the needs of non-binary and trans* people, specialist services addressing the specific needs of non-binary and trans people would be needed.

3.4.1 Case Study: Sweden

While Sweden is often cited as a good example for gender equality, this does not always translate into gender-specific policy-making to combat violence against women. In 2016, the Swedish government adopted a ten-year National Strategy to Prevent and Combat Men's Violence against Women that takes into account physical, sexual and psychological violence against women and girls and frames gender-based violence as an obstacle to gender equality. However, in the country's decentralised political system, many competences reside with local governments, and their implementation of the national strategy leaves much to be desired. For example, Stockholm county adopted a gender neutral regional strategy and action plan against violence. Even though the strategy makes cooperation between authorities and civil society actors one of its eight principal goals, women's specialist services are not mentioned at all. Although the strategy focuses on those forms of violence that women and children are particularly subjected to, the language remains gender neutral throughout the text, and gender equality is not defined. The strategy emphasises that both adults and children, "regardless of their gender identity", can be subjected to, as well as perpetrate, violence. Even the description of sexualised violence, where 98% of perpetrators are men, is not gender specific. The strategy lacks any analysis of structural inequalities or unequal power balances.

3.5 Recuperating Women-specific Symbols for Gender Neutral Anti-violence Campaigns

The women's movement, in its 50-year long and still ongoing battle against violence against women, was successful in creating terminology, action forms and symbols. However, whenever the majority of society embraces the terminology, actions and symbols of a social movement, it tends to pervert them to hold up the status quo of domination and inequality. For example, the White Ribbon campaign was developed to denounce men's violence against women and to allow men to assume their responsibilities in ending the violence. Due to its success, white ribbons are distributed indiscriminately to men and women in many places, eroding the radical meaning and objective of the campaign.

3.5.1 Case Study: Germany

The awareness raising campaign Stronger than Violence³⁶ addresses domestic and sexual violence, stalking, violence in the workplace and in public space, cyberviolence, trafficking, so-called „honour“-based violence and female genital mutilation. The language and visuals are very often gender neutral, e.g. male and female perpetrators are consistently named on equal footing, irrespective of gender proportions. The campaign website recognises for most forms of violence that women are disproportionately often victims, but also consistently names men as victims. The campaign has been launched on 25 November 2019 on the occasion of the International Day for the Elimination of Violence against Women. In this light, the forms of violence broached, the gender neutral language and the insistence on female perpetrators and male victims divert public attention from violence against women and girls to a more generic discourse on violence.

The geographic, political and cultural diversity of the case studies in this chapter illustrates the pervasiveness of gender neutrality in discourses and policy on violence against women. In some cases, the actors promoting gender neutrality do not hide their intentions to maintain the status quo of gender inequality. In other examples, their enthusiastic use of equality vocabulary and symbols gives the impression that they are seriously committed to gender equality... all the while erasing the structural inequality of women and men and producing negative outcomes for women survivors. Still other examples incriminate the commodification of a social and political issue such as gender-based violence. Whatever the causes and forms of gender neutrality, women's specialist services everywhere organise their resistance. In the following chapters, we identify strategies that have shown to be effective to stem the tide and maintain high-quality, effective and emancipatory services for women survivors.

36 <https://staerker-als-gewalt.de>

4 A Brief History Behind the Backlash against the Gendered Language of the Istanbul Convention in Bulgaria and Slovakia

Taking a deeper look into the history behind why Bulgaria and Slovakia have not ratified the Istanbul Convention (IC) helps to shed light onto the difficult situation facing women in countries with extreme right-wing governments or influenced by nationalistic and populist ideology which have seen a backlash to the gendered language of the convention. Bulgaria and Slovakia are against ratifying the IC and have each made statements that it goes against their own constitutions and traditional family values.³⁷ Debates around the IC helps to explain the 'anti-gender' movements within these countries, shedding light on how and why patriarchal societal structures are being upheld.

4.1 Why do Bulgaria and Slovakia Oppose the Istanbul Convention?

The Istanbul Convention understands violence against women as a human rights violation and a form of discrimination against women; a negation of the principle of gender equality and the equal rights of men and women.³⁸ The convention's main aims are the prevention of all forms of VAW, victim protection and to put an end to the impunity of perpetrators, as well as to contribute to the elimination of all forms of discrimination against women, to promote equality between women and men, and to promote cooperation at both the national and international level in order to achieve these goals.³⁹ The use of the expression "gender-based violence against women" in the Istanbul Convention (IC) is understood as equivalent to the expression "gender-based violence" used in the CEDAW Committee's General Recommendation No. 19 (1992) on violence against women and is in line with the concept of gender-based violence against women adopted in General Recommendation 35 of CEDAW from 2017; it is to be understood as aimed at protecting women from violence resulting from gender stereotypes.⁴⁰

The IC is significant because it is legally binding and has its own monitoring mechanism, GREVIO (the Group of Experts on Action Against Violence against Women), to see that states abide by it.⁴¹ The Fundamental Rights Agency (FRA) has stated that there is no legislation in place at the level of the EU that addresses VAW in a comprehensive manner and that the ratification of the IC by the EU could address this situation.⁴² FRA has stated that at present, the IC is the most comprehensive regional instrument addressing violence against women.⁴³

Both Bulgaria and Slovakia did not block the IC from the get-go. The Bulgarian government was lined up and ready to sign and ratify the convention, and Slovakia was among the first Member States of the Council of Europe to sign it. So what changed?

Bulgaria

In Bulgaria, a major social media campaign spreading messages about the convention pushing a gender-ideology made a huge impact on the government's decision to revoke its initial decision to support it. In March 2018 the members of parliament from the ruling party GERB brought before the Constitutional Court of Bulgaria the bill for ratification of the convention which was pending in the National assembly and, under the pressure of public opinion, the Council of Ministers decided to withdraw its ratification until further notice.⁴⁴ In July 2018, the Constitutional Court decided that the convention as a whole is in contradiction with the principle of legal certainty and does not align with the definition of a man and a woman as stated in the Constitution and was therefore declared unconstitutional.⁴⁵ The campaign against the convention in Bulgaria was initiated mainly by the Society and Values Association (SVA).⁴⁶ The SVA is declared as a public body for the protection of the family and marriage, in addition, its leader Mihaela Djorgova, has

37 Darakchi, Shaban (2019). "The Western Feminists Want to Make Us Gay": Nationalism, Heteronormativity, and Violence Against Women in Bulgaria in Times of "Anti-gender Campaigns". *Sexuality & Culture*, 10th May 2019, Pages 1-22.

38 Council of Europe (2011). Council of Europe Convention on preventing and combating violence against women and domestic violence. 12 April, 2011. <https://rm.coe.int/168046031c>.

39 Ibid.

40 Ibid.

41 Allwood, Gill (2016). Gender-based violence against women in contemporary France: Domestic violence and forced marriage policy since the Istanbul Convention. *Modern & Contemporary France*, 24:4, pp. 377-394.

42 FRA – European Union Agency for Fundamental Rights (2014). Violence against women: An EU-wide survey. Main results, Vienna: FRA.

43 Ibid.

44 Darakchi, Shaban (2019). "The Western Feminists Want to Make Us Gay": Nationalism, Heteronormativity, and Violence Against Women in Bulgaria in Times of "Anti-gender Campaigns". *Sexuality & Culture*, 10th May 2019, Pages 1-22.

45 Ibid.

46 Ibid.

worked for different religious institutions and the Apostolic church “Prelom” where her husband used to be a priest.⁴⁷ When the Bulgarian parliament initiated a procedure for ratification of the Istanbul Convention in January 2018, the SVA initiated a massive social media campaign against it, which was then supported and further intensified by the Bulgarian nationalistic coalition United Patriots, which has 27/240 parliament seats.⁴⁸ In fact the campaign by the mentioned NGO against the Istanbul Convention was not the decisive factor but it was a *mise – en- scene* used by subversive rightwing forces along with a large *fake news* and hate speech campaign – a fact which was highlighted by human rights and women’s rights NGOs in Bulgaria but was not taken into account in a timely and adequate manner by the government. As the campaign against the IC and against human rights was extremely well financed also from abroad, the human rights organized hatred was equivalent to a breakthrough in national security./ *Opinion expressed by a representative of a women’s NGO from Bulgaria, June 2020/*

Slovakia

The blocking of the IC in Slovakia also came as quite a shock because they had already had “a decade-long history in the promotion of gender equality with the first governmental Gender Equality Strategy adopted back in 2009, and additionally two more action plans to combat violence against women”.⁴⁹ Katja Farkasova from the Alliance of Women in Slovakia (a WAVE member organization) writes that the progress was anything but significant; however, no one ever doubted the agenda of gender equality.⁵⁰ Robert Fico, the then Prime Minister of Slovakia, stated, “The convention talks about stereotypes and gender equality in the sense of eliminating the so-called traditional roles of men and women in the family. It raises doubts. Unless there is full compliance with the provisions of the convention with the definition of marriage as a bond between a man and a woman, I will never agree to ratify.”⁵¹ Slovakia’s parliament had already amended its Constitution in 2014 to define marriage as a union between man and woman, which stirred protest among rights groups at the time.⁵² Fico went on to say, “We will adopt all the necessary legal regulations to ensure that our legislation is at the European level when it comes to the protection of women against violence,” but no one will be holding them responsible to do this.⁵³

4.2 Backlash and Anti-Gender Campaigns

The IC became the target and symbol of the anti-gender movement primarily due to the definition of ‘gender’ included in its text.⁵⁴ According to Article 3 of the IC, ‘gender’ means “the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men”.⁵⁵ This is a big deal because the IC is the first international treaty containing a definition of gender as a social construct.⁵⁶ For this reason, several parts of Europe are facing new waves of resistance to a so-called ‘gender ideology’ or ‘gender theory’.⁵⁷ The opposition to progressive gender equality challenge marriage equality, abortion, reproductive technologies, gender mainstreaming, sex education, sexual liberalism, transgender rights, antidiscrimination policies and even to the notion of gender itself.⁵⁸ In addition, translations of the IC by religious organizations such as the Roman Catholic Church have become a mobilizing tool for these social movements.⁵⁹

Bulgaria

The ratification of the Istanbul Convention in Bulgaria uncovered and gave voice to patriarchal, sexist and homophobic attitudes and notions which might have remained passive and unheard otherwise.⁶⁰ Furthermore, with the discussion shifting from VAW to the threats of “gender ideology”, the topic of gender-based violence in Bulgaria has become

47 Darakchi, Shaban (2019). “The Western Feminists Want to Make Us Gay”: Nationalism, Heteronormativity, and Violence Against Women in Bulgaria in Times of “Anti-gender Campaigns”. *Sexuality & Culture*, 10th May 2019, Pages 1-22.

48 Ibid.

49 Farkasova, Katja (2018, Jan). From Istanbul to a clash of civilisations. A story of a hijacked Convention in Slovakia. *Fempower Magazine*, Volume No. 29, pp. 13-15.

50 Ibid.

51 Gotev, Georgi (2018, Feb). After Bulgaria, Slovakia too fails to ratify the Istanbul Convention. *Euractiv*. Published 23. Feb 2018. Retrieved 14. Jul 2019 from <https://www.euractiv.com/section/future-eu/news/after-bulgaria-slovakia-too-fails-to-ratify-the-istanbul-convention/>.

52 Ibid.

53 Ibid.

54 Farkasova, Katja (2018, Jan). From Istanbul to a clash of civilisations. A story of a hijacked Convention in Slovakia. *Fempower Magazine*, Volume No. 29, pp. 13-15.

55 Council of Europe (2011). Council of Europe Convention on preventing and combating violence against women and domestic violence. 12 April, 2011. <https://rm.coe.int/168046031c>.

56 Gotev, Georgi (2018, Feb). After Bulgaria, Slovakia too fails to ratify the Istanbul Convention. *Euractiv*. Published 23. Feb 2018. Retrieved 14. Jul 2019 from <https://www.euractiv.com/section/future-eu/news/after-bulgaria-slovakia-too-fails-to-ratify-the-istanbul-convention/>.

57 Kuhar, Roman and Paternotte, David (2017). *Anti-gender campaigns in Europe: Mobilizing against equality*. Rowman & Littlefield, London.

58 Ibid.

59 Ibid.

60 Darakchi, Shaban (2019). “The Western Feminists Want to Make Us Gay”: Nationalism, Heteronormativity, and Violence Against Women in Bulgaria in Times of “Anti-gender Campaigns”. *Sexuality & Culture*, 10th May 2019, Pages 1-22.

neglected.⁶¹ One of the most shared beliefs in the social media campaign against the IC is the idea that women's movements are dangerous for the future of the nation and that feminism is considered a powerful "Western weapon" for the destruction of small nations, with the UN, the USA, and the WHO being identified as the main "initiators" of this "global plan".⁶² One campaign statement said, "They want exactly this. To destroy small nations like Bulgaria and invade them. This is a part of a global plan organized by the UN which aims to impose feminism and fool women that they can be independent. This is how they [women] stopped giving birth and we are the fastest shrinking nation in the world."⁶³ Summarizing these attitudes, the main arguments in these notions are based on the understanding that some women are seeking revenge and once they get the political power they will destroy men and that it is all a process of 'social engineering' in which white middle-class men are presented as victims of a feminist ideology "constantly trying to depict them as abusers and rapists".⁶⁴

On the same day that the Council of Ministers of Bulgaria approved the convention, the social media campaign took over and the leader of the Bulgarian Socialist Party (BSP), Kornelia Ninova published the official position of the party in which she explained that, "BSP has always fought for protection of women, however the term 'gender' and the idea of revision of traditional values, as well as introduction of 'inappropriate' education in schools, is against their vision and they call for the withdrawal of the document."⁶⁵ This quick change of mind was surprising because the BSP succeeded and has repeatedly emphasized how important gender equality is and how passionate the leader of BSP is about this topic.⁶⁶

Slovakia

In Slovakia, a 'clash of civilization' was triggered by the book of the controversial German author Gabriela Kuby, an orthodox Catholic.⁶⁷ In her book *The Global Sexual Revolution: The Destruction of Freedom in the Name of Freedom* – translated in several languages around Central and Eastern Europe – she became an outspoken voice of the Slovak conservative movement, comparing gender to fascism and communism.⁶⁸ The number of activities organised by the anti-gender movement are too many to list here, but they started with a declaration against gender-sensitive education signed by 300 conservative psychologists and teachers followed by an open letter from a hundred organisations sent to the Minister of Justice to lobby against the ratification of the IC.⁶⁹ That was just the beginning. In 2013, about 50,000 people attended a 'March for Life' in Kosice to protest abortion, same-sex marriage and 'gender ideology', and the Conference of Bishops issued a letter calling the new 'gender ideology' a 'culture of death' stating, "Activists of 'gender equality' are not giving up, but are waiting for a suitable opportunity to inject this pernicious ideology into school education. The culture of death threatens the nation's existence."⁷⁰

Despite the official separation of the State and the Church embedded in the Slovak Constitution, the Catholic Church remains a major societal force opposing human rights and the gender equality agenda.⁷¹ In 2014, with massive support from the Catholic Church, a conservative organisation called 'Alliance for Family' collected around 400,000 signatures in churches around the country to initiate a referendum to seek popular opinions on three issues, including the definition of marriage as the union between a man and a woman, and in 2015 a referendum campaign depicted same-sex couples as a threat to the traditional family.⁷² As a result, the definition of marriage as the union between a man and a woman has been included in the Constitution of Slovakia.⁷³ This was well-calculated, because in February 2018, Prime Minister Robert Fico made his decision not to ratify the convention public, stating that the convention promotes 'gender ideology' and that there were some discrepancies between the text of the convention and Slovakia's constitution, particularly the definition of marriage as a union between a man and a woman, and in doing so, joined the Bulgarian Prime-Minister who made a very similar statement just a month before.⁷⁴

61 Darakchi, Shaban (2019). "The Western Feminists Want to Make Us Gay": Nationalism, Heteronormativity, and Violence Against Women in Bulgaria in Times of "Anti-gender Campaigns". *Sexuality & Culture*, 10th May 2019, Pages 1-22.

62 Ibid.

63 Ibid.

64 Ibid.

65 Ibid.

66 Ibid.

67 Farkasova, Katja (2018, Jan). From Istanbul to a clash of civilisations. A story of a hijacked Convention in Slovakia. *Fempower Magazine*, Volume No. 29, pp. 13-15.

68 Ibid.

69 Ibid.

70 Ibid.

71 Ibid.

72 Ibid.

73 Ibid.

74 Ibid.

4.3 Misconceptions about the IC and the Concept of Gender

Critics claim that the definition of gender as a social construct opens the door to legalising gay marriage and promoting homosexuality in schools, even though there is no explicit mention of gay marriage in the treaty.⁷⁵ Nonetheless, many Bulgarians and Slovaks view its wording as a threat to the traditional family structure.⁷⁶ It's important to point out the only thing the IC specifically says about marriage is in Article 37 in that it criminalizes forced marriage.⁷⁷

Bulgaria

What's interesting about Bulgaria is that in playing with the meaning of the term 'gender' and the implied 'hidden agenda' in it, the BSP has completely ignored the fact that they have collaborated with several organizations which use the word gender without translation and have never questioned the meaning of the word before.⁷⁸ One main issue could be an ambiguous translation of the convention, or the fact that the lack of separate words for 'sex' and 'gender' in the Bulgarian language provide a basis for manipulations regarding the content of the convention.⁷⁹ The term gender, which is basic in the understanding of 'gender-based violence', was officially translated as 'social sex', which led to the widespread notion that sex, not gender, is socially constructed - which was then said to be a strategy for imposing 'unnatural' values inconsistent with the Bulgarian Christian norms and moral.⁸⁰ According to the opponents of the convention, the term gender aims to do three things: destroy the moral basis of society by allowing gender identification independently of the biological sex, promote homosexuality and transgenderism in schools through sexual education, and introduce same-sex marriages by allowing same-sex couples to 'manipulatively' identify with the opposite gender and circumvent the legislation which recognizes a marriage only between a man and a woman.⁸¹ The term gender has thus become believed to be a 'political weapon' and its understanding in the social sciences rejected as 'unnatural' - mainly due to the fact that the majority of people have never studied the difference between sex and gender.⁸² Now the term has been easily used for political opportunism and the creation of negative political images of desired political and societal actors.⁸³

The misinterpretation of the term "gender" and its use for instigating hatred was stressed by Ms. Dubravka Simonovic, the UN Special Rapporteur on VAW (UN SR VAW), its causes and consequences, who visited Bulgaria in the period 14-21st October 2019. She noted that the campaign against the ratification of the Istanbul Convention led to the creation of an "anti-gender movement" that resulted in attacks on women and on all those providing services to victims of violence. This was partially due to its misinterpretation and to the incorrect translation in Bulgarian of the term "gender" contained in the Convention.⁸⁴ This judgment of the Constitutional Court stopped the ratification process but also provided the platform for massive campaign against the Istanbul Convention and the term "gender", said the SR VAW.⁸⁵ The UN SR VAW recommended in her end of mission report that the ruling of the Constitutional Court be reconsidered and, respectively, the ratification of the IC. Similarly, in its concluding observations on the eighth periodic report of Bulgaria from March 2nd 2020, the CEDAW Committee recommends the ratification of the IC Paragraph 24 "a".⁸⁶

Slovakia

In addition to misunderstandings of gender in Slovakia, a tour going from church to church in the country named 'Stop the Evil from Istanbul' has compared the convention to events from history when the Turks occupied the region: "The general popular attitude in Slovakia showing opposition to Muslims and migrants is being exploited when referring to the Istanbul Convention; of course, withholding the basic information about its true content".⁸⁷ Many people assume the document has something to do with the import of Islamic laws to Slovakia – Farkasova says sarcastically, "pity, the Convention was not signed in Rome".⁸⁸

75 Gotev, Georgi (2018, Feb). After Bulgaria, Slovakia too fails to ratify the Istanbul Convention. Euractiv. Published 23. Feb 2018. Retrieved 14. Jul 2019 from <https://www.euractiv.com/section/future-eu/news/after-bulgaria-slovakia-too-fails-to-ratify-the-istanbul-convention/>.

76 Ibid.

77 Council of Europe (2011). Council of Europe Convention on preventing and combating violence against women and domestic violence. 12 April, 2011. <https://rm.coe.int/168046031c>.

78 Darakchi, Shaban (2019). "The Western Feminists Want to Make Us Gay": Nationalism, Heteronormativity, and Violence Against Women in Bulgaria in Times of "Anti-gender Campaigns". *Sexuality & Culture*, 10th May 2019, Pages 1-22.

79 Ibid.

80 Ibid.

81 Ibid.

82 Ibid.

83 Ibid.

84 Bulgaria: UN expert concerned about pushbacks on women's rights and misinterpretation of the term "gender" that stopped the ratification of the Istanbul Convention <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25178&LangID=E>

85 End of the mission report of the SRVAW <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25173&LangID=E>

86 CEDAW/c/BGR/CO 8

87 Farkasova, Katja (2018, Jan). From Istanbul to a clash of civilisations. A story of a hijacked Convention in Slovakia. *Fempower Magazine*, Volume No. 29, pp. 13-15.

88 Ibid.

The success of these anti-gender campaigns and the upholding of traditional family values are not surprising when looking at the popularity of the Catholic Church in Eastern Europe. The first post-communist decade of Slovakia witnessed a turning to religion, where church-attendance rates and confidence in the church greatly increased.⁸⁹ For example, in 1991 the 'overall confidence' in the church was reported at 49%, whereas in 1999 this reached almost 65%.⁹⁰ Assessments of the belief in the church's adequacy in 2008 in terms of spiritual, moral and family issues in Slovakia exceeded the European average.⁹¹ Even though there was a slight decline in church confidence over the second post-communist decade⁹² by 2018 the vast majority of Bulgarians were Christian Orthodox, and 62% of Slovaks identified as Catholics.⁹³

4.4 Issues with Data on and the Reporting of VAW

Before 2001, concrete data about the extent and level of domestic violence in CEE was almost nonexistent.⁹⁴ A greater problem, UNICEF theorizes, is that the failure to report rape hides the real issue: the common knowledge that reporting is useless if enforcement is unlikely or maltreatment of the victim is probable.⁹⁵ The FRA survey is the first of its kind on violence against women across the EU's 28 Member States⁹⁶, and according to it, the UN, the Council of Europe, the European Commission, the European Parliament and civil society all agree that there is a continued lack of comprehensive, comparable data on the phenomenon of violence against women.⁹⁷ Women generally do not report to the police or to a number of other services that could support them, and it is clear that the needs and the rights of women are currently not being met in practice.⁹⁸

Bulgaria

The FRA survey has found that 28% of the interviewed women in Bulgaria have been victims of physical and/or sexual violence by a partner or a non-partner since the age of 15, and of those, 78% have been abused by their partners.⁹⁹ The report from the survey emphasizes that the situation of violence against women in Bulgaria remains worse compared to most of the other EU states.¹⁰⁰ This has been attributed to the lack of effective policies and prevention, as well as the lack of proper changes in the legislative system.¹⁰¹ The FRA survey was important because it was issued Europe-wide, and given that in Bulgaria there is no centralized statistical system for registration and monitoring of VAW, it was especially important; the existing data that Bulgaria does have comes mainly from police reports, but it is considered incomplete because many cases of abuse against women remain unreported.¹⁰²

Data about VAW that has been previously reported on in Bulgaria could indicate low levels of violence, or they may simply indicate that domestic VAW is considered largely a private matter, which is not shared even with family or friends, and as a result is rarely reported to the police or to other relevant institutions.¹⁰³

According to the EIGE Gender Equality Index of 2017, Bulgaria has one of the lowest rates of reporting domestic violence in Europe.¹⁰⁴ It is necessary for the government to take awareness raising measures to encourage reporting acts of violence. This tendency is supported by a representative study carried out by Alpha Research in 2011 on Sexual VAW in Bulgaria which showed that women's understanding of what constitutes sexual violence causes an observed difference in prevalence rates.¹⁰⁵ According to the study, belittling the problem is caused by the fact that Bulgarian women

89 Podolinská, T. (2010). The Religious Landscape in Post-communist Slovakia. *Anthropological Journal of European Cultures*, 19(1). doi:10.3167/ajec.2010.190107

90 Ibid.

91 Ibid.

92 Ibid.

93 Gotev, Georgi (2018, Feb). After Bulgaria, Slovakia too fails to ratify the Istanbul Convention. Euractiv. Published 23. Feb 2018. Retrieved 14. Jul 2019 from <https://www.euractiv.com/section/future-eu/news/after-bulgaria-slovakia-too-fails-to-ratify-the-istanbul-convention/>.

94 Smolens, S. (2001). Violence against women: Consciousness and law in four Central European emerging democracies: Poland, Hungary, Slovakia, and the Czech Republic. *The Tulane European and Civil Law Forum*, 15, 1–42.

95 Ibid. Smolens

96 FRA – European Union Agency for Fundamental Rights (2014). Violence against women: An EU-wide survey. Main results, Vienna: FRA.

97 Ibid.

98 Ibid.

99 Ibid.

100 Ibid.

101 Darakchi, Shaban (2019). "The Western Feminists Want to Make Us Gay": Nationalism, Heteronormativity, and Violence Against Women in Bulgaria in Times of "Anti-gender Campaigns". *Sexuality & Culture*, 10th May 2019, Pages 1-22.

102 Ibid.

103 FRA – European Union Agency for Fundamental Rights (2014). Violence against women: An EU-wide survey. Main results, Vienna: FRA.

104 European Institute for Gender Equality of the European Union (2017), "Gender Equality Index 2017: Bulgaria", accessed August 15, 2019, <http://eige.europa.eu/gender-equality-index>.

105 FRA – European Union Agency for Fundamental Rights (2014). Violence against women: An EU-wide survey. Main results, Vienna: FRA.

are embarrassed to talk about sexual violence and on Bulgarian media reports typically only covering the most severe forms of violence, such as rape.¹⁰⁶

Another issue in Bulgaria is women's overall low awareness of the specific legislation and initiatives aimed at prevention and protection in cases of domestic violence.¹⁰⁷ According to both the European Women's Lobby barometers on national action plans on violence against women from 2011 and on rape in the EU from 2013, a national action plan on violence against women was not on the Bulgarian government's agenda.¹⁰⁸ In addition, the government does not produce data on female victims of rape and there is no specific state policy on this issue, nor any mechanism for helping women gain access to counselling and to justice, despite the frequent and often severe cases of sexual harassment.¹⁰⁹ The low level of awareness, the gaps in legislation and in the coordination of institutions is reflected also in the more recent study was carried out in 2015-2016 by the Partners Bulgaria Foundation and the Center for the Study of Democracy within the project "National Study of Domestic and Gender-based Violence (DGBV) and Elaboration of a Victims Support Model (VSM)", funded by the Norwegian Financial Mechanism 2009-2014.¹¹⁰

Slovakia

The FRA survey has found that 34% of the interviewed women in Slovakia have been victims of physical and/or sexual violence by a partner or a non-partner since the age of 15, and of those, 64% have been abused by their partners.¹¹¹ The report shows that Slovakia ranks worst in Europe for women feeling safe to leave their home alone due to fear of being assaulted.¹¹² In addition, awareness of laws and political initiatives to prevent domestic violence against women, as well as awareness of institutions or services for victims of violence against women remains lower than the EU average.¹¹³ According to Fenestra, Slovakia needs a comprehensive policy on combating violence against women, as, for example, there are still no preventative programs.

EIGE has issued recommendations on data collection on VAW in Slovakia, which helps to point out problematic areas. Slovakia is strongly committed to improving the management of statistics and records on violence against women - as evidenced by its adoption in 2013 of the national action plan for the prevention and elimination of violence against women 2014-2019.¹¹⁴ However, Slovakia has no vertical integration of data collection across the phases of criminal proceedings (i.e. there is no single identifier for each case/victim/offender), making it impossible to track a case from the time of its reporting to the end of the criminal proceedings.¹¹⁵ EIGE recommends that the indicative data on police investigations be disaggregated by sex to be used as approximate data, and that it would be useful to make changes to the recording systems used by the General Prosecutor's Office so that they can monitor incoming cases from the police based on the criminal charges.¹¹⁶

4.5 How the Istanbul Convention and a Gendered Perspective Empowers Women

While the IC does not give its own definition of empowerment – it does underline how it endorses the principles of women's empowerment in regards to a gendered perspective, the implementation of policies of equality between women and men, and the economic independence of women victims of violence.¹¹⁷ In addition, the writers of the IC align their values with those of the Council of the European Union, who have assigned the European Institute for Gender Equality (EIGE) the central role of addressing the challenges of and promoting equality between women and men across the European Union.¹¹⁸ EIGE defines the empowerment of women as the "process by which women gain power and control over their own lives and acquire the ability to make strategic choices."¹¹⁹

106 FRA – European Union Agency for Fundamental Rights (2014). Violence against women: An EU-wide survey. Main results, Vienna: FRA.

107 Ibid.

108 Ibid.

109 Ibid.

110 <https://partnersbg.org/en/domestic-and-gender-based-violence/>

https://csd.bg/search/?id=33&tx_kesearch_pi1%5Bsword%5D=gender&x=0&y=0&tx_kesearch_pi1%5Bpage%5D=1&tx_kesearch_pi1%5BresetFilters%5D=0&tx_kesearch_pi1%5BsortByField%5D=&tx_kesearch_pi1%5BsortByDir%5D=asc

111 FRA – European Union Agency for Fundamental Rights (2014). Violence against women: An EU-wide survey. Main results, Vienna: FRA.

112 Ibid.

113 Ibid.

114 EIGE – European Institute for Gender Equality (2017). Recommendations to improve data collection on intimate partner violence by the police and justice sectors: Slovakia Retrieved from [https://eige.europa.eu/publications?a\[0\]=619&page=2](https://eige.europa.eu/publications?a[0]=619&page=2)

115 Ibid.

116 Ibid.

117 Council of Europe (2011). Council of Europe Convention on preventing and combating violence against women and domestic violence. 12 April, 2011. <https://rm.coe.int/168046031c>.

118 EIGE – European Institute for Gender Equality (2019). Empowerment of Women. Retrieved from <https://eige.europa.eu/thesaurus/terms/1102>.

119 Ibid.

Gender Equality

The IC firmly establishes the link between achieving gender equality and the eradication of VAW, and in so doing, recognises the structural nature of VAW and that it is a manifestation of historically unequal power relations between women and men.¹²⁰ The literature shows that gender equality is severely lacking in Bulgaria and Slovakia, and as we have seen, the false reporting of the IC's contents surrounding gender is what has dictated the blocking of the Convention in these countries. It seems that a more accurate understanding of gender and what is actually written in the Convention would help to alleviate many minds about what the IC does in practice. However, the IC cannot eradicate misunderstandings about the concept of gender on its own, especially in the current climate. What it does is do to promote small advances in everyday norms to help the next generation normalize gender as a social construct. For example, through the promotion of equal learning opportunities and career paths for boys and girls, making it harder to segregate curricula in schools based on gender.¹²¹ Activities such as these build gender equality into the structure of society, which is one example speaking to the “education, training, awareness raising, building self-confidence, and expansion of choices” that this definition of empowerment calls for.

Enforce Legislation that Protects Women and Provides Specialist Support

In many cases, the implementation of the IC also requires the enactment of new state laws and policies to make sure that each country is in line with the IC. For example, after its ratification in 2014, France passed the Law for Equality between Women and Men to do just that.¹²² This is important because there is growing evidence that states that ratify international human rights treaties do not actually generate changes in their states' domestic human rights practices - they are just responding to perceived or real social pressures to formally assimilate with other states in the global arena.¹²³ This has been found to be especially true in post-Communist countries of Central and Eastern Europe.¹²⁴

The IC would do an important job of seeking out areas where legislation protecting women from violence is lacking, inspiring policy change, and on top, enforcing those new policies. In 2014 Slovakia adopted the new National Strategy for Gender Equality and a related Action Plan for Gender Equality for the years 2014–2019 in cooperation with NGOs and the Government Council for Human Rights, Ethnic Minorities and Gender Equality¹²⁵, however, little has been reported on its actual effectiveness. Bulgaria and Slovakia blocking the IC is problematic because they can create these new policies to look good on an international legislative level, without the need to actually enforce them.

Stop the Normalization of Violence

Changing the way the general public views VAW in Bulgaria and Slovakia is vital to changing behavioural norms, and consequently, the prevalence of violence. Andrea Cornwall made a notable statement about denormalizing violence in saying: “By making private harms public, such organizing helps create a culture of unacceptability and accountability that can extend to those in state institutions who otherwise fail to fulfil obligations to protect women and prosecute male perpetrators.”¹²⁶ The IC aims at zero tolerance for gender-based violence (GBV)¹²⁷ and is a major step forward in helping to change mindsets around all forms of VAW. In addition, as mentioned above for case studies in Bulgaria, a lack of understanding of what constitutes various forms of violence causes issues with the reporting of it. With legislation in place that educates not only government officials, but local authorities, first responders and emergency services on what is and is not considered VAW/GBV, the public would be better equipped to know their rights when caught in a violent situation.

120 Council of Europe (2011). Council of Europe Convention on preventing and combating violence against women and domestic violence. 12 April, 2011. <https://rm.coe.int/168046031c>.

121 Ibid.

122 Allwood, Gill (2016). Gender-based violence against women in contemporary France: Domestic violence and forced marriage policy since the Istanbul Convention. *Modern & Contemporary France*, 24:4, pp. 377-394.

123 Avdeyeva, Olga (2007). When Do States Comply with International Treaties? Policies on Violence against Women in Post-Communist Countries, *International Studies Quarterly*, Volume 51, Issue 4, December 2007, Pages 877–900.

124 Ibid.

125 Porubanova, Silvia (2017). Gender equality policies in Slovakia. Policy Department for Citizens' Rights and Constitutional Affairs European Parliament, Brussels, April 2017. <http://www.europarl.europa.eu/supporting-analyses>.

126 Cornwall, A., 2016. Women's empowerment: What works? *Journal of International Development*, 28(3), pp.342-359.

127 Council of Europe (2011). Council of Europe Convention on preventing and combating violence against women and domestic violence. 12 April, 2011. <https://rm.coe.int/168046031c>.

5 Not Funded, or Underfunded and How to Navigate Hostile Space

This chapter examines women's NGOs that do not have access to public and/or state funding or are underfunded, as well as NGOs whose sustainability and autonomy are jeopardized due to their heavy dependence on funds that enable state and/or public agencies to exercise power and control over them. This chapter briefly discusses neoliberalism as a context for funding women's NGOs and then details a few case studies. Its aim is to show how they affect funding of women's NGOs, their work with women survivors of violence and to present different ideas and ways the NGOs are resisting and navigating the hostile space.

5.1 Neoliberalism as an Underlying Economic and Political System

In terms of funding, it is important to see the concept of neoliberalism through changes it has brought about to the ideas of the role of state, market, policy making, social values and solidarity. As a complex system, neoliberalism "refers to a global economic system that can be characterized by market deregulation, extensive privatization, tax reduction, severe austerity policies in times of permanent economic crises, and withdrawal of the state interventions in balancing the negative effects of economic decline. Secondly, in a political-ideological sense, it also refers to a kind of governance, regime, set of political principles and rules aiming to maintain the existing unequal political and social power relations, the rule of global economic and political elites, techniques that endanger democratic practices and citizens' participation in and influence over decision making processes. Lastly, neoliberalism also shapes social values and culture. By introducing and promoting the above mentioned economic and political practices it serves as a reference point for notions of values in everyday life, relations in personal interactions, ideas about different social groups and their behaviour."¹²⁸

Therefore, as discussed in the chapters on defining gender neutrality in the social, economic and political context and on the responsibility of states in addressing violence against women, neoliberalism imposes the imperative of economic growth and efficiency not only on businesses, but also on political decision making and on social policies. Socially disadvantaged or vulnerable groups of people are a burden to the economy and to the society. The civic society and NGOs, including women's NGOs, also must prove they offer value for money in strictly quantitative terms of market economy. In other words, "neoliberal governmentality and cuts of state funding for NGOs significantly changed the context for the politics of state feminism, leading women's NGOs to seek funding in market enterprises and private foundations, and forcing these organizations to adapt to market requirements (efficiency, productivity), and measure their impact with quantitative indicators"¹²⁹.

Another important factor to consider is the fact that in the neoliberal system, economic truths are regarded as evidence based, and thus politically and ideologically 'neutral'. In fact, they are not neutral at all, but contribute to hiding inequalities and oppressions within the neoliberal economic system quite effectively. This results in policies solely based on economic analysis making it increasingly difficult for women's movements to promote policies based on values such as human and women's rights. As Walby (2011) argues, changes brought about by neoliberalism result in, among other things, "creating a less hospitable political context for women's effective engagement in the public sphere and for innovative gender policies"¹³⁰ or as Oksala (2013) puts it, "when all political decisions are submitted to 'value-neutral' economic assessment, forms of radical politics, including feminist politics, become meaningless"¹³¹.

Understanding this aspect of 'neutrality' takes us to 'gender neutrality' as another form of 'political and value neutrality' of neoliberalism. There have been numerous studies about how some of the feminist ideas behind gender mainstreaming not only were hijacked and twisted in the neoliberal system framework, but how its specific versions (unintentionally) serve the neoliberal agenda. There are different views on whether gender mainstreaming has been successful in advancing gender equality and women's empowerment, but it is not the aim of this section to examine the different positions. However, it is interesting to note that those who question gender mainstreaming outcomes and its ability 'to contest neoliberal economic agenda'¹³² argue that due to its highly technocratic implementation and focus on the

128 Solidarity in Struggle: Feminist Perspectives on Neoliberalism in East-Central Europe, ESZTER KOVÁTS(ED.), Friedrich-Ebert-Stiftung Budapest, 2016, p. 11-12, http://www.aspekt.sk/sites/default/files/Obalka_knihy.pdf

129 Kantola, Johanna & Squires, Judith: "From State Feminism to Market Feminism", 2012: 382-383 in Johanna Oksala, *Feminism and Neoliberal Governmentality*, in: *Foucault Studies*, No. 16, p. 32-53, 2013, <https://rauli.cbs.dk/index.php/foucault-studies/article/view/4116/4533>

130 Sylvia Walby, *The Future of Feminism*, Cambridge: Polity Press, 2011, p. 158

131 Johanna Oksala, *Feminism and Neoliberal Governmentality*, in: *Foucault Studies*, No. 16, p. 32-53, 2013, <https://rauli.cbs.dk/index.php/foucault-studies/article/view/4116/4533>

132 Carol Bacchi & Joan Eveline (2003) *Mainstreaming and Neoliberalism: A Contested Relationship*, *Policy and Society*, 22:2, 98-118, p. 5, [https://doi.org/10.1016/S1449-4035\(03\)70021-6](https://doi.org/10.1016/S1449-4035(03)70021-6)

so called 'means' equality (men and women are treated equally) rather than 'results' equality (aiming to create equal outcomes by applying means unequally, for example, through affirmative action policy)¹³³ it has had some adverse effects – many countries have introduced gender neutrality as a concept to treat men and women equally and some have used the gender mainstreaming agenda as an excuse to reduce programmes specifically aimed to empower women. As Hearn (2008) concludes, “a focus on equal outcomes has been lost. In neoliberal arenas the requirement to treat men and women unequally, so as to lessen the impact of inequalities on women, is now considered unacceptable. This poses an irony as in order for women to have equal protection from abuse and violence would necessitate specific consideration of securing safety as well as addressing the ‘problem creators’ and the social and economic practices that create and reinforce inequities”¹³⁴.

To sum up, the very nature of neoliberalism as an economic and political system has a strong influence on the development we have seen in decreasing volume of funding available and accessible to specialist support services to survivors of VAW provided by women's NGOs over the past two decades. Moreover, understanding neoliberalism as a system that goes beyond being just an economic system gives us a valuable insight into how it enables the growing backlash against women's and human rights.

5.2 Funding as a Key Concern of Gender Neutrality

The WAVE Gender Neutrality Working Group sent out a questionnaire called 'Protecting Women's Specialist Services from Gender Neutral Policy and Practice' to WAVE Members in 2018. Out of approximately 140 members approached, the questionnaire reached a response of one third of the membership (53 respondents). Even though not all respondents replied to all the questions, the questionnaire provided a good overview of the experience WAVE Members have with gender neutral policies and practices, the different impact they may have on provision of specialist support services and funding of specialist women's NGOs.

This part of the chapter takes a brief look at the main findings from the questionnaire connected to funding of specialist support services before introducing specific case studies. The following findings and main concerns voiced by WAVE Members regarding funding are a part of a summary report of the Working Group Gender Neutrality to the Advisory Board presented on 24 October 2018 during the WAVE Conference in Malta.

As to the volume of funding, the report shows 47% of organisations lost funding in the last 5 years, 72% lost funding due to increased competition, and 66% said that gender neutral organisations were the main competitors for government funding. Moreover, there was competition for public resources without any regard on the disproportionate impact of violence on women. In some countries, no distinction regarding funding of specialist women services was made and the need for women-only space was undermined or not taken into consideration at all. Some members reported there was no state funding at all to women-only organisations and NGOs.

The main concerns related to the impact gender neutral funding will have on specialist women's support service were the following:

- Any service accessing public funds will need to be accessible to men and women.
- Women's organisations will start to close due to a loss of funding or because of the way funding is structured (emphasis on generic provision, lack of gendered approach, more availability of smaller grants and lack of investment in organisational infrastructure).
- Women's organisations will change to adopt to gender neutral policy by including men and this will change the ethos of organisations.
- Women-only refuges will be under threat or in a constant state where they are being asked to justify their existence while sustaining massive reductions in grant income.
- Women's services such as counselling and therapeutic work, advocacy and other individualised women-only support services will be under threat.
- Women's outreach and early intervention and prevention work will be under threat.
- Services could be required to provide support to men, employ men and have men on managing boards.

133 Jeff Hearn & Linda McKie, *Gendered policy and policy on gender: The case of 'domestic violence'*, *Policy and Politics*, vol. 36 no.1, 75-91, 2008, p. 10, https://www.researchgate.net/publication/233613037_Gendered_policy_and_policy_on_gender_The_case_of_%27domestic_violence%27

134 Ibid.

- Services will have to defend themselves having to produce evidence over and over, dealing with threats to economies of scale and affecting the balance between provision and having to justify existence.
- Women's organisations will be pressured to form partnerships to bid for funding where they have little choice. This affects the power dynamics within such partnerships. In partnerships, women's organisations may not be likely to lead bids which will affect the gendered leadership within partnership affecting women's voice and representation.

Last, but not least, the report concludes that "it is not enough to look at the funding argument as a loss or reduction in funding, we have to look more broadly at structural issues, for example how is the available funding affecting how we deliver services and how do such structures work regarding inclusion/exclusion of services from funding rounds. For instance, if funding is dependent on local endorsement of bids, then minoritised women's organisations are less likely to get endorsement which means their opportunities are diminished".

Gender neutrality as a product of neoliberal system thus poses a considerable risk and threat to the existence and future sustainability of specialist women's support services. Therefore, it is important that the questionnaire also shows that many women's NGOs are resisting gender neutral policies and practices in their countries, which creates an opportunity to develop strategies together as a network based on the experience of its individual members from different regions of Europe. The last part of this chapter offers several examples of the ways funding cuts impact the work and existence of women's NGOs, WAVE Members, in some European countries and the strategies they use to resist the hostile space.

5.3 Case Studies

The following case studies attempt to give a better understanding of the different ways current backlash against women's and human rights, gender neutral or gender-blind policies affect funding of women's support services and the way they work. The case studies primarily focus on the examples of women's NGOs in the Central and Eastern Europe (CEE) and Balkan regions that are, at the same time, EU member states and have not ratified the Istanbul Convention as a result of anti-gender movements. This is due to the nature of backlash experienced in many countries in these regions and the consequences it has had so far on women's NGOs and women's and human rights in general. Apart from case studies from women's NGOs in the CEE and Balkan regions, there are also case studies from NGOs based in Western Europe and Scandinavia.

The aim of these case studies is to provide specific examples of women's NGOs¹³⁵ that are not funded, underfunded or in a situation where their dependence on state and public funds makes them vulnerable due to the fact that the funds come with considerable risks to their sustainability and are often combined with hostile actions and attitudes of the state towards NGOs. Although the case studies below do not provide a fully comprehensive picture of the different and complex layers of current backlash and its implications, the aim is to provide a good base to draw from to continue the debate within the WAVE Network on backlash and gender blindness and how to tackle them.

In order to get more detailed information for the case studies on funding and its effect on specialist support services run by women's NGOs, a questionnaire asking about the obstacles, limitations and risks of current funding was developed. The questionnaire also enquired about the main political, social and other developments that have influenced the current situation in the field of funding and about strategies NGOs used to navigate the hostile space. Finally, a question on the possible future impact of the COVID-19 crisis on funding of women's support services was also included. Not all questions were answered by all responding women's NGOs, so the individual case studies structure may be different.

Apart from the information received from the questionnaire and further information on gender neutrality provided by several other WAVE Members, the case studies also use information about specialist support services found in the WAVE Country Report 2019 and other relevant resources.

When examining the examples of gender neutral tendencies in some Western European or Scandinavian countries provided by several WAVE Members, it is apparent that gender neutrality or gender blindness certainly does impact how specialist support services are funded. Some countries report increasing institutionalization, lack of partnership of state authorities with women's NGOs and efforts to place more emphasis on so called (traditional) family and attempts to deny violence in families (e.g. Italy). Other respondents describe how gender-specific approach to VAW is

¹³⁵ The case studies in this section come from WAVE members in Bulgaria, the Czech Republic, Denmark, Hungary and Italy.

being reframed to a gender neutral language and approach (e.g. Sweden, Denmark). Finally, open backlash against gender equality and feminist expertise in the field of VAW in countries with populist, anti-system and/or right-wing political parties in power (connected also to anti-EU and anti-migrant rhetoric) was also seen as a threat by several respondents.

Although there are similar issues in many CEE and Balkan countries, the backlash against gender equality, the term 'gender' and specifically against the Istanbul Convention combined with very hostile rhetoric and actions of state authorities against human rights and women's rights NGOs present a specific issue in these regions. The term 'gender' and 'gender equality' have become a tool for conservative and far-right groups and politicians in many countries to promote and spread a lot of false ideas and concepts. Additionally, the Istanbul Convention has become a political battleground for them. In the past few years, their claims that the concept of gender as defined in the Istanbul Convention is feminist propaganda aiming at destroying the so called 'natural order' or 'natural roles of women and men' and 'traditional family' have heavily polarized people and politicians to the point that it has become almost unacceptable to talk specifically about violence against women as a human rights and a structural gender inequality issue. In many countries, the ideas of gender and gender equality are now labelled 'gender ideology'. This political and public discourse often goes together with a strong anti-LGBTI rhetoric and/or anti-migrant rhetoric, as well as continued attempts to restrict women's reproductive rights (e.g. Poland or recently Slovakia). In many countries, the major churches openly support such agendas. As a result, several countries have not ratified the Istanbul Convention and some have even taken steps towards rejecting it completely and notifying the Council of Europe they will not become state parties to the Convention or pronouncing it unconstitutional (e.g. Slovakia, Hungary, Bulgaria). It sets a dangerous precedent for other countries that would like to follow suit. Together with increasing institutionalization of violence against women and the historically generic nature of social services in many countries, this creates a favourable ground for more gender blind policies and promotion of generic services over specialist women's services and/or women's support services based on feminist analysis of VAW.

In addition, human rights NGOs, including women's rights organizations working in the field of combating VAW and providing specialist support services to women, have been labelled 'foreign agents' serving foreign interests and 'bringing in concepts and ideas that go against the national cultural identity' in many countries. In some countries, women's NGOs have been blacklisted and have almost no access to state funding. In other countries, state authorities use the dependence of women's support services on state and public funds to directly or indirectly demonstrate their power and use their position of funders to intimidate the NGOs by introducing rules and conditions connected to the use or administration of funds that are unclear and can be changed anytime (even retroactively) regardless the original project proposals and budgets approved by the same authorities. Consequently, some NGOs are at risk of being requested to return the funds granted to them, which they have already used for the provision of services. This only adds to the already hostile space women's NGOs need to navigate when trying to ensure the continuation of service provision.

Finally, it is important to mention that the case studies in this section do not represent the specific struggles related to gender neutrality and funding of NGOs working with minoritized women – even though this complex issue is not specifically discussed in the chapter, the understanding and consideration of the impact of backlash, racism, economic and social inequities and other contributing factors need to be seen from a more intersectional viewpoint. This includes feminist perspectives not only on gender inequality and cultural identities, but also feminist considerations and analysis of social injustices.

5.3.1 Bulgaria – Bulgarian Gender Research Foundation (BGRF)

■ Women's Support Services in Bulgaria¹³⁶

According to the WAVE Country Report 2019, Bulgaria meets the standards for provision of the national women's helpline as it has two national women's helplines available 24/7 and free of charge. However, it does not meet the minimum standards for women's shelters provision – with 11 women-only shelters with a capacity of approximately 120 beds, Bulgaria misses 83% of recommended beds. As for women's centres, there are approximately 18 of them in Bulgaria. The support services they provide include counselling, advice and advocacy regarding legal options, housing, employment, referrals to other support services and representation at court and police. The women's centres are run by women's NGOs.

136 WAVE Country Report 2019, pp. 65-67, https://www.wave-network.org/wp-content/uploads/WAVE_CR_200123_web.pdf

■ Funding of Women's Support Services

The main sources for shelters and national helplines in 2018 was state funding from national/local authorities. Women's centres received funding in 2018 mostly from the state and national authorities, mainly through tenders related to specific projects. Some funding was also received through donations from foundations and individuals, and some international funding was also received.¹³⁷

In the past five years, Bulgarian Gender Research Foundation (BGRF) has seen a decrease in the volume of funding available to them not only for the provision of specialist support services to women, but also for its other activities such as campaigning, training and advocacy. There are less state/public funds as well as less EU funds available. Moreover, BGRF also reports a decrease in the volume of private funding and donations.

There are several ways the decrease in funding negatively affects provision of services – BGRF can afford to have paid staff, but the remuneration the organization can offer to its staff is inadequate and/or the staff is paid within the organization's other activities and projects, but not for provision of support services. Furthermore, BGRF has had to reduce the scope of support services it provides to women as a result of cuts in funding.

Other negative consequences of insufficient funding include the fact that BGRF cannot meet the demand for their support services and are unable to offer them to all women who need them. The organization cannot expand its support services and/or provide new types of service it would like to.

Since the provision of support services and BGRF's other activities are heavily project based and due to the absence of a comprehensive framework of funding of support services at the system level, the organization is experiencing a considerable lack of financial security. This and the above current political developments in the country puts the organization's autonomy and independence in serious jeopardy. Similarly to other women's NGOs we approached with our questionnaire, BGRF reports having to spend a disproportionate amount of time doing paperwork. As a result, the organization has less time and energy for its other activities and feel exhausted by the (often) senseless bureaucratic demands and control.

■ Main Political, Economic and Social Developments Impacting Funding

There are several political developments that have contributed to cuts in funding of women's NGOs in Bulgaria in the past decade. BGRF identified the recently pushed false understanding of the word "gender" as a concept that goes against 'the natural roles of women and men' and 'traditional values' as one of the important developments in the country. It is closely related to the recent political debate on and anti-campaign against the Istanbul Convention in Bulgaria, which resulted in the Bulgarian Constitutional Court declaring the Convention unconstitutional in 2018.¹³⁸ In addition to this, the organization has the word 'gender' in its name, which in itself poses a risk. The overall backlash against feminist policies has been identified as yet another reason for the recent cuts in funding for women's NGOs, as well as a problematic implementation of the international and regional policy standards in the field of tackling VAW and gender inequalities by the government.

■ Risks to Sustainability of Women's NGOs

When asked about risks to future funding and to the sustainability of the organization and its work, BGRF identified that gender neutral policies and laws on interpersonal violence/ gender-based violence (IPV/GBV) will further limit the access of women's NGOs to adequate funding. What is more, shift in the political and public discourse on IPV/GBV from gender specific to gender neutral is to be expected, which will mean a loss of discourse on the structural causes of violence against women. Such a loss will bring about a greater risk for women's NGOs in Bulgaria of being pushed to compromise their values and principles in order to sustain their work for women.

¹³⁷ Ibid.

¹³⁸ <https://balkaninsight.com/2018/07/27/bulgaria-s-constitutional-court-says-istanbul-convention-not-in-line-with-basic-law-07-27-2018/>

Just like many other feminist women's NGOs in Europe, BGRF has concerns about the further increase of power of populist or right-wing political forces in the country and other groups, such as conservative and religious groups and associations, contributing to the backlash against human rights, women's rights and women's NGOs.

■ How to Navigate the Hostile Space

There are several ways how BGRF is trying to navigate the hostile space for women's NGOs and women's specialist support services. Faced with the risk of loss of gendered discourse on VAW, as well as further limitations of available financial resources, one of the strategies implemented by BGRF is to promote the positive effects of their support services and their other activities on women's lives more intensely. In addition, it is crucial for women's NGOs to continue bringing their voice to the discourse and policies on VAW. In order to do this, BGRF finds it important to talk about and popularize good practices that their work represents in tackling violence against women. Last but not least, as a response to the popular political argument that Bulgaria does not need the Istanbul Convention as it has all measures necessary to effectively combat violence against women, BGRF believes that carrying out data collection, research and analysis, as well as disseminating the outcomes and policy implications of such work are crucial.

5.3.2 The Czech Republic – ROSA Centrum pro ženy, z.s.

■ Women's Support Services in Czech Republic¹³⁹

It is clear from the country profile of the Czech Republic in the WAVE Country Report 2019 that there is a considerable disproportion between the number of generic services for all survivors of domestic violence on the one hand and specialist women's services operated by women's NGOs on the other. This is particularly true for counselling and other centres for survivors of domestic violence - 21 centres for all survivors of domestic violence, including women, and five only for women survivors of GBV. The 21 centres for all survivors of domestic violence are generic intervention centres that do not recognise the gender-based component of domestic violence and therefore, do not provide a gender-specific approach towards violence against women. Five women's centres are run by women's NGOs and three of them provide also residential services for survivors of domestic violence, including emergency accommodation in one of them.

Also, there is no national women's helpline in the Czech Republic, but there is a helpline for victims of criminality and domestic violence, operating free of charge and 24/7. However, this helpline is not run following a feminist approach. Additionally, survivors of gender-based violence can contact the helplines operated by women's NGOs, but these are not 24/7 and provide only initial support.

As for women's shelters, there are three women-only shelters in the Czech Republic, and they are run by women's NGOs with a gender-specific/feminist approach. While there are other shelters in the country, they are focused on resolving the housing crisis of individuals rather than specifically on helping survivors of GBV.

■ Funding of Women's Support Services

According to the WAVE Country Report 2019, funding for women's centres in the Czech Republic comes from state funding from national/local authorities, donations, e.g. by trusts, foundations or individuals and from financial donations from commercial companies. The two main sources of funding for women-only shelters are state funding from national/local authorities and donations, e.g. by trusts, foundations and individuals.¹⁴⁰

¹³⁹ Adapted from: WAVE Country Report 2019, p. 71-72, https://www.wave-network.org/wp-content/uploads/WAVE_CR_200123_web.pdf

¹⁴⁰ Ibid.

In case of ROSA Centrum pro ženy, z.s., which operates a women's shelter and a counselling centre, their main sources of funding for provision of support services are public and state funds as well as EU funds administered by the local government. These resources allow the organization to only partially cover provision of support services to women. Although they have enough funds to have paid staff, the organization would need more paid workers to meet the demand for their services. Specifically, they need more workers for the shelter to be available 24/7 and professionals to provide counselling in the shelter to ensure a high-quality standard of work with women. Moreover, the staff costs must be sometimes co-funded from the organization's other projects, but the volume of such funds has been steadily declining for the past two years.

Even though the volume of funding for provision of support services to women has not decreased in the past five years, ROSA Centrum pro ženy, z.s. has difficulties to fully cover operational costs related to support services provision. This is since the payments received from state and public funds have remained at the same level for the last four years while the operational costs have been increasing.

Moreover, the organization was forced to limit the scope of some services they provide to women due to insufficient funding. Legal counselling, for instance, is limited and provision of psychological support to survivors previously available in the shelter has stopped completely.

It is a common reality for women's NGOs in many CEE countries that the system of funding keeps them in a constant state of financial insecurity by its inflexibility, short-term and/or project-based contracts for support service provision or by exercising power over service providers. This is apparent in the examples ROSA Centrum pro ženy, z.s. have provided in their answers to our questionnaire - at the beginning of May 2020, the organization still has not received any funds granted to them as a subsidy for the shelter operation for this year; the organization has been fined by the local authority responsible for administration of European Social Fund for paying rent not only for the shelter premises, but also for a separate safe space the organization uses for the purposes of the initial meeting with women before they go to the shelter and for providing the initial counselling there. Despite having approved the costs for the separate safe space when evaluating the organization's project application, representatives of the local authority have recently concluded the organization doesn't need such a space. This means ROSA Centrum pro ženy, z.s. must give back funds already used for rent, electricity and telecommunication services related to this safe space. However, the organisation does not have any extra money or resources they could use to do that, which puts them at a serious risk.

When asked about other negative effects of the current system of funding, the organization expressed concerns about the fact that they are unable to expand their support services by providing new type of service and support they would like to and about being forced to spend too much time dealing with overly bureaucratic administration of the funds they receive for provision of support services. Doing the paperwork takes up so much time and energy that it leaves very little time for the organization's other activities. They also see their heavy dependence on public and state funds as a significant risk to their autonomy.

■ Risks to Sustainability of Women's NGOs

Considering the recent developments in the country regarding the discourse on the Istanbul Convention, ROSA Centrum pro ženy, z.s. sees gender neutral policies and laws limiting the access of specialist support services to adequate funding, further cuts to public funds and austerity measures as potential future risks to their sustainability. Finally, the organization fears possible blacklisting of women's NGOs in the future and being forced to compromise their values and principles in order to sustain the work they do.

Apart from the provision of specialist support services, ROSA Centrum pro ženy, z.s. carries out awareness-raising campaigns and advocacy work. In the past five years, there has been a decrease in the availability of funds for this work too. Campaigns are funded from donations from private foundations or companies. However, according to ROSA Centrum pro ženy, z.s., such funds are not always available and are becoming scarce.

■ Main Political, Economic and Social Developments Impacting Funding

Our questionnaire asked about three main political, economic and/or social developments that have impacted the current funding situation of women's organizations. In their response, ROSA Centrum pro ženy, z.s. identified the following ones:

- establishment of intervention centres, which have a gender neutral approach to violence against women and use arguments going against the gender-based approach. As mentioned above, intervention centres in the Czech Republic are a generic service. During the process of establishing intervention centres, women's support services had been left out and the status of intervention centres was in some cases granted to organizations with less experience with domestic violence and violence against women, but with a more gender neutral approach.
- hate attacks against the organization – hate speech, abusers and perpetrators filing complaints with the municipality against the organization, etc.
- the method of funding in the last three years, when the municipality as the authority responsible for funding social services uses municipal and state resources combined with EU funds to fund support services for women.

■ Future Risks to Funding of Women's Services in the Post-COVID-19 Pandemic

Some organizations identified possible risks to future funding as a result of the COVID-19 pandemic which was asked about in the questionnaire. ROSA Centrum pro ženy, z.s. is concerned that the municipality and/or the government will further cut funding to women's support services in 2021. Since austerity measures are expected also in other sectors, the organization thinks there will be less funds coming from the private sector. They are specifically concerned about donations from small donors and individuals due to the economic impact the pandemic will have as well as due to growing extremist views in the society.

■ How to Navigate the Hostile Space

Finally, ROSA Centrum pro ženy, z.s. has shared some of the strategies they use to tackle the difficult situation and navigate the hostile space. Positive communication about their work on social media is one of such strategies. The organization also continues its effort to find alternative sources and ways of funding to balance its dependence on state and public funds. The organization finds it important to stay at the centre of discourse on violence against women and tries to do so by continuous lobbying through its membership in the Committee for the Prevention of Domestic Violence and Violence against Women, an advisory body, to the government. Finally, the organization considers its membership in the WAVE Network important.

5.3.3 Denmark – LOKK

■ Women's Support Services in Denmark¹⁴¹

There is one national women's helpline in Denmark which operates 24/7 and is free of charge. The national helpline is not exclusively for women – it can be used by any survivor of intimate partner or family violence, e.g. women and men, perpetrators and professionals. The helpline operates 24/7 and is free of charge, but does not provide multilingual support.

There are 48 women's shelters in Denmark with 451 beds available and 578 beds missing. Denmark has several women's centres offering specialist support. Most offer 24/7 access, and women are expected to pay for their accommodation. Danish legislation stipulates that individuals pay 84 kroner/day¹⁴²; however, the municipality pays the total cost for the stay, and the state refunds 50% of the total cost. In terms of organisations providing women-only shelter services for those impacted by GBV, Denmark has 20 NGOs with a gender-specific/feminist approach, 15 other women's NGOs, 1 faith-based organisation, 11 state organisations and 5 other NGOs.

¹⁴¹ Adapted from: WAVE Country Report 2019, p. 73-75, https://www.wave-network.org/wp-content/uploads/WAVE_CR_200123_web.pdf

¹⁴² Approximately 11.30 Euros/day

There are also government services which provide support services for survivors of sexualized violence, such as regional health centres and numerous women's centres offering specialist support (shelters with non-residential services for survivors of trafficking and prostitution and advisory services for so-called "honour-related" violence).

Denmark ratified the Istanbul Convention in 2014.

■ Funding of Women's Support Services¹⁴³

According to the WAVE Country Report 2019, the main source of funding allocated to the helpline is from national/local state authorities. Funding for women's shelters in Denmark mainly comes from the state via local and national authorities. Some of the shelters are municipally owned and funded, others are private institutions that have funding agreements with their respective municipalities and others are private enterprises/NGOs which charge municipalities for the stay.

Funding for women's centres in Denmark mainly comes from state funding from national and local authorities and from donations from trusts, foundations and individuals. The centres are limited to major cities, and there is no number available for the total amount of women supported by their services.

■ Risks to Sustainability of Women's NGOs

In the questionnaire, LOKK stated that there has been a decrease in funding of women's support services in the past five years. As a result, less staff is available to provide support services and LOKK can neither meet the demand for their support services nor expand their services and/or provide new type of services to women.

Another risk to specialist women's support services identified by LOKK is limited or no financial security due to the nature of their funding sources (e.g. short-term contracts, not systematic and/or project-based funding of services, etc.).

Even though the scope of funding resources has not narrowed in the past five years, there are more shelters and counselling centres applying for funding as women's NGOs are increasingly forced to compete for funds with generic services and services set up by the government.

■ Main Political, Economic and Social Developments Impacting Funding

LOKK is concerned about more gender neutral policies and laws on GBV/IPV limiting the access of feminist women's NGOs to funding for their other work (training, campaigns, advocacy, etc.), the shift in political and public discourse on GBV/IPV from gender specific to gender neutral that will mean loss of discourse on the structural causes of VAW and a loss of autonomy and independence of women's NGOs.

Similar concerns were expressed in the GREVIO report in relation to gender neutrality. In Denmark, a new national unit against domestic violence has been set up recently. Based on the results of a public tender, this body is run by a coalition of four national NGOs – the women's shelter Danner, a shelter for male victims of domestic violence, the perpetrator programme (Dialogue against Violence) and the network of women's shelters, LOKK. At the same time, LOKK as the most established network of women's shelters experienced a lack of funding and had to downsize¹⁴⁴.

GREVIO expressed concerns "that this new body will take on the provision of legal advice and counselling as well as the running of the national domestic violence helpline formerly offered exclusively by LOKK. While GREVIO recognises the need to ensure sound structures and mandates, GREVIO nonetheless regrets the potential associated diminishment of LOKK's influence in campaigning for women's rights and especially for

¹⁴³ Adapted from: WAVE Country Report 2019, p. 73-75, https://www.wave-network.org/wp-content/uploads/WAVE_CR_200123_web.pdf

¹⁴⁴ GREVIO's (Baseline) Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), Denmark, 2017, p.17, <https://rm.coe.int/grevio-first-baseline-report-on-denmark/16807688ae>

recognition of domestic violence as a form of gender-based violence. GREVIO notes that this points to a shift towards a less feminist and gender-based approach to domestic violence counselling"¹⁴⁵.

■ Future Risks to Funding of Women's Services in the Post-COVID-19 Pandemic

In relation to the current COVID-19 pandemic, LOKK expects more demand for funding and more competition. In addition to that, LOKK is worried that there will be new and specific conditions and rules in connection to applying for funding that could pose a risk for the type of counselling they provide.

■ How to Navigate the Hostile Space

When asked about the ways of navigating the changes and risks in the field of funding, LOKK sees staying in contact with the government and remaining a key actor in the debate on VAW as crucial. Since private funds are LOKK's main source of funding of women's support services, the organization feels it is important to continue developing good relations with their current donors.

5.3.4 Hungary – NANE Association

■ Women's Support Services in Hungary¹⁴⁶

There is one national women's helpline in Hungary operated by NANE. The helpline serves adult and child survivors of domestic violence and is available free of charge, but it does not operate 24/7. There are two other helplines specialized for survivors of sexualized violence, also operated by NANE; and PATENT Jogsegély (PATENT Legal Aid), for women living in abusive relationships. There is also a National Crisis Management and Information Telephone Service (OKIT), but it is not exclusively a women's helpline. It is available 24/7 free of charge and provides survivors of domestic violence, child abuse, trafficking and prostitution with information and helps them to find safe accommodation in an acute crisis.

Hungary has no women-only shelters. There are 25 other shelters providing support to all survivors of GBV and there are other types of services providing accommodation for survivors of domestic violence.

There are no women's centres in Hungary. However, a new type of service was established by the state in 2018 – it is a non-residential service providing consultations in domestic violence incidents. However, the service is not a women-only service. As of 2018, each region in Hungary has one such service. Four of the seven existing services are operated by the Hungarian Interchurch Aid.

■ Funding of Women's Support Services

Funding for the national women's helplines mainly comes through donations from trusts, foundations and individuals, and from international funding. International funding is understood to be provided as grants received from abroad and by private/grant-giving organizations, not only from the EU but also from other international organisations/institutions.¹⁴⁷

As for the support services provided by NANE, the main source of funding to the helpline has been private funds and individual donations. These funds allow the organization to only partially cover provision of support services to women. Thanks to a three-year support package provided by the Sigrid Rausing Trust in 2019, NANE has enough funds to have paid staff now but would need more paid staff to meet the demand for its support services. Also, except the office manager, all staff members work part-time or are contracted employees –

¹⁴⁵ Ibid.

¹⁴⁶ Adapted from: WAVE Country Report 2019, p. 88-89, https://www.wave-network.org/wp-content/uploads/WAVE_CR_200123_web.pdf

¹⁴⁷ Ibid.

the staff then gets paid within other activities of the organization (projects and other activities), but not necessarily for service provision. Another problem the organization is facing is difficulties covering the operational costs related to services provision. Funding of support services, therefore, depends on the availability of additional funds.

According to NANE, the volume of funding has not decreased in the past five years, but it has been unstable. Within the past five years the level of funding has gone up and down. In 2018 for example the association had one of its hardest years and was struggling to stay afloat. The association currently has a relative financial security compared to previous years, but considers itself underfunded due to the fact that it can only meet a small percentage of the proven demand of women and children for its support services and has to deal with continuous limitations regarding almost all of its activities including trainings, campaigning, primary prevention or advocacy work.

When asked about the negative impact of having to deal with unstable funding, NANE stated that it is not only the question of not being able to meet the real demand for their services as mentioned above. There are other limitations such funding presents – e.g. the organization cannot expand its service provision and provide new type of services. Furthermore, the bureaucracy related to administration of the funds received takes up too much time leaving only a little time and space for NANE to do other activities. Competition for funds with generic services / services set up by the state or regional governments contributes to the overall financial instability the organization has been facing.

■ Risks to Sustainability of Women's NGOs

Apart from the unstable funding resulting in a considerable financial insecurity, there are other factors contributing to concerns NANE has in relation to sustainability. At the political level, the organization is concerned about increasing power of populist or right-wing political forces and other groups (religious, conservative, etc.) in the country contributing to the current backlash against human rights, women's rights and/or (women's) NGOs, as well as political instability and corruption. NANE also fears further blacklisting and/or prosecution of women's NGOs by the state authorities.

Additionally, the recent development in the debate on the ratification of Istanbul Convention in Hungary, mentioned in the introduction to case studies, shows the risk of an increased push for gender neutral policies and laws on GBV/IPV and a shift in political and public discourse on GBV/IPV from gender specific to gender neutral that will mean a loss of discourse on the structural causes of VAW.

■ Main Political, Economic and Social Developments Impacting Funding

The current situation in the field of funding has been influenced by several crucial political and social developments described in the introduction to case studies. As a result, NANE association is forced into project-based operation, which means that core funding for operational costs and funds for the continuous employment of helping professionals (social workers, psychologists etc.) are not available. Even though the organization could make use of more EU funds, the problem it faces when applying for them is that there is a requirement for 20% of co-funding from the organizations own resources, which it doesn't have. Moreover, the increasingly hostile political environment in the country is a serious impediment for the organization to involve and get on board new individual supporters and local businesses.

■ Future Risks to Funding of Women's Services in the Post-COVID-19 Pandemic

In relation to the anticipated negative impact of the COVID-19 pandemic, NANE expects small and middle-sized business to show less interest in financial and in-kind support of their organization. The organization has already noted a significant decrease in the funding opportunities provided by municipalities. Moreover, the pandemic has presented many organizations with the issue of adapting their service provision to the new reality people face now. In order to do so, NANE feels women's support services will need additional financial and human resources for a major reworking of the ways and methods of support services provision.

■ How to Navigate the Hostile Space

NANE implements several strategies to navigate the hostile space. One of them is the development of multi-level, target-group specific communication campaigns mostly via social media. In a hostile political environment that tends to discredit the work of NGOs and their expertise, the organization finds it important to ensure high-standard of service provision, as well as reliability to maintain the position of an experienced NGO having undisputed expertise in the field of supporting women – survivors of GBV.

Finally, NANE considers it crucial to put even more emphasis on exchange of experience and cooperation at international level, as well as on developing a more diverse professional network with support of local, grass-roots initiatives.

5.3.5 Italy – Donne in Rete Contro la Violenza (D.i.Re.)

■ Women's Support Services in Italy¹⁴⁸

There is one national women's helpline in Italy, operating 24/7, free of charge and offering multilingual support. Apart from that, most women's centres also provide a helpline reachable 24/7.

There are 232 shelters accessible to women in Italy, most of them operate 24/7 and they are free of charge. Of these, 120 are women's only shelters. The shelters are located in most regions of Italy. Organisations providing women-only shelter services for women affected by GBV include 80 women's NGOs with a gender-specific/feminist approach (members of the network D.i.Re) and other NGOs. 87% of the required beds are missing.

There are 253 women's centres in Italy. Women's centres are run by women's NGOs and are located in all regions of Italy. The types of services provided include counselling, psychological and legal assistance, advice and advocacy (i.e. regarding housing, employment, other support services). Additionally, there are other 85 women's centres in Italy, which are not included in the government's statistics, since they do not comply with state requirements.

Italy ratified the Istanbul Convention in 2013.

■ Funding of Women's Support Services

The helpline receives state funding from national and local authorities. Shelters receive state funding from national and local authorities as well as donations from trusts, foundations and individuals.

Women's centres are run by women's NGOs and 75% of them receive state funding, while the others are supported by private donations and European funding¹⁴⁹.

■ Risks to Sustainability of Women's NGOs

Even though there have been some positive developments in the country due to state obligations under the Istanbul Convention, there are concerns about recent development in the field of funding and gender neutral approach.

When asked about the main (future) risks to funding and sustainability of specialist women's support services, D.i.Re. identified limited or no financial security due to the nature of their funding sources, gender neutral policies and laws on GBV/IPV limiting the access of specialist support services to adequate funding and also to resources for their other activities such as trainings or campaigning. Based on some recent developments,

¹⁴⁸ Adapted from: WAVE Country Report 2019, p. 93-95, https://www.wave-network.org/wp-content/uploads/WAVE_CR_200123_web.pdf

¹⁴⁹ Ibid.

the risk of being pushed to compromise the values and principles of women's NGOs in order to sustain the work they do was another concern expressed by D.i.Re.

In the region of Lombardy, for instance, two centres have lost funding due to the regional government's decision to request tax codes identifying clients of women's centres because the regional government wanted to have a better picture of how the public funds are being used. Previously, centres in Lombardy would assign users a random alphanumeric code, sharing this anonymised data with the authorities. Moreover, two refuges on the outskirts of Milan that relied entirely on regional funding have had to close as a result of the decision¹⁵⁰.

■ Main Political, Economic and Social Developments Impacting Funding

As for gender neutrality, the GREVIO report states that "the impact of anti-gender movements is particularly hard felt by women's NGOs operating at local level, where certain local constituencies have shifted support from long-standing NGOs working in defence of women's rights and women's self-determination to more traditional and conservative movements following a gender neutral approach."¹⁵¹ This trend was further observed by GREVIO in the "lack of a vetting system prior to allocating funding to civil society organisations. As a result, government grants for anti-violence centres and shelters are allocated without sufficient checks regarding the value system that organisations promote through their work, and whether they uphold fundamental values such as equality between women and men and human rights."¹⁵²

The report also describes an example of the shifting position of authorities using the Municipality of Rome that decided to collect years of back rent from NGOs, including women's shelters, residing in buildings owned by the municipality. This situation was analysed by the UN Special Rapporteur on Violence against Women stating that such a collection of back rent happened despite contracts stating the buildings are used for providing help and support to women experiencing violence and despite a law stipulating the municipality may "lend their real estate facilities and other property that is not needed for institutional purposes, free of charge to 'third sector' organizations that perform a service of public utility" and calls such a practice a "crackdown on women's spaces"¹⁵³.

■ How to Navigate the Hostile Space

As a network, D.i.Re. carries out activities and implements strategies to sustain the work and the gendered and feminist approach of its member organisations. One of such strategies is to communicate a clear position towards institutions, for example in relation to continuous requests regarding the supply of data and law proposals that call into question the principle of self-determination of women or that put children in danger by heavily focusing on family issues and practically denying violence in families.

D.i.Re. supports its members in relation to regional authorities, for example, when they condition access to state funding by requesting tax codes of women, which goes against the essential principles of confidentiality, anonymity and trust.

The GREVIO report is another tool D.i.Re. can use in terms of disseminating the report and asking institutions to implement recommendations set forth in the report.

150 E. Allaby: Italian centres for abused women lose funding as lockdown fuels demand, available at: https://www.thejakartapost.com/news/2020/05/28/italian-centers-for-abused-women-lose-state-funding-as-lockdown-fuels-demand.html?fbclid=IwAR2LkutzYuEaGKRSHbFcvx-PJEA0nA6zsHzsNdx8cxaNILA1_6VSq3KW59yQ

151 GREVIO's (Baseline) Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), Italy, 2020, p. 26, <https://rm.coe.int/grevio-report-italy-first-baseline-evaluation/168099724e>

152 Ibid.

153 Mandates of the Special Rapporteur on violence against women, its causes and consequences and the Working Group on the issue of discrimination against women in law and in practice, 2018, p. 4-5, https://www.ohchr.org/Documents/Issues/Women/WG/Communications/OL_ITA_5_2018.pdf

CONCLUSION

This chapter not only describes neoliberalism as one of the driving forces behind the current backlash against women's rights, but it also examines how it influences the nature of policy making and how it contributes to the increased power of various populists, conservative or far-right groups and political parties in Europe. The chapter gives examples what risks these forces combined pose to women's NGOs running support services for women – survivors of VAW. These social, economic and political developments severely affect financial security and stability of the organizations and raise concerns about sustainability of gender-specific approach to VAW.

The feminist analysis and expertise in the field of gender based violence against women is being either seen as harmful, foreign propaganda that needs to be eliminated in some countries or it is being turned into gender neutral or gender blind approach due to implementing gender mainstreaming and gender equality strategies in a way they have never been intended to and other above mentioned contributing social and political factors.

As a result, many women's NGOs and specialist women's support services are losing their autonomy, are at a risk of compromising their values if they want to sustain their work and are struggling to maintain their position of key actors in shaping the discourse on violence against women. Moreover, in many places, women-only spaces are being lost or are getting considerably limited. Women's NGOs working with minoritized women are at an even bigger risk. As mentioned at the beginning of this chapter, the case studies here can serve as a good base to draw from to continue the debate within the WAVE Network on backlash and gender blindness and on different strategies women's NGOs already use or could use to navigate the hostile space.

6 Commissioning Gender Neutrality, the Backlash and the Hostile Environment towards the Counter-Narrative

This chapter covers the impact of public procurement policy on specialist women's organisations and Black and minoritised women's organisations using the UK case to show how public procurement policy originates from neoliberalism as an economic growth model implemented by governments leading to the backlash, hostile environment and gender neutrality. By using the UK case, race erasure in addition to gender neutrality under public procurement policy is also analysed. The chapter ends by identifying the need to construct a counter-narrative and consider strategies to undo the harm of commissioning to all women.

6.1 The Context for Procurement and Commissioning: Assessing the Cost of VAW and Wider Economic Considerations of a Gendered Economy

The Istanbul Convention contains measures covering the provision, protection and prevention of violence against women. Governments ratifying the convention must improve the support and protection they offer to victims and survivors through the availability of specialist women's support services. This implies a political and financial commitment by governments to fund specialist women's services. By 2008, austerity measures were already in force across European countries and women's organisations were already disproportionately targeted for cuts in funding. Austerity under neoliberalism also gave birth to the backlash against women's organisations. The Istanbul Convention became effective in 2014 and was implemented in this context. In some ways, the Istanbul Convention was a response to the neoliberal restructuring of European economies and the backlash.

When considering the cost of violence against women it is critical that the backlash (the political and social environment created by the economic growth model) and austerity (the economic vehicle through which the backlash is produced) is discussed together. Public procurement policy and other commissioning and grant funding systems were shaped around this environment. It is worth noting that the UK government chose to introduce austerity policies to eliminate the deficit through public sector restructuring by reducing public expenditure by 30% focusing mainly on welfare cuts to produce a surplus.¹⁵⁴ The Women's Budget Group estimated that 80% of the cuts fell on the women's sector and that female-headed households lost up to 20% of their income due to austerity cuts (these were the projections before the COVID-19 crisis).¹⁵⁵ And a disproportionate percent of these cuts (discussed below) fell on the Black and minoritised women's sector and households.

Under neoliberalism it has been difficult to measure the cost of violence against women because of cuts in funding that amounted from 40% of turnover to 100% leading women's specialist organisations to close. Austerity contracted the women's specialist sector and due to the nature of cuts, made recovery and sustainability highly improbable. When estimating costs of VAW to set funding goals and public expenditure budgets it is vital that the following factors are considered (not exhaustive):

- Estimate of the average cost of provision before austerity under a holistic service model.
- The cost of prevention through trauma-informed approaches (the idea that intensive support leads to reduction of repeat and secondary victimisation and domestic homicide).
- Cost of services such as community outreach and reduction of sexual violence services that ceased to exist under austerity among many other services.
- The cost of reducing refuges run by women's organisations and the disproportionate reduction of Black and minoritised women's refuges.

While it is difficult to measure the social and economic effects of austerity most studies consider the following areas as important considerations:

- The increased burden on law enforcement structures (civil, criminal, administrative).
- Legal costs (to individual parties) and legal aid.

¹⁵⁴ Perrons, D. 2017. *Gender and Inequality. Austerity and Alternatives*. London. LSE.

¹⁵⁵ Ibid.

- Health costs including costs associated with improved safe access for diverse groups of women.
- The costs associated with affordable housing to enable women's safe move-on from refuges.
- Recovery from loss of wages due to violence.
- General employment and productivity in a neoliberal market-oriented economy.
- The social costs of the lack of violence prevention.
- The cost on support services addressing immediate need and the impact of wider structural inequalities.
- 'Costing' the quality of life of survivors and victims' among other costs.¹⁵⁶
- There are also costs associated with the failures to adopt comprehensive VAW strategies, supported by rights-based systems to protect women's rights and create resources for them. These costs include the following:
 - Costs of secondary and repeat victimisation where governments and states, and the legal system fails to protect women.
 - The costs associated with the lack of violence prevention.
 - Disproportionate impact of austerity cuts affecting sustainability and long-term support and survival.
 - The cost of the hostile environment on migrant women, women with insecure immigration status.
 - The cost of policies failures to address intersectional oppression and discrimination to which diverse groups of women are subjected.
 - The cost of simplicity which suggests cost-effective measures like women reporting violence at chemists and grocery stores over the delivery of comprehensive safe support in women-only services.
 - The cost of awareness raising initiatives without safe signposting to women-only services.
 - The lack of investment in specialist Black and minoritised women's services, disabled women's services, migrant women's services among others.

Women's employment in 2011 stood at 62% across Europe.¹⁵⁷ In 2012, the European Women's Lobby reported on the gendered impact of austerity. Women comprised 70% of the public service sector. Austerity cuts to this sector meant that women lost employment through restructuring, lost opportunities for internal advancement, and experienced wage freezes.¹⁵⁸ Many women in this sector were also in precarious employment that were made up of low paid jobs (cleaning and social care) before austerity and operated on zero hours contracts which offered them no protection if they were off sick, required maternity leave or had carer responsibilities. Also, women in the precarious employment sector on zero hours contracts were disproportionately subjected to sexual harassment, sexual violence and rape on the job due to the vulnerabilities (income poverty, housing insecurity and structural nature of employment conditions) to which they were subjected. The official unemployment figures did not account for these women as they were 'hidden', often Black and minoritised and migrant.

The political economy of violence approach¹⁵⁹ provides a framework for understanding the impact of neoliberalism from an intersectional perspective. For example, the precarious employment sector is not only gendered but it is also racialised. This approach considers the cumulative impact of socio-economic indicators producing poverty as subjected by women.¹⁶⁰ Sectors that were predominantly occupied by women faced the severest cuts in funding and public spending. The fact that these costs are not measured in the market oriented neoliberal economy means that the disproportionate impact of austerity on specialist women's services is not considered within the economic model¹⁶¹ and as such, there is a lack of socioeconomic analysis from an intersectional lens.¹⁶² For example, the cost of violence against women does not form a part of national budgets or comprehensive spending reviews (as in the UK case). There is no statutory allocation to support women's specialist services for violence against women. Within the neoliberal economic context, violence against women is made invisible because economic policies focus on growth while 'displacing' the redistributive mechanisms within social policies for example, by reducing expenditure on social infrastructure that can lead to employment creation and address gender inequality.¹⁶³

156 European Women's Lobby. 2012. *The Price of Austerity: The Impact on Women's Rights and Gender Equality*. European Women's Lobby.

157 Ibid.

158 Ibid.

159 True, J. 2012. *The Political Economy of Violence against Women*. Oxford. Oxford University Press.

160 Ibid.

161 Council of Europe. 2014. *Overview of the Studies on the Cost of Violence against Women and Domestic Violence*. Equality Division. Directorate General of Democracy. Council of Europe. See also Lynch, J. 2013. *Public Procurement: Principles, Categories and Methods*. Lean Publishing.

162 Williams, F. 1989. *Social Policy. A Critical Introduction*. Cambridge. Polity Press.

163 Perrons, D. 2017. *Gender and Inequality. Austerity and Alternatives*. London. LSE.

The neoliberal economy produces a series of distortions: economic growth and development are viewed competitively to produce cost savings and the social sector is viewed as a burden that requires a state response and intervention through public expenditure. This interferes with the need for deregulation and the increased expansion of services fees (through the privatisation of public services) to individualised rights and protections through the legal systems. The political economy of violence suggests that the backlash started as a way to control the economic participation of women with social consequences including undermining women's political and civic participation. This implies that neoliberalism and the backlash are structurally linked with the former creating a context for economic wealth accumulation that is particularly masculinised within existing capitalist systems.¹⁶⁴ Under neoliberalism, a shift is needed to reduce the social sector and subsequently women's participation in all realms through austerity policies.

The backlash is a socio-economic construct designed to preserve the power dynamic and wealth concentration through systemic effects: marginalisation, exclusion and inequality. To start to reverse the backlash, the idea of value that is placed on jobs performed in the 'feminised economy' will need to go further than looking at gender pay gaps or increased performance, to recognising that these jobs matter in the first place.¹⁶⁵

6.2 The Introduction of Public Procurement Policy

The gender economy, the backlash and public procurement policy go hand in hand. Since the 1970s, the EU has adopted legislation to ensure that the EU public procurement market is open and competitive and that suppliers are treated equally and fairly. The rules cover aspects such as advertising of contracts, procedures for assessing company credentials, awarding the contracts and remedies (penalties) when these rules are breached. Those contracting for public works, supplies or services are required to conduct procurement activity in a compliant, efficient and value for money way. The European legal framework was designed for businesses across Europe creating a single market to compete for public contracts. The framework was based on a number of principles including equal treatment and transparency, efficiency in public spending, fraud and corruption reduction, and the removal of legal and administrative barriers.¹⁶⁶ The guidance also includes environmental sustainability indicators, inclusion and innovation in line with EU strategic policy goals, strengthening provisions regarding the participation of SMEs and improved stakeholder consultation to determine local need. However, the guidance relies on standardised templates to define the supply market, undertake market research, and assess performance and contract value. The business case for complex procurement requires a test of strategic fit covering needs and options appraisal and affordability of services.¹⁶⁷

Once the 2014 EU Procurement Directives came into force, the government prioritised the Public Contracts Directive to deregulate and simplify rules regarding procurement. The directive required public bodies to open up higher-value contract opportunities to bids across the EU. It also required them to run a fair and transparent competition to select the winning bid covering tenders above a certain monetary value. For lower-value tenders, the national rules applied, although having regard for the general principles of EU law.¹⁶⁸ The changes enabled buyers to run procurements faster, with less red tape, and with a greater focus on getting the right supplier and best tender in accordance with sound commercial practice.¹⁶⁹

In the UK, the implementation of the Public Contracts Regulations 2015 introduced two important regulations: that there must be compliance with the Public Sector Equality Duty in accordance with the Equality Act 2010 and at the pre-procurement stage authorities must consider the social, environmental and economic well-being of the area in which the contract will be applied in compliance with the Public Services (Social Value) Act 2012.¹⁷⁰ Upon implementation of the Public Contracts Regulation 2015, UK public sector spending amounted to £255 billions of which £195 billion was on purchase of public goods and services. Regarding efficiency savings by government, £225 million were saved through the Crown Commercial Service through the centralisation of the procurement process and £879 million was saved procuring 'complex contracts' by mostly favouring big organisations.¹⁷¹ SMEs represented less than 10% of contracts being awarded in 2016 and 2017. Public procurement continued to favour large bidders even though they carried substantial risk as they tended to hold numerous high value contracts.¹⁷² Regarding social value, Section 2 of

164 True, J. 2012. *The Political Economy of Violence against Women*. Oxford. Oxford University Press. And Mies, M. 2014. *Patriarchy and Accumulation on a World Scale*. Women in the International Division of Labour. New York. Zed Books.

165 Ibid.

166 European Commission. 2018. *Public Procurement Guidance for Practitioners*.

167 Ibid. and Bennett, F. *The Impact of austerity on women IN Impact of Welfare Reforms*. WBG.

168 CPS. 2018. *Procurement Policies and Guidelines*.

169 Ibid. and Bennett, F. *The Impact of austerity on women IN Impact of Welfare Reforms*. WBG.

170 Ibid. and Bennett, F. *The Impact of austerity on women IN Impact of Welfare Reforms*. WBG.

171 Booth, L. 2018. *Public Procurement and Contracts*. House of Commons Briefing Paper Number 6029. 19 September 2018.

172 Ibid.

the Public Services (Social Value) Act 2012, continued to be expressed in financial terms which meant that factors such as value for money and cost efficiency often collided with equality of access.¹⁷³ In contracting women's refuges, social value was often interpreted as price over quality with some tenders stating 70% price to 30% quality and this calculation by local government remained unchallenged by central government.

6.3 The Backlash Achieved through Austerity: When the Social Economy Meets Corporatism

Gender neutrality and backlash is expanded through austerity measures introduced by government to control public expenditure and reduce the social economy. Across Europe austerity policies have undermined women's empowerment. Social spending cuts and privatisation of services affect women more because they are over-represented in low paid households, underpaid in the social sector as care workers and occupy many precarious occupations on zero hours contracts with little employment protection.¹⁷⁴ The tool that is used to implement austerity is called "commissioning" managed under public procurement policy and it is based on the control of resources using indicators such as efficiency of the economies of scale, professionalisation of the social sector and adoption of corporate-like approaches in service delivery addressing social problems. With commissioning, fundamental changes are introduced to the women's social economy through the way services are commissioned during times of austerity. Ultimately, commissioning leads to reshaping the women's social sector and proliferation of gender neutral policies and practices by governments that are supported by the broad alliance led by the conservative right.

One way to explore austerity measures linked to commissioning and decommissioning of women's services culminating in the backlash is by looking at the framework of measurable outcomes. Commissioners introduced the notion of measurable outcomes in public sector commissioning to ensure effective and efficient delivery of contracts. In the social sector it meant that complex social problems addressed by services meeting the needs of people subjected to vulnerabilities had to be resolved with the funding allocation granted to organisations to deliver services.¹⁷⁵ VAW services being commissioned under such frameworks were essentially required to end patriarchy, ensure gender equality in all sectors and end all forms of violence against women.

While the measurable outcomes were not defined as such, it was clear that with their introduction specialist women's organisations applying to funding struggled to make meaningful sense of measurable outcomes for the sector. Measurable outcomes ranged from a woman's satisfaction with services to her feeling empowered after having received support that she needed because of the violence to which she was subjected. The concept of empowerment had many meanings from her being able to make decisions to a sense of independence and preventing violence in her life (repeat and secondary victimisation).

Later, it was felt that decision-making and independence were separate variables and could be measured as impacts that services had on the lives of women. Empowerment then became an ambivalent self-defined term different for individual women. In this sense, measurable outcomes began to recognise women's journey to services and diverse pathways to safety and support were viewed as measurable outcomes. Ultimately, diverse pathways could not be systematically measured and overtime, these became very narrowly defined.

Measurable outcomes had to be comparable so that commissioners could assess performance between organisations. An under-performing organisation could be penalised in funding for not having achieved measurable outcomes or if too many women said their confidence and self-esteem had not been restored then either them, or the organisation had not effectively spent public money in delivering services.

Measurable outcomes were individualised in that organisations had to perform well to achieve them and compete with other organisations on the same set of outcomes, or women using services had to achieve an acceptable level of intervention to register a satisfactory outcome. Complex social problems like VAW was removed from a theoretical framing that is violence against women being rooted in patriarchy and structural inequality to individual circumstances. This implied that women made 'choices' another measurable outcome that impacted their ability to leave violence. In this sense, measurable outcomes located notions such as blame and judgement in performance assessment. A woman subjected to repeat victimisation meant that either the funded organisations failed her, or she failed to appropriately

173 Ibid.

174 Gender and Development Network. 2018. Austerity.

175 Hirst, A. and S. Rinnie. 2012. The Impact of Changes in Commissioning and Funding on Women-only Services. Equality and Human Rights Commission. Manchester.

engage services. Failure of services were directed to the individual woman and the women's organisations that supported her. VAW is a complex social problem, but by using measurable outcomes, concepts of patriarchy and inequality as root causes were removed. This suggested that male violence against women could be resolved if women, and women's organisations satisfied the measurable outcomes.

Gender neutrality was introduced to this context and removed state responsibility for addressing VAW. Outcome measures, or performance assessment created a set of conditions that favoured the economic over the social for example, public contracts were driven by price. The quality of services especially designed around trauma-informed support were gradually replaced by price consideration which in the long-term undermined the social value of local women's services.

When specialist women's services are considered, such as those providing intersectional support to Black, minoritised, migrant, disabled and other groups of women, outcome measures were used to marginalise these services from funding systems by making them less competitive and by creating a false narrative around cost. As these services addressed intersectional need, more intensive and tailored support was delivered for longer periods of time. The support was also framed around intersectionality or interlocking oppression to which women were subjected. Concepts such as multiple complex need were adapted from the intersectional framing of VAW and transformed into measurable outcomes creating a revolving door effect in the delivery of services which was quantified as value for money, or organisations delivering to the highest number of women with the fewest resources were often awarded contracts. Eventually, this skewed funding towards non-gendered 'big' organisations who delivered in economies of scale. The introduction of measurable outcomes displaced gender and intersectionality, that is, race and other discrimination as central to service delivery approaches.

6.4 Decommissioning Specialist Women's Services: The UK Case

In the UK case, the two principles contained in the Public Contracts Regulation 2015 – equality and social value – have little meaning in practice. The playing field that enables specialist women's organisations to participate in procurement is not level because there is a lack of national support to local specialist women's organisations.¹⁷⁶ For Black and minoritised women's organisations, it is more unequal. There is actually increased fragility that exists in the intersections between gender and marginalised ethno-cultural identities; where attempts to address structural inequality does not happen meaningfully because of the lack of commitment from governments and the sector.¹⁷⁷ A specialist women's organisation coming from the community it serves cannot win tenders where there is localism (local government arbitrarily determining local spending priorities), multiculturalism (diversity assimilation without redress to wider structures of inequality), and cuts in public spending¹⁷⁸.

Value for money indicators assess the value of services by calculating the total overall cost of delivery by the total sessions delivered to arrive at a comparative cost per session. However, the assumptions regarding value for money are made on the basis of a false economy that is, the cost of prevention, early intervention, support and other essential aspects of services are removed from the calculations.¹⁷⁹ To level the playing field, the following must happen:

- There must be a test for reasonability, that is, the price offer made by the organisation in a tender reasonable to their income level.
- There must be a test of fairness, that is, the offer levels the playing field for the small specialist woman's organisation.

If the playing field is not level, and the weighting in tenders remains up to 70% for price, and by simply comparing offer price without considering quality, history of services provision or the specialist nature of the organisation, then tendering should constitute exclusion of small specialist women's organisations which should represent discrimination (gender neutrality, hostile environment and backlash) against them.¹⁸⁰

In addressing equalities, the full public sector equality duty as per regulation must be met. In the example of one local government commissioning exercise, an Equalities Impact Assessment concluded that as Black and minoritised

176 Frances, J. ed. 2011. BAME Women's Sector. Fighting for Survival. Issue 2. London. ROTA.

177 Ibid.

178 Ibid.

179 Ibid.

180 Imkaan. 2016. Capital Losses. The State of the Specialist BME Ending VAWG Sector in London. London. Imkaan.

women were accessing the local refuge, the equality target had been met and the local authority had met its duty under the Equality Act 2010 towards people with protected characteristics. Most of these assessments are done in limited ways and do not reflect the specific needs of Black and minoritised women in the local area. The full duty under the Act means: eliminate unlawful discrimination, advance equality of opportunity, and foster and encourage good relations. Advancing equality of opportunity within the Act and as an underlying principle guiding the work of local government suggests some groups of people who share a protected characteristic, like race, may experience particular disadvantage or have particular needs. Meeting the duty goes beyond measuring access. It requires a comprehensive approach addressing all discrimination from the moment someone accesses services to the quality of care they receive and the outcomes that are achieved. Public authorities under the Equality Act 2010 must think about the need to remove or reduce disadvantages experienced by people because of a protected characteristic and encourage people with protected characteristics to participate in public life and other activities. This means that all barriers must be addressed ensuring that Black and minoritised women in refuges are treated justly and fairly and that they have access to specialist support delivered by a woman's specialist organisation who can meet their specific needs without the risk of further discrimination and harm.

Where inequality exists in wider society, beyond the local government area, it means people in the local area are still subjected to discrimination. Local governments must consider the whole of its public sector duty, and not one criterion which is limited to an analysis of demand. By considering demand in isolation of all factors within public procurement, the exercise produces a detrimental effect, that is, it denies those women from Black and minoritised backgrounds the support they need.

The Equality Act 2010 aligns with the Istanbul Convention which identifies that measures to protect must include the human rights and safety of victims, avoid secondary victimisation and address specific needs arising from vulnerability. These two instruments can be used together to challenge procurement decisions where specialist women's organisations covering protected characteristics and Black and minoritised women's organisations in particular are de-commissioned. In fact, Black and minoritised women organisations are losing services across the country to a handful of non-specialist and non-VAW generic housing associations. The tendering process inadvertently creates a monopoly as a single provider becomes the beneficiary of the domestic violence/VAW accommodation-based provision. While this is thought to be produced by the rules of fair competition, the same process fails to achieve equality, sustainability, and improvement and creates disproportionate impact on Black and minoritised communities. Public procurement policy must be linked to wider objectives.

6.5 Gender Neutrality and Race Erasure: A Consequence of Public Sector Commissioning Practices in the UK

The above example is one that surfaces both gender neutrality and race erasure. Race erasure highlights a gap in social policy and public procurement policy that centres around race. The evidence from procurement suggests that Black and minoritised women and their representative organisations are being impacted not only by gender neutral policies, but also policies and practices based on the erasure of race as a critical concept. Erasure in this context means absence of a discourse, dialogue and narrative of race and racial discrimination. Here are the assumptions that must be addressed:

- By addressing gender neutrality (gender blindness) that all forms of discrimination and oppression are addressed.
- Sexism and misogyny must be addressed first before other oppressions. This aligns with the gender focus in the women's movement.
- All women are represented in the same way, have equal access to spaces that are created within and without the women's movement (movement intentionally referenced in the singular) and that all women are oppressed in the same way.

Addressing race erasure is about challenging these assumptions and looking at intersectionality in a political historical sense that considers the root causes of oppression in totality – gender, race, sexuality, disability, ethnicity, class among other oppressions. For Black and minoritised women it is not just about gender neutrality, it is also about race. It is gender neutrality and race erasure that is necessary to understand how women are subjected to multiple oppressions simultaneously. The inclusion of the concept of race erasure leads to an analysis of several levels of power manifestation that come together to create gender and race neutrality (blindness) for Black and minoritised women.

Research focusing on the harm of public sector procurement policy on the Black and minoritised women's sector finds evidence of disproportionate impact. A study by Imkaan found that Black and minoritised women's organisation in the UK by year end 2017 had an average annual income of £400,000.¹⁸¹ Generic women's organisations had an income of £2.5 million. The calculation is based on 25 Black and minoritised women's organisations sharing an income of £10 million while 10 generic women's organisations share an income of £25 million. Public procurement had produced a pattern of unequal income distribution that also impacted Black and minoritised women's organisations in other ways including:

- Lack of opportunities for growth as they remained small for significant periods of time.
- Experienced little change in income turnover unless to see a decrease in income.
- Struggled with sustainability in the long-term.

Looking at women's refuges between 2007 to 2017, 17 of 27 Black and minoritised women's organisations across England, Scotland and Wales provided refuge services as a core element of the work. On average, where refuges are a core element, it represents one third to 50% of total income for that organisation. Refuges in the UK are funded two ways: through local government grant which is called Supporting People that covers the salaries of refuge keyworkers and through revenue generated from the collection of housing rents called Housing Benefit. Supporting People was a decommissioning tool used by local authorities against Black and minoritised women's organisations in the UK. By 2017, 12 organisations had been decommissioned completely losing 100% of the Supporting People grant. This meant that they lost their refuge provision either to a generic women's organisation or to a big non specialist non-VAW organisation. Of the 17 that had Supporting People, 15 lost this funding or faced significant threat. Ten Black and minoritised women's organisations were forced into mergers/unequal partnerships to save their Supporting People grants. In unequal partnerships, the share of revenue is unequal. This means that while some partners may benefit from resources, the Black and minoritised organisation will continue to experience reduction in overheads, shrinkage of back office, and lack of ability to generate reserves impacting longer term sustainability. The partnership does not address the structural imbalance, it exploits it.¹⁸² The 'market place' approach displaces local suppliers usually the Black and minoritised specialist organisation through a 'preferred' supplier arrangement with a big single agency.

By the end of 2019, 50% bed-space capacity had been lost within specialist Black and minoritised women's organisations. A study by Women's Aid found that while there were 98 more bedspaces in 2013, there were 21 fewer specialist women's shelter providers.¹⁸³ There was a loss of 71 specialist shelter services and a gain of 24 generic non-women's VAW services.¹⁸⁴ In this study, 47% of Black and minoritised women's services experienced a reduction in income.¹⁸⁵ These figures show the direct impact of commissioning on the women's specialist sector for the following reasons:

- Pressures increase on women-only services to provide support to men.
- Barriers to leaving violence increase without adequate provision of support for women.
- There is a reduction of staffing to produce 'cost effective' services to account for the loss in funding
- There are cuts in resettlement support services to women.¹⁸⁶

The impact on women is that they remain in violence longer and for single women, there is an increase in hidden homelessness. Beyond funding and overtime, there is a loss of Black and minoritised women's leadership and influence, diminished role in policy influence work, in strategic advocacy, and this very specialist sector becomes an appendage, an add-on, to ending VAW work existing on the margin, not at the centre.

The narrative is shifted and whose voices are heard and not heard, who is represented and who is not become central concerns. This exacerbates structural inequality. In terms of race erasure and gender neutrality, the rate of recovery of organisations is deeply impacted and the infrastructure of organisations is weakened. This is what the move to the margins looks like. The problem is not funding, it is structural because this dictates all areas of policy. Where we have race erasure it means that discussions take place about the movement to the extreme conservative right and the backlash without mention of racism. It means that Black and minoritised women's organisations are subjected to a hostile environment by local authorities being excluded from meetings, being openly ridiculed by council officials and

181 Data presented in this section comes from Imkaan. 2018. *From Survival to Sustainability*. Black Services Matter. London. Imkaan.

182 Imkaan. 2016. *Capital Losses*. The State of the Specialist BME Ending VAWG Sector in London. London. Imkaan.

183 Women's Aid. 2013. *A Growing Crisis of Unmet Need*. Bristol. Women's Aid.

184 Ibid.

185 Ibid.

186 Ibid.

harassed, being unfairly scrutinised through performance monitoring, and being left off email distribution lists. The wider structural problems that these behaviours constitute are side-lined in procurement.

6.6 The Counter-Narrative to Shift the Unlevel Playing Field

Public procurement practices have not resulted in the commissioning of specialist women's organisation to deliver women's refuges and the wide range of women's specialist services addressing violence against women. However, there are provisions within public procurement regulations that can be used to challenge these practices. A counter-narrative must be created by specialist women's organisations especially under an intersectional lens that creates the shifts in the public procurement landscape that are inclusive of specialist women's organisations addressing violence against women. A summary of five key counter-narratives can be found below:

6.6.1 Equal Treatment

Equal treatment is not just about the invitation to participate in a procurement process. It must go wider than participation to ensure that awards are made that protect the equality of participation by specialist women's services in contract delivery. A handful of big providers delivering numerous high value contracts does not meet with the principles of equal treatment. Public sector procurement must reshape the social and economic landscape where diverse organisations have equal opportunity to participate and be awarded contracts for the delivery of public services and goods. The principle of equal treatment must include local specialist women's organisations who are embedded in the local economy who must have opportunity to bid for contracts and be awarded to ensure visible presence of these organisations in delivering services to local communities that are represented by them. This must also include specialist Black and minoritised women's organisations viewed as local representatives of the local social and economic systems where they are located. Without such consideration equal treatment in a public procurement framework is displaced. To address the displacement equal treatment must be considered in the context of addressing wider structural inequalities and redress disadvantage and exclusion that these systems create.

6.6.2 Efficiency

Efficiency has been determined in financial terms and it is believed to be achieved by big non specialist organisations bidding for public contracts. These organisations report higher targets and faster turn-around times for women accessing refuges by reducing the period of time women are accommodated and supported in refuges. By doing this, big non specialist organisations offer increased targets on quantitative measures like more women accommodated, at the expense of the quality of services delivered to women accommodated in refuges. Big non specialist organisations dismiss the need to deliver women-only trauma-informed support led by women to aid in recovery from violence and prevent repeat and secondary victimisation. The efficiency argument needs to go back to quality of service delivery in the way that specialist women's organisations have framed these services for decades and remove the over-emphasis on financial efficiency. The argument must also challenge financial efficiency considerations by focusing on the reduction of repeat and secondary victimisation. While this may not be adequately costed, it can be evidenced by specialist women's organisations by showing that women remain free from violence and move on to independent living due to the nature of services received in specialist women's organisations. The efficiency argument must therefore consider long-term savings in public expenditure to address violence against women and not just short-term gains of immediate service delivery which may hide key costs of provision through fast-track approaches to support. Under the intersectional lens, Black and minoritised women's services further demonstrate efficiency through the specific and nuanced support they deliver which results in added-value and in building community assets because they address interlocking vulnerabilities and insecurities to which women are subjected, creating long-term efficiency savings.

6.6.3 Sustainability

Gender sustainability planning is a critical consideration in addressing homelessness and meeting the housing needs of women including Black and minoritised women and women from diverse intersectional experiences. Inclusion of all women representing diverse needs within planning frameworks helps to meet sustainability under public procurement regulation by ensuring provision for women that meets wider community needs including the needs of children; affordable and sustainable housing that is safe and secure and that is linked to violence prevention; utilisation of expertise from specialist women's organisations and Black and minoritised women's organisations so that the 'wheel is not re-invented'. Sustainability in housing and other planning frameworks leads to sustainable and long-term resourcing which makes economic sense.

6.6.4 Improvement and Innovation

Specialist women's organisations, and Black and minoritised women's organisations produce social value (also called community asset) but do not claim their work as improvement. For example, Black and minoritised women's organisations developed the framework for providing woman-centred, trauma-informed, needs-led, holistic outcomes-based wrap-around support. The improvements that this approach generates include improved risk identification by focusing on a needs-led approach that centres women's experiences. The approach creates safe reporting pathways that women identify for themselves. It ensures early intervention and prevention avoiding escalation equating to cost-saving measures and forms of intervention that reflect the lived experience of women. It reduces repeat victimisation through full and safe disclosure of need where diverse responses are identified including responses by local public services and the police and criminal justice system through rights-based protections that are coordinated. It reduces vulnerability by addressing the structural factors such as the experience of discrimination and racism. It enables women to access further services on their own such as education, training and employment opportunities, and other life chances. It improves outcomes for communities by supporting women to support themselves and their children in ways that promote their independence and liberty. It ensures choice for women beginning with access to safe referral pathways enabling women to access an array of services they choose to use. Finally, it ensures fully costed aftercare enabling early identification of aftercare in an integrated way.¹⁸⁷

6.7 The Impact of Public Procurement Policy on Women's Specialist Services: Suggestions for a Strategic Approach

In this chapter, it has been argued that public procurement policy was used in a particular way to reshape the specialist women's sector. The policy served as an essential tool for gender neutrality and was embedded in a wider framework of the backlash against women's services and the hostile environment suggesting the need for a counter-narrative (as discussed above). The counter-narrative is constructed through intersectionality (as discussed in the chapter on defining gender neutrality) and speaks to the need for solidarity action that must address the disproportionate impact on diverse groups of women.

187 Imkaan. 2018. From the Margin to the Centre. A Proposal for an Alternative Bill Addressing Violence against Women and Girls. London. Imkaan.

6.8 Summary of Key Issues and Concerns, Impacts and Strategies¹⁸⁸

ISSUE/CONCERN	IMPACTS	STRATEGIES
Limited VAW response by states and governments: Central government funding for single issues like FGM or forced marriage. Devolved decision-making regarding funding to a range of government departments where there are many conflicting priorities as well as local governments keeping services in-house in times of austerity.	→ Forces organisations to abandon holistic working and comprehensive VAW responses. → Instrumentalises Black and minoritised organisations because of the weakened VAW response framework. Instrumentalisation feeds narratives about cultures at blame for VAW rather than patriarchy and structural inequality. → Lack of consistent approach to funding VAWG services as each local and national government identify their own priorities through localism and discretionary decision-making about public expenditure.	Gender responsive budgeting is a common ask by specialist women's organisations, however the following criteria must be included for gender responsive budgeting to address the harms of gender neutrality, race erasure and other exclusions and discriminations that are embedded in the current system: → Data disaggregation showing disproportionate impact. → Transformative approaches within budget-setting that recognises social value and community asset. → Consideration by economic system of long-term preventative VAW outcomes over short-term gains expressed in financial terms. → Democratic processes in setting national budgets. → Increased social investment in correlation with declining military spend and other masculinised features of current economic systems which perpetuate patriarchy as a world view in resolving problems. → In-depth socio-economic analysis using approaches like the political economy of violence to address structural inequality and disproportionate impact (gender, race, ethnicity, sexuality, migrant status, disability among other categories).
Closure of holistic VAW services (sexual violence and outreach): Localism in determining funding priorities in local areas that are influenced by gender neutrality and race erasure and framed as community cohesion through which gender neutrality is merged with commissioning priorities. Reduction of safe emergency accommodation while referrals for bedspaces increase steadily	→ Lack of co-ordinated approaches to VAW within commissioning strategy.	An alternative to public procurement policy based on the following: → Grant funding by central government and through guidance to local authorities covering national VAW priorities. → Ring fencing of a women's fund delivered by and for women's organisations inclusive of Black and minoritised women's organisations. → Recognition of women's specialist services and Black and minoritised services in the social economy. → Recognition of women's safe accommodation within a ring-fenced priority designed to address emergency need on a permanent basis.

¹⁸⁸ Imkaan. 2018. From the Margin to the Centre. A Proposal for an Alternative Bill Addressing Violence against Women and Girls. London. Imkaan. Imkaan and Women's Aid. 2014. Successful Commissioning. A Guide for Commissioning Services that Support Women and Children Survivors of Violence. Bristol. Women's Aid. GEO. 2009. Understanding the Stability and Sustainability of the Violence against Women Voluntary Sector Gender and development Network. 2018. Gender Responsiveness.

ISSUE/CONCERN	IMPACTS	STRATEGIES
Disproportionate impact: Reduction and/or loss of specialism located within Black and minoritised organisations. Removal of ring-fenced grants that provided opportunity for sustainability to specialist women's organisations. Lack of central government guidance to local authorities regarding tendering and commissioning Hostile environment for organisations delivering services to particular groups (migrant women, women with insecure immigration status and Black and minoritised women).	→ Lack of investment in community assets represented by specialist women's organisations. → Gender neutrality and race erasure policy dismantling of women-only safe space. → Excluded from local commissioning and strategic meetings.	Long term structural change to the fund management systems is needed to address the systemic nature of inequality that is embedded in these systems that manifest as gender neutrality and disproportionality on the basis of race, ethnicity, sexuality and other categories. The new system must consider redistributive justice ideas to address inequality.¹⁸⁹ These ideas also address the structural impact of decommissioning and also provide a framework for understanding wealth accumulation and wealth distribution. In the short-term, there must be full eradication of gender neutrality policies and practices on the following basis: acceptance of specialist women's services and Black and minoritised women's services within fund management structures, ring-fenced funding, permanent fund allocation in recognition of the social problem of VAW, inclusive fund structures for all groups of women including Black and minoritised women, migrant women, women with insecure immigration (among other groups) long-term funding sustainability for these organisations.
Competitive tendering: Increased competitive tendering favouring big non-specialist non-VAW providers operating in economies of scale. Performance-led service delivery focused on targets and outputs through streamlining measures such as one size fits all that best suits economies of scale.	→ Increased presence of non-specialist non-VAW delivery agents of VAW providers. → Displacement of long-term ending VAW outcomes within service delivery with organisations adopting competitive targets.	Competition is a private sector practice. It does not fit in with the social sector. It has a detrimental impact: undermines social value of organisations addressing social problems that cannot be assessed through competition. It favours economies of scale where price outweighs quality. VAW services cannot sit within masculinised rules of competition. Competitive tendering must exclude specialist women's organisations delivering VAW.
Resource pressures: Short term funding cycles. Local authorities apply punitive measures through contract monitoring.	→ Disrupt both stability and sustainability plans of organisations. → Forces organisations to adapt to new regimes that do not recognise social value.	Long term sustainability planning backed by long-term funding and resourcing strategies by the state and government where these bodies take responsibility for addressing VAW to appropriate action.
Reshaped services: Introduction of the 'corporate' approach to the social sector as specialist women's organisations adopt the language of performance and professionalism. Formation of unequal partnerships and mergers especially impacting Black and minoritised women's organisations who become forced to enter arrangements through local commissioning. Cost effectiveness and efficiency or price favouring over the quality of life-saving provision to women and children subjected to VAW.	→ Internalisation of competition creating division across the specialist women's sector for survival with big organisations subsuming small organisations. → Displacement of specialist provision and appropriation of knowledge and skills. → Long-term impact on autonomy, focus and sustainability.	Ratification of the Istanbul Convention and full implementation producing comprehensive VAW national laws, policies and funding structures. Undertake cost-benefit and socio-economic analysis and equality impact studies of the commissioning of VAW services before undertaking commissioning processes and consider more effective grant funding to existing services.

189 Villanueva, E. 2018. Decolonising Wealth. Indigenous Wisdom to Heal Divides and Restore Balance. Oakland. Berrett-Koehler Publishers.

7 The Responsibility of States in Addressing Violence against Women

7.1 Redefining the UN Sustainable Development Goals on Gender Equality: The Impact of Covid-19

The 2030 Agenda for Sustainable Development, adopted by all United Nations Member States in 2015,¹⁹⁰ “provides a shared blueprint for peace and prosperity for people and the planet, now and into the future. At its core are the 17 Sustainable Development Goals (SDGs), which are an urgent call for action by all countries.” The Goal 5 concerns gender equality and empowerment of women and girls. According to the Sustainable Development Goals platform¹⁹¹, throughout the year of 2019, some indicators showed gender equality was progressing well, however, there was significant decline in indicators on the prevalence of female genital mutilation and early marriages even though the overall recorded numbers remained high. In addition, there was insufficient progress in a wide range of indicators which meant that Sustainable Development Goal 5 was not achieved. The “legal discrimination, unfair social norms and attitudes, decision-making on sexual and reproductive issues and low levels of political participation, are undermining the ability to achieve Sustainable Development Goal 5.”

In light of the current pandemic, where governments around the world have advised people to be confined in their own homes, it is clear that the home is not a safe haven for many women experiencing violence. WAVE's recent Policy Statement on COVID-19 and Violence against women and girls¹⁹² highlighted the widespread effect of COVID-19 on women and girls experiencing violence as well as women's access to specialist services. Given the current context of COVID-19, these goals are even more crucial and provide a necessary framework for the support, protection and rights of women. Therefore, it is crucial to adapt the aforementioned goals to the current challenges posed by COVID-19. According to the UN Policy Brief on the impact of COVID-19¹⁹³, there will be aggravated impacts of COVID-19 for women already living on the economic margins. Before the COVID-19 pandemic, the imbalances in the gender distribution of unpaid work were already striking; women were doing three times as much unpaid care and domestic work as men. With children out of school, and the increased care needs of the elderly population, ill family members, and overwhelmed health services,¹⁹⁴ there is markedly an increase on the care work demand which can expose and amplify existing inequalities.

In emergency times like this, where VAWG tends to increase,¹⁹⁵ a plethora of issues arise concerning the protection of women's rights. Beyond the pandemic's devastating consequences to public health and safety, the economy, and social protection, COVID-19 has not only reinforced the more obvious inequalities faced by women who belong to minoritized and vulnerable communities, it has also exposed how they are disproportionately affected by pre-existing structural inequalities. Migrant women, women with disabilities, women in prostitution, indigenous women, elderly women, refugee women, asylum seeking women, among others, must not be excluded from the debate.

The UN Policy Brief on the impact of COVID-19 presented worrying figures on the impact of the pandemic on VAW, around the world. In France, reports of domestic violence have increased by 30% since the lockdown in March 2020. In Cyprus and Singapore¹⁹⁶ helplines have registered an increase in calls of 30% and 33% respectively. In Argentina, emergency calls for domestic violence have increased by 25% since the lockdown in March 2020.¹⁹⁷ In addition, UN has stated in a recent article on the “Gender equality in time of COVID-19”, that Central America has the highest numbers of femicide in the world. In times of a pandemic, where women are confined in a space with the perpetrator of violence, states should adopt all the necessary measures to prevent and eradicate this crime. WAVE's 2019 Country Report recommended states endeavour to include the category of “femicide victims” when collecting data. The report also highlights that the data should be disaggregated by age and sex of victims and perpetrators.¹⁹⁸ Furthermore, the data should be disaggregated by ethnicity and race as well otherwise a disproportionate impact is hidden.

190 A/RES/70/1, 25 September

191 UN Sustainable Development Goals platform, available at: www.sustainabledevelopment.un.org

192 WAVE Policy Statement: Covid-19 and Violence against Women and girls

193 UN Policy Brief on the impact of COVID-19, 9th April 2020, p.6

194 Ibid., p.13.

195 Declaration of the Committee of the Parties to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) on the implementation of the Convention during the COVID-19, 20 April 2020.

196 UN Policy Brief on the impact of COVID-19, 9th April 2020

197 Ibid.

198 Andrada Filip, WAVE Thematic Paper: “Prevention and eradicating femicide”, 2017 p.5.

While some ultra-conservative governments throughout Europe have been adopting measures and passing laws that actively restrict and undermine women's rights, it is of the utmost importance to not lose sight of the after effects of this pandemic and the potential restriction on women's freedom and rights: women's access to justice, issues like shared custody, the disproportionate access to women's specialist services, the economic consequences of the pandemic, women's reproductive and health rights, and funding of NGO's are amongst the main concerns highlighted in a plethora of policy papers recently released. The discussion is more relevant than ever and it should incorporate a holistic, multiagency and co-ordinated response from all stakeholders: police, social services, health care professionals and other relevant organizations that provide frontline services.^{199, 200}

According to Goal 5 of the Sustainable Development Goals, "Gender equality is not only a fundamental human right, but a necessary foundation for a peaceful, prosperous and sustainable world". Even though progress has been made over the last decades: "More girls are going to school, fewer girls are forced into early marriage, more women are serving in parliament and positions of leadership, and laws are being reformed to advance gender equality",²⁰¹ many challenges remain.²⁰² Indeed, UN has pointed out the detrimental effects of the COVID-19 pandemic and how it could "reverse the limited progress that has been made on gender equality and women's rights." Regarding the COVID-19 response, UN has noted that any response plan needs to address the gender impacts of this pandemic: including women's organizations in COVID-19 response planning and decision-making, transforming the inequalities of unpaid care work into a new, inclusive care economy and designing socio-economic plans with an intentional focus on the lives and futures of women and girls. Therefore, it is crucial that the European Commission and EU Member States, "step up to act in solidarity across the continent and to protect women from bearing the burden of the crisis."²⁰³ The European Women's Lobby (EWL) in its Policy Brief has forwarded recommendations to the European Commission and EU Member States that include immediate and long term actions establishing standards to ensure the protection of women's and girls' rights, and can be used to challenge governments on gender equality.

EWL has identified the need of EU Member States to ensure that "women are given the space to be heard and equally represented in decision-making processes and women's civil society organizations are consulted when developing and implementing local, national and European responses and plans for systems redesign and renewal."²⁰⁴ Moreover, the Policy Brief recommends states to adopt a gender mainstreaming approach, "particularly in the delivery, monitoring and evaluation of gender responsive public services and emergency stimulus packages."²⁰⁵ Also, EU Member States must ensure that women's organisations who provide essential services to women and girls at risk are adequately funded during this crisis and its aftermath.²⁰⁶ The adoption of temporary special measures is also referred to as an important action to "protect women from facing the brunt of these austerity measures, and ensure that in future times of economic recession such measures are never again considered".²⁰⁷ Therefore, States must provide "gender-responsive social and economic measures to support women and girls in precarious situations, including those at risk of losing their jobs, at risk of living in poverty, and/or are experiencing in-work poverty."

7.2 Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)

The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, commonly known as the Istanbul Convention, is the first legally binding instrument in Europe in the field of violence against women.²⁰⁸ It provides a gendered framework on violence against women, which is understood as a "human rights violation and form of discrimination" (Article 2).²⁰⁹ It is interesting to note that it was not until the early 1990s that VAW and domestic violence became recognized by international law as a human rights violation.²¹⁰ Indeed, many

199 Declaration of the Committee of the Parties, 20 April 2020,

200 Report of the Special Rapporteur on violence against women, its causes and consequences, June 2017, para. 101

201 UN Sustainable Development Goals platform, available at: www.sustainabledevelopment.un.org

202 "Discriminatory laws and social norms remain pervasive, women continue to be underrepresented at all levels of political leadership, and 1 in 5 women and girls between the ages of 15 and 49 report experiencing physical or sexual violence by an intimate partner within a 12-month period.", UN Sustainable Development Goals platform, available at: www.sustainabledevelopment.un.org.

203 Women must not pay the price for COVID-19: Putting equality between women and men at the heart of response to COVID-19 across Europe, European Women's Lobby Policy Brief, April 2020.

204 European Women's Lobby Policy Brief, April 2020, p.3

205 Ibid., p.3

206 Ibid., p.3

207 Ibid., p.4

208 Explanatory Report to the Council of Europe Convention on preventing and combating violence against women and domestic violence, para

209 Dubravka Šimonović Human Rights Quarterly, Vol. 36, No. 3 (August 2014), pp. 590-606, 590.

210 Bonita C. Meyersfeld, Introductory note to the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence, International legal Materials, Vol.51 (2012)

forms of violence against women, namely domestic violence, “were not considered serious international law issues.”²¹¹ After the conflicts in the former Yugoslavia and Rwanda, the focus of international law was on wartime rape and “private violence, such as domestic violence or forced marriage, was not seriously accepted as a global human rights issue.”²¹²

The aforementioned legal instrument provides standards to prevent and combat violence against women and domestic violence, whilst aiming to achieve zero tolerance for violence against women²¹³. Furthermore, it is considered the most far reaching and comprehensive legal document to tackle the issue of violence against women.²¹⁴ The Istanbul Convention is the only international legal instrument to advance a state obligation to ensure the availability of specialist services tailored to women’s needs, with trained professionals equipped to support women survivors of violence.²¹⁵

As of today, the Istanbul Convention is only beginning to bring gender-based violence to the “forefront of public debate”.²¹⁶ There is no denying its prominent and innovative character in forwarding key definitions on the due diligence standard, VAW, gender-based violence and finally the possibility to raise gender-based asylum claims.^{217, 218} Nevertheless, the recent (unfounded) attacks against the Convention can be understood in a wider context of a backlash against women’s rights.

In its conclusions, the Committee on Equality and Non-Discrimination of the Council of Europe asserted that gender neutrality is a pressing issue that curbs the progress in the field of women’s rights and protection of gender-based violence.²¹⁹

The so called “fathers’ movements,”²²⁰ the “family mainstreaming policy”²²¹ and “gender ideology”²²² have been identified in a few European countries aiming to undermine women’s rights and place women and girls in a more disadvantageous position. It is with great concern that the Council of Europe emphasises the detrimental impact of the anti-Istanbul Convention propaganda on the promotion of gender equality²²³. Furthermore, this propaganda evidently delays the ratification of the Istanbul Convention (such as Hungary and Slovakia).

The Policy Department for Citizens’ Rights and Constitutional Affairs’ report on the backlash against gender equality underlines the pernicious effects of the previously mentioned movements: the Hungarian social policy on family, promoting a family mainstreaming²²⁴ rather than a gender mainstreaming policy, and the Polish “gender ideology”, a “pronatalism traditional family policy” identified in the field of education, being a declared priority of the Government. Regarding the previously mentioned attacks on the IC, the Committee on Equality and Non-Discrimination of Council of Europe recalls that “the Istanbul Convention does not include a definition of what constitutes a family or promote a specific family setting”.²²⁵

By ratifying the Convention, governments are obliged to change their laws, introduce practical measures and allocate resources to effectively implement comprehensive and coordinated policies to prevent and combat VAW and DV.²²⁶ It should be said that the state obligation to ratify the IC still continues in times of a pandemic, hence, states are encouraged to ratify the Convention. The European Union’s accession to the treaty is still on hold.

211 Introductory note to the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence. International legal Materials, Vol.51

212 Ibid.

213 Explanatory Report to the Council of Europe Convention on preventing and combating violence against women and domestic violence, 2011

214 The Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention): Questions and Answers.

215 WAVE-handbook: The strength-Based, Needs-Led Approach as a Tool of Empowerment in Women’s Specialist Services Supporting Survivors of Domestic Violence, A pilot study, September 2018.

216 Report of the Committee on Equality and Non-Discrimination: The Istanbul Convention on violence against women: achievements and challenges, June 2019

217 Dubravka Šimonović, Human Rights Quarterly, Vol. 36, No. 3 (August 2014) p. 602

218 Introductory note to the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence, International legal Materials, Vol.51 p. 107.

219 Report of the Committee on Equality and Non-Discrimination: The Istanbul Convention on violence against women: achievements and challenges, June 2019, para. 70.

220 Ibid.

221 Backlash in Gender Equality and Women’s and Girls Rights: The Main Concerns identified in Austria, Hungary, Italy, Poland, Romania and Slovakia, Policy Department for Citizens’ Rights and Constitutional Affairs

222 Ibid.

223 Report of the Committee on Equality and Non-Discrimination: The Istanbul Convention on violence against women: achievements and challenges, June 2019 para. 41,42.

224 Backlash in Gender Equality and Women’s and Girls Rights.

225 Report of the Committee on Equality and Non-Discrimination: The Istanbul Convention on violence against women: achievements and challenges, June 2019 para. 47

226 Council of Europe : The Istanbul Convention and the CEDAW framework: A comparison of measures to prevent and combat violence against women

The Istanbul Convention establishes an exhaustive list of legally binding obligations to prevent and respond to VAW (further specified in the toolkit): introducing criminal offences (article 45), responding immediately to violence (article 50), risk assessment and management (article 51), and ensuring victims are provided with adequate civil remedies are amidst the exhaustive list of state obligations.²²⁷

Unlike other international treaties that tackle gender-based violence, the Istanbul Convention provides standards for the implementation of comprehensive and coordinated policies between national and governmental bodies involved in prevention, prosecution, and protection activities.²²⁸ Moreover, the inclusion of the crime of domestic violence in a human rights treaty represents a very important development in ²²⁹

According to the book author Ronagh McQuigg, “the provisions of the Istanbul Convention that relate to domestic violence build substantially on the duties placed upon states by the European Court of Human Rights in regards to this issue, given that the provisions of the Istanbul Convention are much more comprehensive in nature.”²³⁰ Furthermore, the fact that the IC is monitored primarily by a reporting mechanism, instead of placing the onus on victims to take cases to court, (as it happens under the European Convention on Human Rights) is highly beneficial.²³¹

On the other hand, the IC faces a plethora of challenges that necessarily relate to its implementation and enforcement, since it is very difficult to force states to comply with their obligations.²³² In order to ensure the optimal level of effectiveness, it is very important for the Convention to be “ratified by the majority, if not all, of the member states of the Council of Europe.”²³³ “It is possible that a number of states may be reluctant to ratify the Istanbul Convention due to the substantial duties that are placed on states parties to this instrument.”²³⁴ Particularly, the obligations that relate to the provision of social support measures for victims necessitate significant levels of expenditure by governments.²³⁵ The effectiveness of human rights treaties therefore depends greatly on the level of commitment held by states to give effect to their duties.²³⁶

7.3 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

CEDAW provides standards to prevent and combat discrimination against women. Its main purpose is to eliminate all forms of discrimination against women.²³⁷ It is commonly denominated as the “International Women’s Bill of Rights”.²³⁸ Although CEDAW does not contain a specific provision on VAW and domestic violence, it tackles violence indirectly by tackling pernicious gender stereotypes, practices and laws that perpetuate a gender bias and ultimately, gender equality.²³⁹ The General Recommendation 19 (1992) on VAW explains in further detail the definition provided by article 1 of CEDAW, by specifying that discrimination against women includes gender-based violence, “violence that is directed against women because she is a woman or that affects women disproportionately”.

The aforementioned convention is the first and only human rights treaty that obliges state parties to modify and abolish social attitudes and cultural patterns and practices which are based on the idea of inferiority and superiority, or stereotyped roles for men and women (article 5). This obligation demands states to combat gender stereotypes and therefore, to actively react against any act of discrimination against women. Hence, state obligations are three-fold: obligation to respect, protect and fulfil, hence providing for the realization of women’s rights.²⁴⁰

The adoption of the Optional Protocol in 2000 strengthened the Convention as a legal instrument for the protection of women’s human rights by enabling the Committee to examine both individual petitions and claims of serious or systematic violations under the Convention.²⁴¹ Ms. Dubravka Šimonović gender-neutral standard was forever changed by the adoption of the gender asymmetric women’s antidiscrimination instrument.”

227 Directorate General for Internal Policies Policy Department C: Citizens’ Rights and Constitutional Affairs Gender Equality: How could the Convention On the elimination of all forms of discrimination Against women (CEDAW) Be implemented in the EU legal framework?, 2011.

228 The Istanbul Convention: A tool to tackle violence against women and girls, December 2019.

229 McQuigg, R. The Istanbul Convention, Domestic Violence and Human Rights, (Routledge, 2017), p 169.

230 Ibid., p. 170

231 Ibid., p.170

232 Ibid., p.183

233 McQuigg, R. The Istanbul Convention, Domestic Violence and Human Rights, (Routledge, 2017), p. 177

234 Ibid., p.177

235 Ibid., p.177.

236 Ibid., p.184

237 Council of Europe : The Istanbul Convention and the CEDAW framework: A comparison1 of measures to prevent and combat violence against women

238 Ibid.

239 Ibid.

240 The UN Convention on the Elimination of all forms of Discrimination against Women: A commentary (Marsha A. Freeman, Christine Chinkin and Beate Rudolf eds., Oxford 2012) p.275, 276.

241 Ibid., p. 594

CEDAW forwards a holistic approach to equality: it mentions formal equality, substantive equality and transformative equality. Formal equality entails there is no direct or indirect discrimination against women. However, that does not suffice. At the heart of the Convention is the obligation of state parties to not only officially embody a formal equality, but also to ensure a *de facto* or substantive equality (article 4). This obliges state parties to redress direct and indirect discrimination against women, and to recognize and eliminate intersecting forms of discrimination. Finally, the last approach forwarded by CEDAW is transformative equality (article 5 (a)). This approach to equality requires states to address prevailing gender relations and the persistence of gender-based stereotypes. General Recommendation 25²⁴² explains that “the position of women will not be improved as long as the underlying causes of discrimination against women and of their inequality, are not effectively addressed”.

Several critiques have been appointed to CEDAW, leading to complex debates, that have been partially solved by several recommendations issued by CEDAW’s Committee. Indeed, these recommendations are an extremely relevant legal source when the CEDAW Committee assesses individual complaints pertaining to state obligations and domestic violence. One of the critiques is related to the fact that the text of CEDAW treats women as a homogenous group (with the exception of Article 14) without an intersectional approach. According to Marsha A. Freeman, Christine Chinkin and Beate Rudolf, “intersectionality recognizes that there are groups of women who, in addition to sex and gender discrimination, may experience discrimination on other grounds including age, disability, indigeneity, race, and sexual orientation, simultaneously.”²⁴³ Indeed, general Recommendation 28²⁴⁴ and General Recommendation 35²⁴⁵ specify that the discrimination of women based on sex and gender is inextricably linked with other factors that affect women, such as race, ethnicity, religion or belief, health, status, age, class, caste, sexual orientation and gender identity”. Also, critiques on the Convention’s heteronormativity have been raised, since there is no mention of sexual orientation and family life is assumed to be based on marriage.

The case of *González Carreño v. Spain* (CEDAW/C/58/D/47/2012)^{246, 247} is an example of state failure to consider domestic violence when determining visitation schedules, in order to ensure that these do not endanger women and children.^{248, 249} This case sets an extremely important precedent, being the first case regarding domestic violence to be brought against Spain. The CEDAW Committee found that the domestic judicial and administrative authorities had violated the author’s rights by failing to act with due diligence²⁵⁰ and basing their decisions on stereotyped ideas of what constitutes domestic violence. Ángela González Carreño was in an abusive relationship with her husband for many years. They had one daughter together named Andrea. Even when she initiated separation and divorce proceedings, the violent episodes did not ease up. Ángela reported every assault to the police and the courts, but the abuser was never convicted, and no measures were taken to protect her and her daughter. Finally, the abuser took advantage of an unsupervised visit to kill Andrea and take his own life.²⁵¹

The CEDAW Committee ruled that the Spanish authorities’ responses were based on a “stereotyped conception of visiting rights based on formal equality” without due consideration to the domestic violence that put the appellant and her daughter in a vulnerable position.^{252, 253} Hence, by ruling to allow unsupervised visits without giving sufficient consideration to the background of domestic violence, Spanish authorities failed to fulfill their due diligence obligations under CEDAW.^{254, 255} Furthermore, the state’s failure to protect Angela was considered by the Committee as form of discrimination and a violation of the state’s obligations under Articles 2(a–f), 5(a), and 16(1)(f) of CEDAW.^{256, 257}

242 General recommendation No. 25, on article 4, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women, on temporary special measures, 2004, para.10

243 Kimberlé Crenshaw, ‘Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics’ (1989) University of Chicago Legal Forum 139 ; The UN Convention on the Elimination of all forms of Discrimination against Women : A commenatry (Marsha A. Freeman, Christine Chinkin and Beate Rudolf eds., Oxford 2012) p.275.

244 CEDAW/C/GC/28, General recommendation No. 28 on the core obligations of States parties under article 2 of the Convention on the Elimination of All Forms of Discrimination against Women, para 18

245 CEDAW/C/GC/35, General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19, para. 12

246 *Angela González Carreño v Spain* (CEDAW Committee, 2014) Com No 47/2012 UN Doc CEDAW/C/58/D/47/2012 (2014)

247 *AT v Hungary* (CEDAW Committee, 26 January 2005) Com No 2/2003, UN Doc A/60/38 (2005); *Goekce v Austria* (CEDAW Committee, 2005) Com No 5/2005, UN Doc CEDAW/C/39/D/5/2005 (2007); *Yıldırım v Austria* (CEDAW Committee, 2005) Com No 6/2005, UN Doc CEDAW/C/39/D/6/2005 (2007); *VK v Bulgaria* (CEDAW Committee, 2011) Com No 20/2008 UN Doc CEDAW/C/49/D/20/2008 (2011); *Isatou Jallow v Bulgaria* (CEDAW Committee, 2012) Com No 32/2011 UN Doc CEDAW/C/52/D/32/2011 (2012) ;

248 Platform of undersigned United Nations and regional independent mechanisms on violence against women and women’s rights, “Intimate partner violence against women is an essential factor in determination of child custody, say women’s rights experts”, May 2019.

249 Committee on the rights of the Child, general comment No. 13(2011) on the rights of the child to freedom from all forms of violence, para 20 and 21(e)

250 State responsibility for gender based violence perpetrated by public authorities but also by private actors.

251 *Angela González Carreño v Spain* (CEDAW Committee, 2014).

252 Kanetake, M. (2019). *María de los Ángeles González Carreño v. Ministry of Justice*. American Journal of International Law, 113(3), 586-592

253 *Angela González Carreño v Spain* (CEDAW Committee, 2014) Com No 47/2012 UN Doc CEDAW/C/58/D/47/2012 (2014), para 9.4

254 Kanetake, M. (2019). *María de los Ángeles González Carreño v. Ministry of Justice*. American Journal of International Law, 113(3), 586-592

255 *Angela González Carreño v Spain* para. 9.5

256 Kanetake, M. (2019). *María de los Ángeles González Carreño v. Ministry of Justice*. American Journal of International Law, 113(3), 586-592

257 *Angela González Carreño v Spain*, paras. 9.7–9.10

Children witnessing violence have been described by the Committee on the Rights of the Child, in its general comment n°13, as a form of negligence and psychological violence.²⁵⁸

According to the CEDAW Committee, “States have the obligation to protect a child’s right to be heard. In the present case, the judicial decisions did not respect that right. Based on stereotypes, the right of visitation was seen merely as a right of the father and not as a right of the child as well. The best interests of the child would have required if not eliminating the visits, at least limiting them to supervised visits of short duration”. The obligation of the States to protect children as a particularly vulnerable group is evidenced in the following provisions:

Article 2 of the Convention on the Rights of the Child reads that:

“2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child’s parents, legal guardians, or family members.”

Article 19 of the Convention on the Rights of the Child reads that:

“1. 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.”

The Committee on the Rights of the child, in its General comment n°13 on the Right of the child to freedom from all forms of violence has stated on article 3:

“(e) Children’s rights to be heard and to have their views given due weight must be respected systematically in all decision-making processes, and their empowerment and participation should be central to child caregiving and protection strategies and programmes;”²⁵⁹

This case dates back to 2012, yet still raises very actual and contentious issues, namely pertaining to the previously mentioned “fathers’ movements”. This movement has a variety of goals and targets, namely discrediting the women’s movement,^{260, 261} but also aiming to “institute ‘equal parenting’ custody laws or custody laws that discriminate against the party initiating the divorce”. However, this “hidden agenda” is mainly focused on accusing mothers of “parental alienation” in an attempt to deny child custody to the mother and grant it to the father accused of domestic violence. Risk assessment should be taken seriously by all authorities involved and should take into consideration the patterns and history of violence, ensuring children’s effective protection and safety. Some courts “ignore” a history of domestic violence and allow children to contact their abusive father. The recent case of Kurt vs. Austria is an unfortunate example and showcases the failure of state authorities to protect women and children and “turn a blind eye” to a history of ongoing domestic violence, which tragically culminated in an abusive father killing his son.

7.4 European Convention on Human Rights (ECHR)

The European Convention on Human Rights (hereinafter ECHR) “is widely regarded as the most successful experiment in the transnational, judicial protection of human rights in the world”.²⁶² The Convention was signed on November 4th, 1950 in Rome and entered into force in 1953. The rights and freedoms by the Convention include the right to life, the right to a fair hearing, the right to respect for private and family life, freedom of expression, freedom of thought, conscience and religion and the protection of property.²⁶³ The Convention prohibits, in particular, torture and inhuman or degrading treatment or punishment, forced labour, arbitrary and unlawful detention, and discrimination in the enjoyment of the rights and freedoms secured by the Convention.²⁶⁴ Judgments finding violations are binding on the States concerned and they are obliged to execute them. The Committee of Ministers of the Council of Europe is responsible for the monitorization of the execution of judgments.²⁶⁵

²⁵⁸ Committee on the rights of the Child, general comment No. 13(2011) on the rights of the child to freedom from all forms of violence, para 20, 21

²⁵⁹ Ibid.

²⁶⁰ Barbara Stelmazek, “The father’s right movement and anti-feminism”, Fempower, 2013 ed.

²⁶¹ Ibid.

²⁶² Steven Greer, “What’s Wrong with the European Convention on Human Rights?” Human Rights Quarterly, Vol. 30, No. 3 (Aug., 2008), pp. 680-702

²⁶³ Council of Europe: The ECHR in 50 questions, February 2014

²⁶⁴ Ibid.

²⁶⁵ Ibid.

Before the adoption of the Istanbul Convention, the ECHR was the only international body to address cases of violence against women in Europe. The Convention is considered “a living instrument anchored to the reality of the Member States in which it applies. It therefore takes into account the other regional and international legal developments in its interpretation of the scope of rights.”²⁶⁶

It was not until 2007 (*Kontrová v. Slovakia*)²⁶⁷ that the ECHR addressed the issue of domestic violence in a substantive manner. Since then, cases regarding domestic violence and the state’s obligation to act with due diligence, have regularly been assessed by the Court under the ECHR: article 2 on the right to life, Article 3 prohibiting torture, inhuman or degrading treatment and Article 8 on the right to private and family life.²⁶⁸ The ECHR case law has had a significant role in clarifying the content of state’s positive obligations. Nevertheless, during many years, the ECHR jurisprudence did not characterize domestic violence as form of discrimination against women. The adoption of CEDAW in 1979 changed this conceptualization dramatically.²⁶⁹

In 2009, in the landmark and precedent-making²⁷⁰ case of *Opuz v. Turkey*²⁷¹, the ECHR referred for the first time to domestic violence as a form of gender-based violence against women, in light of article 14 of the ECHR (prohibition of discrimination), article 2 (right to life) and article 3 (prohibition of inhuman or degrading treatment)²⁷² The Court held that “domestic violence affected mainly women, while the general and discriminatory judicial passivity in Turkey created a climate that was conducive to it. The violence suffered by the applicant and her mother could therefore be regarded as having been gender-based and discriminatory against women”²⁷³ In addition, the court confirmed the existence of an “overall unresponsiveness of the judicial system and impunity” and a general lack of official “commitment to take appropriate action to address domestic violence.”²⁷⁴

In the recent case, *Kurt v. Austria*, in which WAVE participated as a third party, the ECHR raised a plethora of issues regarding the effective protection given by barring orders where violence is perpetrated against women in cases of domestic violence. The applicant (Ms. Kurt) was in an abusive marriage with her husband since 2003. After seven years, the applicant reported the violence she had been enduring to the police for the first time. A barring order (*Betreuungsverbot und Wegweisung zum Schutz vor Gewalt*) was issued against the husband (henceforth referred to as “E”). Three days after the applicant filed for divorce (25 May 2012) the abuser went to his children’s school and killed their son. E. was found dead in his car later that day, having committed suicide. The applicant exhausted all of the available domestic procedures before submitting the case to the ECHR.

Relying on Article 2 (right to life), 3 (prohibition of inhuman or degrading treatment) and 8 (right to respect for family life) of the European Convention of Human Rights, the applicant alleged before the European Court of Human Rights, that the Austrian authorities had failed to protect her and her children from her violent husband, which resulted in him murdering their son. The ECHR argued that there has been no violation of article 2 (right to life) of the European Convention of Human Rights, concluding that the competent authorities did not fail to comply with their positive obligations to protect the applicant and her children from her violent husband.²⁷⁵

The previously mentioned ECHR case law evidences the pressing need of considering a plethora of risks that women and children face. WAVE’s third party intervention on the ECHR case (*Kurt v. Austria*)²⁷⁶ identified several of these risks: previous domestic violence against the victim, violence towards the children or other family members, increased frequency or severity of the violent acts, coercion and threats to harm, possessiveness, extreme jealousy and threats to kill. It is of the utmost importance for the authorities and tribunals to access meticulously and to adopt “all reasonable measures to prevent the recurrence of violent attacks”.²⁷⁷

266 Council of Europe : Interpretative mechanisms of ECHR case-law: the concept of European consensus, available at <https://www.coe.int/en/web/help/article-echr-case-law>.

267 *Kontrová v. Slovakia*, No. 7510/04, 31 May 2007

268 Vibeke Blaker Strand (2019): Interpreting the ECHR in its normative environment: interaction between the ECHR, the UN convention on the elimination of all forms of discrimination against women and the UN convention on the rights of the child, *The International Journal of Human Rights*, p.3

269 *Ibid.*, p.4

270 Introductory Note To The European Court Of Human Rights: *Opuz V. Turkey* : ROSA M. CELORIO, *International Legal Materials*, Vol. 48, No. 5 (2009), pp. 907-908

271 *Opuz v. Turkey*, No. 33401/02, ECHR 2009.

272 *Dubravka Šimonović*, *Human Rights Quarterly*, Vol. 36, No. 3 (August 2014), p. 605.

273 ECHR Factsheet on gender Equality, June 2018

274 *Opuz v. Turkey*, Application No. 33401/02, Judgment 9 June 2009, para. 200.

275 *Kurt v. Austria*, ECtHR, Application No. 62903/15, Judgment, 4 July 2020.

276 WAVE’s Third-party intervention *Kurt. v. Austria*, Application No(62903)/2015, 10 February 2020, p.2

277 *Opuz v. Turkey*, ECtHR, Application No. 33401/02, Judgment, 9 June 2009, para. 162.

7.5 Toolkit

Council of Europe Convention on Preventing and combating Violence against Women and Domestic Violence (Istanbul Convention)

Chapter I – Objectives, Definitions, Principle of Equality and Non-discrimination, General Obligations (Articles 1-6)

Chapter II – Integrated Policies and Data Collection (Articles 7-11)

Chapter III – Prevention (Articles 12-17)

Chapter IV – Protection and Support (Articles 18-28)

Chapter V – Substantive Law (Articles 29-48)

Chapter VI – Investigation, Prosecution, Procedural Law, and Protective Measures (Articles 49-58)

Chapter VII – Migration and Asylum (Articles 59-61)

7.5.1 Prevention

Article 13 – Awareness-raising

According to this provision, the general public should be fully informed of the various forms of violence that women experience on a regular basis as well as of the different manifestations of domestic violence. The obligation entails state parties the running of public awareness-raising campaigns or programmes on a regular basis that address and explain these issues in a gender-sensitive manner. Awareness-raising activities should include the dissemination of information on equality between women and men, non-stereotyped gender roles, and non-violent conflict resolution in interpersonal relationships.²⁷⁸

In light of the current pandemic, the Committee of the Parties on the Istanbul Convention implementation in its declaration has recommended state parties to consider the adoption of a wide range of measures that aim to increase the general public's awareness of the heightened risks of VAW. The Committee provided some example measures such as distributing leaflets in supermarkets or pharmacies.²⁷⁹

Article 15 – Training of professionals

State parties should adopt measures to raise awareness amidst state and public officials operating in critical sectors (health, justice, law enforcement for instance) about the potential impact of measures such as social distancing, and more generally of the economic and social consequences of the crisis on women and children who live in a violent relationship and/or home environment

The Committee of the Parties has encouraged professionals who work with specialist services for victims of domestic violence to engage in trainings, online tutorials, and webinars both at the national and international level, making sure they are equipped with the adequate skills to support women victims of violence.

²⁷⁸ Explanatory Report to the Council of Europe Convention on preventing and combating violence against women and domestic violence, para 91.

²⁷⁹ Declaration of the Committee of the Parties, to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) on the implementation of the Convention during the COVID-19 pandemic, 20 April 2020, p.3.

7.5.2 Protection

Article 22 – Specialist support services

According to the Explanatory Report to the Council of Europe Convention on preventing and combating violence against women and domestic violence, this obligation, together with article 20,²⁸⁰ emphasises the importance of providing access for women and children affected by violence, whilst ensuring the complex task of empowering victims.

Article 23 – Shelters

The purpose of the shelters is to ensure immediate and best support to women and children. This provision requires state parties to provide for the setting up of appropriate, easily accessible shelters in sufficient numbers.^{281, 282} Moreover, shelters should be equipped to deal with children who accompany their mothers.²⁸³ Indeed, although children might not be direct targets of violence, they witness the violence and can therefore experience negative long-term effects.²⁸⁴ It should be said that it is considered an aggravating circumstance to commit an offense against or in the presence of a child according to article 46. Furthermore, women who go to a shelter need not offer proof of the violence they have endured.²⁸⁵

COVID-19 has led states to adopt national responses that prioritize an effective support for women. The UN Policy Brief on the impact of COVID-19 has highlighted the increased need to expand the capacity of the shelters by using spaces such as hotels or educational institutions to accommodate quarantine needs.²⁸⁶

Article 24 – Telephone helplines

Helplines are one of the most important ways of enabling victims to find help and support.²⁸⁷ This provision contains the obligation to set up state-wide telephone helplines which are available around the clock and which are free of charge.²⁸⁸ In addition, they should offer a confidential support by a trained professional whilst applying a gender sensitive approach.²⁸⁹

The Committee of the Parties highlighted specific measures that state parties can endorse, for instance helplines with chat systems and counselling platforms providing social support and psychological assistance to victims online.²⁹⁰ The WAVE's 2019 Country Report found that 71% of the national women's helplines in Europe meet the Istanbul Convention standards, meaning that they are free of charge and operate 24/7.²⁹¹

Article 25 – Support for victims of sexual violence

The traumatic nature of sexual violence, including rape, requires a particularly sensitive response by trained and specialised staff. Victims of this type of violence need immediate medical care and trauma support combined with immediate forensic examinations to collect the evidence needed for prosecution. Furthermore, there is often a great need for psychological counselling and therapy – often weeks and months after the event. The following article emphasizes the state parties' obligation to provide for the setting-up of accessible rape crisis or sexual violence referral centres in sufficient numbers. The state-parties are provided with an alternative, not with the obligation to set up both types of centres.²⁹²

280 Article 20, Istanbul Convention (2011): General support services refer to help offered by public authorities such as social services, health services, employment services, which provide long-term help and are not exclusively designed for the benefit of victims only."

281 A/HRC/35/30, 13 June. Human Rights Council, Thirty-fifth Session: Report of the Special Rapporteur on violence against women, its causes and consequences.

282 WAVE-handbook: The Strength-Based, Needs-Led Approach as a Tool of Empowerment in Women's Specialist Services Supporting Survivors of Domestic Violence, A pilot study, September 2018. https://www.wave-network.org/wp-content/uploads/WAVE_Handbook_200205_web.pdf

283 Council of Europe Convention on Preventing and Combating (Istanbul Convention): Children's rights, Safe from fear safe from Violence

284 Ibid.

285 WAVE-handbook: The Strength-Based, Needs-Led Approach as a Tool of Empowerment in Women's Specialist Services Supporting Survivors of Domestic Violence, A pilot study, September 2018 p 37. https://www.wave-network.org/wp-content/uploads/WAVE_Handbook_200205_web.pdf

286 UN Policy Brief on the impact of COVID-19, 9th April 2020, p.617

287 Explanatory Report to the Council of Europe Convention on preventing and combating violence against women and domestic violence

288 Ibid.

289 WAVE-handbook: The Strength-Based, Needs-Led Approach p.40.

290 Declaration of the Committee of the Parties, 20 April 2020.

291 WAVE'S 2019 Country Report, p. 7.

292 Explanatory Report to the Council of Europe Convention, para. 138, 139.

WAVE's 2019 Country Report presents worrying figures on the existing services for survivors of sexualized violence: 33% of European countries have specific helplines for survivors of sexualized violence. In addition, countries outside of Europe are missing 99% of services as required by standards set in the IC and EU countries are missing 87%.²⁹³

Article 26 – Protection and support for child witnesses

This article sets out the obligation to ensure that, when providing services and assistance to victims with children who have witnessed violence, the latter's rights and needs are taken into account. The term "child witnesses" refers not only to children who are present during the violence and actively witness it, but to those who are exposed to screams and other sounds of violence while hiding close by or who are exposed to the long-term consequences of such violence.

Article 27 – Reporting

With this article the drafters wished to highlight the important role that individuals – friends, neighbours, family members, colleagues, teachers or other members of the community – can play in breaking the silence that often closes in around violence. It is the responsibility of each party to determine the competent authorities to which such suspicions may be reported.²⁹⁴

Article 28 – Reporting by professionals

Under this article Parties to the Convention must ensure that professionals normally bound by rules of professional secrecy (such as, for example, doctors and psychiatrists) have the possibility to report to competent organisations or authorities if they have reasonable grounds to believe that a serious act of violence covered by the scope of this Convention has been committed and that further serious acts of such violence are to be expected. It should be said that this provision does not impose an obligation for such professionals to report. This provision seeks to ensure that neither type of confidentiality rule would stand in the way of reporting serious acts of violence.²⁹⁵

In the UK, women with an insecure immigration status risk being reported to the Home Office, detained and deported. Indeed, not all women benefit from equal access to health services because of their migration status. Many women actually refuse to go to the health services in the UK because of their insecure immigration status which could result in the doctor could report them to the Home Office.

Article 31 – Custody, visiting rights and safety

This article aims to guarantee that the judicial authorities do not issue contact orders without taking into consideration previous or an ongoing history of violence. Paragraph 2 addresses the complex issue of guaranteeing the rights and safety of victims and witnesses while taking into account the parental rights of the perpetrator. Therefore, the exercise of visitation or custody rights should never jeopardize the safety of the victims or their children. For many victims and their children, complying with contact orders can present a serious safety risk because it often means meeting the perpetrator face-to-face. (Vd. Kurt v. Austria Application no. 62903/15; Angela González Carreño v Spain (CEDAW Committee, 2014) Com No 47/2012 UN Doc CEDAW/C/58/D/47/2012 (2014)).²⁹⁶

293 WAVE's Country Report, P. 14

294 Explanatory Report to the Council of Europe Convention para 145.

295 Ibid. para 146,147.

296 Ibid. para 175, 176.

7.5.3 Prosecution

Article 50 – Immediate response, prevention and protection

Paragraph 1 requires law enforcement agencies to promptly and appropriately react by offering adequate and immediate protection to victims, while paragraph 2 calls for their prompt and appropriate engagement in the prevention of and protection against all forms of violence covered by the scope of this Convention, including the employment of preventive operational measures and the collection of evidence.²⁹⁷ (Vd. Jallow v. Bulgaria, Communication No. 32/2011, UN Doc. CEDAW/C/52/D/32/2011 (28 August 2012)).²⁹⁸

Article 51 – Risk assessment and management

The purpose of this provision is to ensure that an effective multi-agency network of professionals is set up to protect high-risk victims. The risk assessment must therefore be carried out with a view to managing the identified risk by devising a safety plan for the victim in question in order to provide co-ordinated safety and support if necessary.²⁹⁹

This article therefore establishes the obligation to ensure that all relevant authorities, not limited to the police, effectively assess and devise a plan to manage the safety risks a particular victim faces on a case-by-case basis, according to standardised procedure and in co-operation and co-ordination with each other.³⁰⁰

Article 52 – Emergency Barring orders

This provision establishes the obligation of equipping the competent authorities with the power to order a perpetrator of domestic violence to leave the residence of the victim and to bar him or her from returning or contacting the victim. The immediate danger must be assessed by the relevant authorities. (See Kurt v. Austria)

Article 53 – Restraining or protective orders

The core purpose of this article is to guarantee the safety of domestic violence victims by ensuring a physical distance between the victim and perpetrator. Hence, the competent authorities must offer an immediate protection to victims of domestic violence, without unjustified financial and administrative burdens.³⁰¹

This provision sets out the obligation to ensure that national legislation provides for restraining and/or protection orders for victims of all forms of violence covered by the scope of this Convention. Furthermore, it establishes a number of criteria for such orders to ensure that they serve the purpose of offering protection from further acts of violence.³⁰²

Although this provision refers to restraining “or” protection orders, the drafters bore in mind that the national legislation of certain Parties may provide for the combined use of restraining and protection orders. A restraining or protection order may be considered complementary to a short-term emergency barring order.³⁰³

297 Explanatory Report to the Council of Europe Convention para 257.

298 Jallow v. Bulgaria, Communication No. 32/2011, UN Doc. CEDAW/C/52/D/32/2011 (28 August 2012)

299 Explanatory Report to the Council of Europe Convention para 261.

300 Ibid. para 260.

301 Ibid. para.31.

302 Ibid. para. 267.

303 Ibid. para. 268.

Chapter VII – Migration and Asylum

Migrant women, with or without documents, and women asylum seekers are particularly vulnerable to gender-based violence and are subject to overlapping forms of discrimination and social exclusion. Although their reasons for leaving their country vary, as does their legal status, both groups are at an increased risk of violence and face similar difficulties in overcoming such violence.³⁰⁴ Asylum law has long failed to address the difference between women and men in terms of why and how they experience persecution.³⁰⁵ This gender blindness in the establishment of refugee status and of international protection has resulted in situations where claims of women fleeing from gender-based violence have gone unrecognised.³⁰⁶ Therefore, it is of the utmost importance to ensure asylum laws recognize gender-related forms of persecution and adopt gender-sensitive asylum procedures;

In the past decade, however, developments in international human rights law and standards, as well as in case law, have led an increasing number of Council of Europe member states to recognise some forms of violence against women as a form of gender-related persecution within the meaning of Article 1, A(2) of the 1951 Convention Relating to the Status of Refugees (1951 Refugee Convention).³⁰⁷

Article 60 – Gender-based asylum claims

This chapter includes a wide range of obligations that aim to introduce a gender sensitive understanding of violence against migrant women and women asylum-seekers.

Article 60 (1) urges state parties to adopt all the necessary measures in order to ensure that gender-based claims can be brought within the legal framework of the article 1, A (2), of the 1951 Convention relating to the Status of Refugees. Indeed, it is interesting to note that the text of the aforementioned Convention does not specify “gender” as one of the grounds for persecution. However, most of the gender-based cases raised within the 1951 Convention fall under the element of “membership of a particular social group” (Article 1 (A) (2))³⁰⁸.

In addition, this chapter establishes the obligation of introducing gender-sensitive procedures, guidelines and support services in the asylum process. Finally, it contains provisions pertaining to the respect of the non-refoulement principle with regard to victims of violence against women.³⁰⁹

304 Council of Europe, Protecting migrant women, refugee women and women asylum seekers from Gender-based violence

305 Ibid.

306 Ibid.

307 Ibid.

308 Explanatory Report to the Council of Europe Convention, para. 298, 299.

309 Ibid.

8 Feminist Communications and Effective Messaging

This chapter covers strategies of effective communication that has worked for organizations in the recent past. Please note that not all examples will be directly connected to fighting gender neutral policies, however, we have found that these strategies would still be useful for specialist women's support services (WSS) and women's NGOs to know in order to effectively fight gender neutral policies. The chapter starts off with several promising practices on effective communication followed by short explanations of the outcome as well as pointers on how to use those strategies for your own organisation. This section is then followed by examples of beneficial and detrimental alliances which aim to make a point of carefully choosing one's allies when cooperating on a topic you might think to be mutually beneficial. Lastly, the section on campaigning during a shadow pandemic covers the WAVE Step Up! Campaign's social media response to the COVID-19 pandemic.

8.2 Examples of Effective Communication Fighting Gender Neutrality

In the chapter on historical context and language framing of gender neutral policies, it was made clear what type of language is being used by far-right and "fathers' rights" activists regarding laws, such as the Istanbul Convention, which are aiming to end violence against women. This also illustrates how important language and wording is in fighting the defunding of WSS with gender neutral policies.

In the United Kingdom, Imkaan aimed to move Black and minoritised women and girls from the margin to the centre by providing a deep understanding of the lived experiences of all women and girls subjected to VAWG by cooperating with the VAWG sector on writing an alternative bill to the gender neutral Domestic Abuse Bill 2018. Meanwhile the promising practice example from Belgium illustrates the true importance of the name of a ministry and the positive outcomes that occurred when the gender neutral "Ministry for Equal Opportunities" was re-named to the "Ministry for Women's Rights". Lastly, Denmark is put into focus, where LOKK aims to increase their visibility specifically towards policymakers.

8.2.1 Promising Practice: United Kingdom

Transforming the Response to Domestic Abuse (referred to as the Domestic Abuse Bill 2018) introduced a new statutory definition of domestic abuse among other legal remedies and statutory guidance. The new definition did not cover all forms of violence against women and girls, was gender neutral and did not meet the protected characteristics of the Equality Act 2010. By adopting a narrow definition, Government also failed to address the structural nature of inequality that was inherent in institutions and public and private spaces. The use of the term 'domestic abuse' also meant that the UK Government definition was not aligned with international convention. For example, both the Istanbul Convention and the United Nations CEDAW Convention specifically refer to violence against women or violence against women and girls. The emphasis of the Bill was on the criminal justice system with little reference to the sustainability of women's frontline specialist support services and emergency provision for women and girls. The provisions in the Bill called for an extension of policing power without regard for potential breaches in civil rights and proposed that statutory agencies serve as single points for reporting. The subsequent impact of this would be the implementation of single referral points and consolidation of funding structures within local authorities, leaving specialist women's organisations excluded from local service provision. There was little reference to addressing multiple complex need without an overarching VAWG framework to identify, understand and respond to this need. The language of the Bill did not reflect gendered responses or interventions, and this paved the way for generic non-gender specific services to deliver the provision within the Bill. There was no significant attention regarding sexual harassment however the Bill suggested that existing legislation would be sufficient to protect women and girls. Government failed to recognise specific concerns regarding sexual harassment expressed by Black and minoritised women and girls about racialised forms of sexual harassment which left them specifically targeted and victimised. The narrow interpretation of this very complex issue meant that the approach to sexual harassment and VAWG remained ahistorical and non-political. In practice this meant that a permanent state of uncoordinated responses in policy, strategy, planning and funding would be retained at the expense of a comprehensive holistic approach to VAWG. The lack of a human rights-centred response, lack of provision regarding women with NRPF, or insecure immigration status of any type meant that women continued to face a hostile environment. The Government referred to future reforms to the immigration system making no new

provisions to support women with non-spousal visas with NRPF or any other form of insecure immigration status. The current DDVC was considered sufficient to address the needs of women. Support to migrant women was not mentioned even though women's organisations raised concerns about women not getting the support they needed and being left in destitution fearing detention and deportation. It was important for Imkaan to ensure that the voices and experiences of Black and minoritised women and girls were reflected in the response to the Bill however there were significant areas in the Bill that needed to be addressed and challenged. Imkaan decided that the best approach to addressing the wide range of issues was to produce an alternative bill highlighting the experience of VAWG for women and girls using services.

The alternative bill aimed to move Black and minoritised women and girls from margin to centre by providing a deep understanding of the lived experiences of all women and girls subjected to VAWG, calling for a transformation in response embedded in the equalities and human rights-based approach as consistent with international and regional convention and the laws of this country that are reinforced by Public Sector Equality Duty against discrimination of any kind. As such, the alternative bill addressed women's experiences across sectors and industries challenging government notion of vulnerability as defined in the social policy context as a circumstance based in individual status (whether defined socially, culturally, politically and/or economically). Imkaan posited that vulnerability was a wider category of oppression that affected all women across sectors and industries with the main circumstance being that women are subjected to inequality manifested in their unequal representation and participation and/or as a condition of the structures and institutions they come into contact with which are men-dominated. Imkaan proposed that an alternative bill was needed to ensure a gendered response to women subjected to VAWG because women are disproportionately affected by violence. These were key communication messages regarding the need for an alternative bill. It was important to use communication to create the counter-narrative. Imkaan was clear that the response framework must address inequality rooted in patriarchy applying a broad framework involving the structures, institutions and cultures of society. It was understood that the rights of all women to live their lives free from violence and harm must be protected so that they can achieve their life chances and live in full enjoyment. In doing this work, Imkaan recognized that women represented many diverse experiences and by locating policy in such experiences, the aim was to address the nature of structural inequality and patriarchy and the power and control dynamics embedded in such systems, promoting the lens of intersectionality which enabled a deeper understanding of the lived experiences of all women vis-à-vis the oppressions they face and how they addressed such struggles. It was therefore critical to identify these experiences and groups of women in the context and content of the alternative bill. It was recognised that VAWG affected women disproportionately, in the public and private spaces they inhabited, in the livelihoods and opportunities they pursued, and in many other ways. This meant that women were affected by VAWG in business, media, entertainment, sports, technology, science, academia and in many other sectors and industries as well as in the private home. The alternative bill aimed to address inequality experienced by women, which is a manifestation of power and control and the state of patriarchy. In this way, the alternative bill addressed all forms of VAWG to which women are subjected across sectors and industries due to the condition of their inequality. It is the power and control dynamic that helped us to understand how women across sectors and industries were affected. As part of the key messaging and communication strategy, the alternative bill required us to locate vulnerability in power and control structures and as a condition that is produced by these structures and imposed on women through inequality. This represented a change in the view on vulnerability that is, it is not just a woman's individual circumstances that made her vulnerable but rather, the condition imposed to her status as a woman by the structures of society where power and control dynamics were located. Vulnerability, in the context of the alternative bill, was viewed as a condition of patriarchy. Imkaan proposed the alternative bill because they needed to transform the response to VAWG addressing the structures, the state of control and surveillance, the institutions and cultures where inequality and oppression is perpetuated.

■ Outcome:

The alternative bill was mostly ignored in the amendments and second readings have just finished in spring 2020. However, IMKAAN still feels that benefits can be found from their experience, providing the following points:

- It showed that they do not have to accept gender neutral policies and that they can speak as a sector ensuring VAWG discussion is held.
- There is now increased mobilisation regarding migrant women and NRPF.

- Requests regarding funding to the sector has created different approaches. For example, considering a sector-wide ask for permanent funding in the comprehensive spending review.
- Across government departments and local authorities there has been increased discussion on the issues raised.
- They feel that if there had been a non-conservative government not so much focused on Brexit, things could have been different.

■ **What strategies can be used from this example:**

- Proposing a solution or an alternative to the current situation. The Alternative Bill illustrated thoroughly why power and control structures resulted in women's vulnerability, something that was entirely missing from the Domestic Abuse Bill 2018. By using this strategy, Imkaan has illustrated the need for gendered policy.

8.2.2 Promising Practice: Belgium

At the general elections in 2014, a coalition of feminist NGOs led by Vie Féminine lobbied political parties to commit to renaming the "Ministry for Equal Opportunities" into "Ministry for Women's Rights", should they be in charge of this competence. Only the government of Fédération Wallonie-Bruxelles, governing all language-related matters in French-speaking Belgium, put this demand into practice. The newly minted Minister for women's rights, Isabelle Simonis, adopted a new way of doing equal opportunities that reflected the renaming. She launched a yearly participatory process, AlterEgales, that allowed women's and feminist NGOs to determine the policy priorities in women's rights (with related additional project grants) and to elaborate recommendations on certain policy areas that the Minister then transferred to her competent colleagues. At the subsequent 2019 elections, the government of the Region of Wallonia also adopted the new title, and together, they created an inter-ministerial conference (IMC) on women's rights that brings together the federal, regional and community governments of Belgium to coordinate their policies. The foremost priority of the women's rights ministers and of the IMC is to combat violence against women, in relation to the first GREVIO report expected for September 2020. In this light, the title of the IMC is particularly important, as it allows the more progressive governments to keep the discussions on topic, against a more gender neutral tendency observed in Flanders and at the federal level.

■ **Outcome:**

The renaming and therefore re-framing of what the ministry represents. In this case, the name of "Ministry for Equal Opportunities" was quite general and gender neutral. In no way could someone know that this ministry would oversee the support of the Fédération Wallonie-Bruxelles move towards equal rights for women. With the adoption of the new name, the new Minister of Women dedicated herself fully to the role and invited feminist NGOs to voice their opinions regarding policy. At the following election, the government of the Region of Wallonie followed suit by also changing the name of their ministry, leading to the domino-effect of positive outcomes for survivors of violence against women.

■ **What strategies can be used from this example:**

- Begin (intensifying) lobbying before an important political event such as an election, targeting all parties running during this election.
- Cooperate with other women's NGOs, form a coalition specifically for the cause. Agree on a specific common goal such as renaming a ministry or ratifying the Istanbul Convention.
- Do not lose steam once you have achieved your goal! Continue to keep contacts with both women's organisations and policymakers, updating them on events and positive news from your organisation. Find a new achievement to work towards, such as lobbying for regional policy coordination or more intense involvement of women's organisations in policymaking.

8.2.3 Promising Practice: Denmark

LOKK has put great importance on being in contact with the Danish government regularly and continuously. LOKK hopes that policymakers will then begin inviting them to provide their special knowledge in the field of WSS. The organisation contacts ministers and rapporteurs working in the field of VAW to visit shelters and to also make them aware of new initiatives. The organisation is currently re-working their strategy in order to emphasise visibility which they have recognized as “a breeding ground for funding.”

■ Outcome:

Increased visibility will lead to policymakers recognizing that LOKK is indeed an expert in the field of violence against women. The increasing visibility is also hoped to open up funds for LOKK as policymakers will know about the existence and expert capabilities of the organisation.

■ What strategies can be used from this example:

- Contact policymakers and government officials regularly, updating them on your organisation’s successful initiatives (i.e. send an annual report and other promotional materials, invite them to speak at your events, invite them to your office space or shelter.) If contacting policymakers is proving difficult, make an overview of politicians who are positively inclined towards women’s rights and WSS. Begin by contacting them.
- Increase visibility in media (social and/or classical) as much as is feasible. Make sure your website and social media pages are updated as these are the first places that people go to learn more about your organization.

8.3 Beneficial and Detrimental Alliances

“The enemy of my enemy is my friend.”

– An ancient proverb first seen in Sanskrit treatise on statecraft, the Arthashastra.

Alliances between feminist organisations and unusual allies can often be beneficial to both parties. However, a common goal (or enemy) does not necessarily promise that the outcome can lead to a greater good for women’s rights. Those alliances that bring together feminist organizations with organizations that do not have the benefit of human rights, specifically women’s rights, in mind, can be called unholy alliances and can often lead to detrimental results.

8.3.1 Detrimental Alliance Example: Germany

An example of such an unholy alliance is ironically enough the co-operation of conservative Catholic women with radical West German feminists in the 1980s against pre-implantation genetic diagnosis and reproductive and genetic technologies. The former president of the largest Catholic women’s organization in West Germany reacted to an American surrogacy broker setting up shop in Frankfurt by contacting secular feminists of the Green Party, leading to an unexpected collaboration which surprised many considering that the Central Committee of German Catholics had recently banned the Green Party from participating at a Catholic Congress for their stance on abortion. While the Catholic women’s stance against reproductive and genetic technologies was based on their belief that life begins at conception, the Green Party feminists emphasised the “techno-patriarchal” exploitation of women and feared that the technologies’ increased use would lead to women’s roles being equal to motherhood and nothing else. Together the Catholic women and Green party feminists began a coordinated effort comparing pre-implantation genetic diagnosis to Nazi biological racial hygiene programs with which they managed to shift the argument from a risk-benefits-analysis to deontological stance.³¹⁰ They succeeded in that Bavaria introduced the Reproductive Medicine Bill in the Bundesrat, transferring regulatory

³¹⁰ Deontology is defined as an ethical theory that the morality of an action should be based on whether that action itself is right or wrong under a series of rules, rather than based on the consequences of the action. Deontology. (n.d.). In YourDictionary. Retrieved from <https://www.yourdictionary.com/Deontology>

authority from the medical community to the states as well as banning embryological research. This led to the Assembly of German Doctors, the Max Planck Institute and the German Research Society calling for a moratorium on embryological research in opposition to their previous positions. In 1990, the Bundestag passed a bill banning embryological research.³¹¹

■ Outcome:

To this day, surplus embryos created by IVF procedures done in Germany cannot be used for research purposes. However, the legacy of the alliance between the Catholic women and Green Party feminist continues and has affected abortion legislation in Germany negatively. In 2009 Catholics once again drew the comparison between reproductive medicine and Nazi eugenics during the abortion debate. In this way, they managed to find support from Social Democrats and Greens for a mandatory three-day waiting period for later-term abortions, where a disability had been diagnosed in the foetus. Making access to such abortions harder than it already is in Germany, where there is an actual law, put in place during the reign of the Nazis, which bans “advertisement” of abortion. In fact, abortion is technically illegal in Germany though it goes unpunished.

Alliances such as the one mentioned above can occur when organizations on the opposite ends of the value spectrum may have the same goal for very different reasons. With a common goal, this type of alliance may be tempting. However, as illustrated above, such unholy alliances can often turn around to become detrimental for women’s human rights. When choosing to forge alliances, women’s organizations must make sure that the complementary organization has a similar stance regarding women’s human rights. In situations such as with the Catholic women’s organization of West Germany, more caution and thought should have been put in when observing in hindsight.

However, unusual alliances do not always have to be unholy alliances. Alliances between organizations or groups that may not seem similar at all can in the end be beneficial to women’s rights. This can be seen in Scotland, which has one of the youngest and most progressive parliaments in Europe, having only been established in 1999.

8.3.2 Beneficial Alliance Example: Scotland

The existence of the Scottish parliament and the reason for its progressiveness directly correlates with the active part that the Scottish women’s rights movement played.

In 1987, the constitutional debate in Scotland had gathered unstoppable momentum with Thatcher’s Conservative Party enjoying three consecutive election victories in the United Kingdom, with not much support from Scottish voters of whom barely 24% voted for the party. A campaign for Scottish Assembly began forming, which would eventually end up in the establishment of the Scottish Constitutional Convention in the summer of 1987. The women’s movement also made sure to be represented in the Constitutional Convention by sending a delegate representing the Scottish Convention of Women, Yvonne Strachan. The Scottish women’s movement was able to inform the constitutional debate in the first half of the 1990s and was further supported by worldwide campaigns and women’s rights conferences, specifically the United Nations Fourth World Conference on Women, held in Beijing in 1995. Thanks to the participation of the women’s movement, “the public debate had an impact on the gender composition of the first Parliament as well as on some of its rules and practices, such as the working hours of the Parliament, or the creation of an Equal Opportunities Committee, which were taken up by the Constitutional Steering Group.”³¹² By the time the Scottish parliament was beginning to set up, with the success of the 1997 devolution referendum and the succeeding Scotland Act of 1998, women’s rights groups were accepted as their own independent actors in the constitutional debate so that the Labour Party, in power in Scotland at the time, set up what would be known as the Women in Scotland Consultative Forum (WSCF), which was seen as a mechanism provided to women’s groups to “suggest priorities that might inform government policy.”³¹³

311 Tichenor, Kimba. (2013). “The Unholy Alliance”: Radical Feminists, Catholic Women and Reproductive Technologies Before and After the Wende.

312 Thiec, A. (2010). Women and Politics in post devolution Scotland. *Caliban*, (27), 177-190. doi:10.4000/caliban.2119

313 Ibid.

The WSCF was launched before the Scottish Parliament was set up in order to facilitate consultation between the devolved administration and women's groups also beyond 1999, when the Parliament was established. The first Scottish parliament celebrated 37.2% quota of female MSPs. These MSPs had diverse backgrounds in community organization, working in housing organizations and assisting the unemployed as well as women victims of violence. This no doubt led to the first Bill initiated by a committee of Scottish Parliament, the Justice and Home Affairs Committee, being the Protection from Abuse Bill which aimed to provide greater protection from abuse to women. Labour MSP, Maureen Macmillan was appointed to report for this committee, who also happened to have a twenty year record of activism with Scottish Women's Aid of the Highlands and Islands region. In this way, women's rights groups had a direct thread to committees and the creation of bills and acts which would affect women, such as the Breastfeeding (Scotland) Act 2005, or the Mortgage Rights (Scotland) Act 2001. Moreover since 1999, both the Scottish Executive and the Scottish Parliament have committed themselves to mainstreaming equality, defined by the Scottish Executive as "the systematic integration of an equality perspective into the everyday work of government, involving policy makers across all government departments, as well as equality specialists and external partners."³¹⁴

It is important to note that the female MSPs were not necessarily welcomed with open arms by their male colleagues and media. In fact, they were attacked with sexist statements which criticized their appearance and even their "daring" to choose to not stay overtime in their offices. However, the MSPs stated that this actually led to solidarity, even across party lines, amongst each other since they were all experiencing the same types of abuse.

Additionally, in the early 1990s, an alliance was formed between women's activists and local government which would eventually lead to the awareness-raising campaign on violence against women, the Zero Tolerance campaign, which aimed to change social attitudes towards domestic violence in response to two survey which showed that acceptance of domestic violence was higher among teenagers. By March 1998, the campaign had been taken up by 11 other local councils in Scotland, in addition to the Edinburgh District Council.

■ Outcome:

The continued engagement of women's rights activists in the constitutional and devolution debate in Scotland has led to a sustained dialogue between women's rights groups and the parliament leading to progressive legislature being passed. Women's rights activists were acknowledged by the then-ruling Labour Party for presenting legitimate issue and therefore the proceeding collaboration led to a more permanent addition of feminist goals to Scottish bills and acts in general.

■ What strategies can be used from this example:

- Ask for support from outside. Find support from other campaigns, international or regional organizations that are relevant to your cause.
- When engaging with new allies, ensure that communication is steady and that your message is heard.

314 Thiec, A. (2010). Women and Politics in post devolution Scotland. *Caliban*, (27), 177-190. doi:10.4000/caliban.2119

8.4 Communication & Campaigning in Times of a Shadow Pandemic

"We see a shadow pandemic growing, of violence against women...Even before COVID-19 existed, domestic violence was already one of the greatest human rights violations. In the previous 12 months, 243 million women and girls (aged 15–49) across the world have been subjected to sexual or physical violence by an intimate partner."

– Phumzile Mlambo-Ngcuka, Executive Director of UN Women³¹⁵

The fact that a virus has turned our world upside down may not come as a surprise to campaigners and activists who have been fighting violence against women for years. The pandemic of violence against women, with the virus being called "patriarchy", has been fought against for seemingly innumerable years. Violence against women is a world-wide emergency, and that has become even clearer during the COVID-19 pandemic. The first reports of a rise of VAWG came from the first country affected by the virus, China, and as the virus proceeded to move across the globe, forcing women and their children to share their space for large amounts of time with their perpetrators with absolutely no chance of escape, the true expanse of the "shadow pandemic" was shown.

More than ever, women were in acute danger as they had even less chances to leave or to contact a helpline or shelter, especially when the perpetrator was in the same living quarters. In immediate response to the lockdown in Europe, the WAVE Step Up! campaign launched COVID-19-specific campaigning materials which were made available for free use to all WAVE Members and any activist with online access.



In response to this acute crisis, the WAVE Step! Up Campaign created three templates in order to ease distribution of important information about emergency women's helplines and other services on women's organisation's social media. The templates are easily downloadable from WAVE's website with instructions on what relevant information to write into the templates' blank spaces (e.g. how to contact the women's organisation remotely, helpline numbers, additional services for women experiencing violence due to COVID-19, information on how to behave and what to do in case a woman is in a dangerous situation at home). Those using the template were encouraged to post the completed image on their social media where they would tag the Step Up! Campaign and WAVE Network. In this way, both official WAVE social media accounts would be notified of the post and would be able to share the picture with an even wider audience in the WAVE Network.

The impromptu online campaign to raise awareness on the increased risk of intimate partner violence (IPV) in the current COVID-19 situation started mid-March and increased visibility of the network, its members, the importance of service provision and the prevalent issue of violence against women. In the first three weeks of the campaign, the Step Up! Campaign Facebook page gained 288% more followers and 292% more likes than in the previous month. The COVID-19-specific dissemination social media campaign is the most successful online campaign by WAVE to date.

³¹⁵ Violence against women and girls: the shadow pandemic. (2020, April 6). Retrieved May 18, 2020, from <https://www.unwomen.org/en/news/stories/2020/4/statement-ed-phumzile-violence-against-women-during-pandemic>

9 Self-care – How to Organise to Avoid Reproducing the Problem We Are Fighting Against

The World Health Organization defines health as a state of complete physical, mental, and social well-being and not merely the absence of disease and infirmity³¹⁶.

The right to the highest standard of physical and mental health also applies to women. However, gender-specific risk factors³¹⁷ such as gender-based roles, socioeconomic disadvantage, subordinate social status, care work and negative life experiences, including gender-based violence, have a detrimental impact on women's health.

This section deals with the importance of self-care for those engaged in combating gender-based violence. As feminist activists we find ourselves having to deal with oppressive institutions that exert their power by allocating only minimum financial resources to anti-violence centers, shelters and other organisations with a feminist approach to be able to fully welcome and support the needs and requests of women and their children. All this adds to the so called "minority stress" resulting from the difficulty of thriving in a context of generalized anti-feminism, with negative consequences in private life, in which we have to face criticism and contrast to our choice to be feminist, up to real physical aggressions as defenders of human rights. For these reasons it becomes necessary starting from the deep and real meaning of health, to put in place every possible action to prevent and treat vicarious trauma, giving priority to the self-care experience.

We rarely find the necessary resources to ensure healthy, safe and flexible work environments, with adequate attention to our well-being, because we consider it as something non-priority, as if it is a luxury.

This creates a fundamental contradiction: while we support women on a path of healing and self-determination towards individual and collective freedom, we are ourselves locked in precarious living situations, facing institutional violence that exposes us to unpaid or underpaid work. The oppressive patriarchal norms ascribe the work of care and support to women. As care work is supposed to be women's natural talent and responsibility, we cannot expect any acknowledgment for it. In these conditions, we are forced to choose between activism and personal life and to put our own mental and physical health last. In order to combat violence against women, we are forced to harm and overexert ourselves, to exert violence against ourselves and our colleagues.

Consequently, tensions arise, fostering conflicts and exclusion mechanisms within the movement and feminist organisations, penalizing the relationship between women and their choices. How is this possible? How can we create healthy work environments, spaces for reflection, for self-care, for the team and for action as well as political activism that do not expose us to the same violence and power relations that we try to fight every day? How can we thrive and grow as people and as a movement?

9.1 Consequences of Underestimation

Many WSS had to close due to lack of funds, while others live in fear of having to close. This uncertainty generates unstable and precarious employment, unmanageable workloads and concerns of not being able to support other women. The lack of resources signals that supporting women against violence is an economically under-recognized job, also because it is perceived as typical women's care work and therefore unremarkable, neglecting that these are actually highly-skilled professionals and activists. This affects everyone in those organisations.

Due to the insufficient resources available, organisations have to make decisions that weigh on the workers. In order to be able to support and empower women and children, they are expected to give up their own self-determination based on economic security, psycho-physical well-being and freedom of choice. Therefore, we find ourselves in a state of profound inconsistency between the practice of supporting and empowering women and our own lives. This contrasts with the feminist principle of the personal being political. As this is a structural problem, the only sustainable solution is collective action.

316 WHO: Constitution <https://www.who.int/about/who-we-are/constitution>

317 WHO: Gender disparities in mental health, https://www.who.int/mental_health/prevention/genderwomen/en/

As anti-violence workers, we remain alone with our frustrations, facing our oppressors (governments, institutions) alone and trying to solve our problems privately. The culture of unpaid work, that is necessary for activists and feminists, creates organisational dynamics of guilt and blame among workers.

There are many similarities between these dynamics and gender-based violence, and we need to fight this oppression and reject the perpetuation of a culture that does not want us to be independent, free and empowered.

It is necessary that we spend all our efforts to ensure that the practice of radical self-care enters our lives by making the private public. Only in this way will we be able to fight oppression and eradicate it when it creeps between us.

Anti-violence workers have the ability to offer empathy and resources to the women and children who seek support in the WSS, and they have to manage the feelings that are poured into their work in a responsible, constructive way. Preserving the physical and mental health of all anti-violence workers is the first and fundamental responsibility that we must assume as a movement, if we are to effectively combat VAWG. The damage against one member of the staff inevitably spills out to the rest of the team, generating frustration, conflict, suspicion, violence, marginalization, to the point of extending it to all levels of an organization. This has serious consequences for the organization and the individuals and communities it serves, produces exclusion, health problems, destructive dynamics and overwork.

The staff needs to deal with all this in everyday life to build an efficient self-care practice together, and not when conflict, oppression and bullying dynamics have already emerged.

As a result, staff may experience burn-out; signs might include headaches, fatigue, lowered immune function, irritability, and loss of interest in the work.

9.1.1 Burnout

Maslach (1993) described it as a process rather than a condition that progresses through

1. **Emotional exhaustion**
2. **Depersonalization** (negative attitude towards customers, loss of ideals)
3. **Reduced personal accomplishment** and commitment to the profession.

The lack of support for staff, low and uncertain salaries, the difficulty in finding funds to support the activities, lack of clarity with respect to the prospects, lack of involvement in decision-making processes cause the highest levels of burnout.

9.1.2 Vicarious Trauma

The ABCs of Addressing Vicarious Trauma³¹⁸

Awareness

Being attuned to one's needs, limits, emotions and resources. Heed all levels of awareness and sources of information, cognitive, intuitive and somatic. Practice mindfulness and acceptance.

Balance

Maintaining balance among activities, especially work, play and rest. Inner balance allows attention to all aspects of oneself.

Connection

Connections to oneself, to others and to something larger. Communication is part of connection and breaks the silence of unacknowledged pain. These connections offset isolation and increase validation and hope.

318 Guidebook on Vicarious Trauma, 2001: Recommended Solutions for Anti-Violence Workers by Jan I. Richardson of the Centre for Research on Violence Against Women and Children in London, Ontario for the Family Violence Prevention Unit, Health Canada. https://ovc.ojp.gov/sites/g/files/xyckuh226/files/media/document/os_vicarious_trauma_guidebook-508.pdf

In the specific context of VAWG, vicarious trauma is an additional challenge for WSS. The continuous exposure of workers and activists to narratives of violence and the necessity to remain emotionally engaged with the survivors to offer empathy and support result in indirect trauma which can cause a profound individual change, up to influencing the relationship with the world, family and friends. Vicarious trauma is the experience that most closely concerns anti-violence workers, i.e. all those who are engaged in combating gender-based violence at all levels (administration, boards, operators, volunteers, lawyers).



Also called secondary traumatic stress, secondary victimization or compassion fatigue, it is a form of Post-Traumatic Stress Disorder. It is the emotional residue of exposure that VAWG workers/counsellors have from hearing their clients' trauma stories and becoming witness to the pain, fear and terror trauma survivors endured.

9.2 Self-care Is an Effective Way to Support Every Woman

Anti-violence workers need to be supported through the organisations of self-care. While institutions continue to ignore the need to support WSS activities with adequate resources, we still need to put our energies into action to meet the needs of creating private and public spaces of well-being for every woman.

Each staff member is differently susceptible and reacts differently to external stimuli, to the different stories of intercepted violence, to the stress caused by the work situation, therefore it is important to organise the self-care practice in a dynamic way.

It is necessary to give space to emotions without prejudice, without stereotyped visions: women have historically been forced to contain emotions and feelings such as anger; indeed, when expressed, it is very often interpreted or manipulated as aggression or violence. One of the stereotyped visions that has been mostly forfeited by the misogynist culture is that where men are "assertive" women are "aggressive"; for this reason, we must pay close attention not to let this reading join our groups.



https://www.reddit.com/r/Feminism/comments/bl1i16/according_to_misogynistic_societal_norms_women

9.3 Organize Self-care

It is important to have an individual self-care plan: as feminists, we cannot say that well-being comes first for some women and later for others. We need to discover and practice activities for nourish ourselves, and check feelings, obstacles, suggestion to share with others. If we cannot self-regulate, we can be prone to overwork, overplay, burnout and unhealthy living. Self-care is the best form of resistance!

For this reason, all staff and management need to be aware that it is fundamental to organise training and interact in a participatory way with all members, without prejudices and judgment. Self-care, support and supervision ensure high quality services and career longevity:

- Create spaces for healing;
- Hold spaces for staff who are dealing with their own problems;
- Organise work in a flexible way;
- Dedicate areas for relaxing;
- Implement a shared leadership model;
- Take the time to check in with one another in staff meeting;
- Be creative about ways for funding self-care, as one of the most important parts of the budget;
- Write the costs of implementing a collective care culture into the organisational budget, and verify it.

There are simple rules to apply self-care in workplace:

- Take a break during the workday;
- Take time to share;
- Make quiet time to complete tasks;
- Identify projects or tasks that are exciting and rewarding;
- Set limits with clients and colleagues;
- Manage the daily workload so that it is not too much;
- Arrange a comfortable workspace;
- Get regular supervision or consultation;
- Negotiate for needs (benefits, pay raise);
- Have a peer supporting group;
- Develop a non-trauma area of professional interest.

It is important to have an individual self-care plan: as feminists, we cannot say that well-being comes first for some women and later for others. We need to discover and practice activities for nourish ourselves, and check feelings, obstacles, suggestion to share with others.

Where funding is insufficient, planning adequate self-care interventions, dedicating fundraising projects to allocate specific resources, could be helpful.

Before that, we have a large network available that allows us to compare and discuss good and promising self-care practices, makes us able to discuss how they are included in the budgets of organizations and to tell them what the results are.

9.4 Feminist Communication and Silencing

"...it is tempting to silence criticism and turn to whistling in the dark, in the hope that no one will notice that something has gone wrong." – Barbara Epstein³¹⁹

Silencing of criticism of varying views can be found in every movement, including the feminist movement. It may seem like an easy solution to silence those with opposing views, something we are seeing, for example, regarding online and offline discourse on transwomen, where those attempting to critically discuss gender identity are even threatened with violence in some cases.³²⁰ However, simply pushing controversial issues underneath the rug will benefit nobody in the end and will most likely lead to further fragmentation within the group, or even movement. Can we not see that when we are silencing each other we are simply recreating the patterns of abuse that patriarchy has been subjecting us to for so long? The women's movement is capable of healthy, meaningful and productive discourse which is illustrated by the many successes that we activists have achieved over the years.

319 Goodwin, J. (2015). The social movements reader: cases and concepts (3rd ed.). Retrieved from [https://books.google.at/books?id=HjbcBAAQ-BAJ&pg=PA348&lpg=PA348&dq=avoiding silencing in feminist movement&source=bl&ots=tHU6DhJRRg&sig=ACfU3U2daE-1lax1-mEhZLr-j_M_GC5AYSg&hl=de&sa=X&ved=2ahUKewjzma mq0rXpAhUWUxUIHf_RAnQQ6AEwBXoECAsQAQ#v=onepage&q=avoiding silencing in feminist movement&f=false](https://books.google.at/books?id=HjbcBAAQ-BAJ&pg=PA348&lpg=PA348&dq=avoiding+silencing+in+feminist+movement&source=bl&ots=tHU6DhJRRg&sig=ACfU3U2daE-1lax1-mEhZLr-j_M_GC5AYSg&hl=de&sa=X&ved=2ahUKewjzma mq0rXpAhUWUxUIHf_RAnQQ6AEwBXoECAsQAQ#v=onepage&q=avoiding+silencing+in+feminist+movement&f=false)

320 Hamm, A. E. (2020, February 5). Women's Liberation Front holds sold-out event at Seattle Public Library despite bomb threat, interruptions, arrests. Retrieved May 18, 2020, from <https://www.feministcurrent.com/2020/02/03/womens-liberation-front-holds-sold-out-event-at-seattle-public-library-despite-bomb-threat-interruptions-arrests/>

Naturally, the feminist activists of the new millennium are not the first to come upon the theme of silencing. As all women are raised in a patriarchal society, we can expect to find that silencing can be internalized in all of us.

Kit Evans, then executive director of the National Coalition Against Domestic Violence (NCADV), also known as AWAKE, already suggested in 1980 that the following basic principles for ethical communication at any level³²¹ be used:

1. Personal agendas are valid. Secret agendas are anti-group and invalid. Dishonesty/secretcy of purpose creates dishonest/unethical communication.
2. Invalidating another woman is an unethical means of advocating a point of view.
3. Seeking power over group direction by blocking the voices of other women is non-consensual in intent/outcome.
4. It is the group's responsibility to make sure that no woman is alone, though she may hold a singular viewpoint.
5. Empowerment of each member is the responsibility of each other member.
6. Persons have a right to information that affects them.
7. Each member has an obligation to get/be/stay clear with each other member; each woman owes it to each other woman to do that clearing with her, not by speaking it out with others.
8. The purpose of each individual's communication within a group is to work towards agreement, not to shape decisions in her own image.
9. There are times when it is valid for members to agree that what is said in the room stays in the room. It is far for the group and its members to demand that some things be spoken about only as a group, in the group.
10. Women know/notice when there is conflict, pain or mistrust between/among members. There is a patriarchal process that ignores feelings in doing business. It is women pioneering to seek a way that acknowledges and validates as a part of our work.
11. Every personal relationship between members of a group affects the group and therefore may be personal but not always private.
12. THE MEANS IS THE END.

Evan's suggestions may seem basic but are worth re-visiting time and time again as specifically the topic of violence against women affects most activists deeply, with a large percentage of women being victims of violence themselves. As discussions become heated quickly, Evan's 12-points should be referred to, especially the 4th point being that "it is the responsibility of the group to make sure that no woman is alone, though she may hold a singular viewpoint."

Effective and open communication can lead to revolutions which can be illustrated by the Netflix documentary Crip Camp.³²² The movie begins in the 1960s in a place called Camp Jened, which was essentially a summer camp for disabled people, run by hippies in the Catskill Mountains of the United States. The camp was radical in that teens with disabilities were able to experience open communication for the first time, instead of their opinions being ignored, or their simply being treated the same as children who could not care for themselves and therefore do not deserve to be heard. At Camp Jened they were finally given the space to speak, no matter if they had a speech impediment due to cerebral palsy. This very camp is credited with sparking the radical disability rights movement in the United States. The teens who attended this camp were for the first time shown what life could be like if they were seen as respected and whole people; those teens ended up turning into activists and community organizers whose crusading would end up leading to the 1990 passage of the Americans with Disabilities Act, "one of America's most comprehensive pieces of

321 Evans, K. (1980). A Feminist Perspective on the Ethics of Communication. Explored in the Context of an Ongoing Group of Women with Decision making Responsibility. PDF.

322 (2020, March 25). Retrieved April 18, 2020, from <https://www.netflix.com/at/title/81001496?source=35>

civil rights legislation that prohibits discrimination and guarantees that people with disabilities have the same opportunities as everyone else to participate in the mainstream of American life.”³²³

Giving someone a space to speak and letting them use their voice, even when it can potentially make one uncomfortable. Some of the voices we should especially be listening to are those of the youth, our upcoming generation of activists as well as women who experience intersectional discrimination.

9.5 Support for Women’s NGOs and WSS is not Just a Formality

In WSS based on feminist approaches and managed by feminist organisations, women are placed at the center of the support process, which takes into account their strengths and needs. The purpose of the support is to strengthen their self-determination and autonomy.

WSS have the expertise to support women on their path, to work on the network with services that come into contact with them.

The intervention of WSS prevents the recurrence of violence against women and girls, and they play a big role in reducing the costs of violence. Women-only services are the most important resource in combating gender violence, because they ensure that women do not receive stereotyped, discriminatory assistance, as instead happens in services in which the othering is practiced.

Women’s NGOs play a central role in the elimination of violence against women and in the implementation of the Istanbul Convention, their existence is in danger due to low or non-existent funding.

In fact, most WSSs have to deal with a lack of resources and with a lack of recognition by institutions that do not apply the principle of non-discrimination in fund management. In many cases, funding does not allow to respect quality standards. The patriarchal culture that still characterizes many institutions opens the way to the current backlash against women’s rights. This culture is what makes the lack of resources for WSS a form of institutional violence: the resource allocation results from a conscious choice to oppress women. All this creates the mechanisms that we have to tackle, starting from ourselves.

The best partnerships between women’s NGOs and governments have emerged in contexts where the independence of the WSS is recognized as an added value. However, what we observe most often is the absence of collaborative networks. WSS and NGOs are not officially recognised as agents of change, and as a consequence, governments put their support last on the institutional agendas.

Discriminating against NGO’s and WSS results in losing their expertise, and weakening the fight against gender-based violence.

The UN Commission on the Status of Women calls for policy makers to support and protect those who are committed to eliminating violence against women, including women human right defenders, who face particular risk of violence³²⁴.

Istanbul Convention

- **Article 8:** Financial resources: Parties shall allocate appropriate financial and human resources for the adequate implementation of integrated policies, measures, and programmes to prevent and combat all forms of violence covered by the scope of this Convention, including those carried out by non-governmental organisations and civil society.
- **Article 9:** Non-governmental-organisations and civil of civil society: Parties shall recognize, encourage and support, at all levels, the work of relevant violence against women and establish effective co-operation with these organisations.

323 Introduction to the ADA. (n.d.). Retrieved May 18, 2020, from https://www.ada.gov/ada_intro.htm

324 UN CSW, 2013, Agreed conclusions on the elimination and prevention of all forms of violence against women and girls, [https://www.un.org/womenwatch/daw/csw/csw57/CSW57_Agreed_Conclusions_\(CSW_report_excerpt\).pdf](https://www.un.org/womenwatch/daw/csw/csw57/CSW57_Agreed_Conclusions_(CSW_report_excerpt).pdf)

9.6 Good Practices

9.6.1 Self-care at COHORT 4³²⁵ – United Kingdom

COHORT 4 is a peer support organisation for women based in North Warwickshire. It is a medium-sized organisation without a large organization's funding capacity. As a social enterprise, they generate a percentage of their own income by delivering and selling training, resources and associated items. The income is invested directly back into supporting women who survive abuse. This ensures that they are not wholly reliant on charitable funding (16% of their income last year was self-generated). They do not take funding from government or commissioners who stipulate what they should offer as this dilutes their purpose and role as a women's specialist service. They also do not take funding from criminal justice agencies where the coercive monitoring process would again pollute their values and goals in supporting women.

One of their fundamental principles is the rejection of low paid or unpaid voluntary work.

They champion the value and skills of their team. To that end, staff members receive a high hourly rate of pay and are provided with support supervision on a weekly basis to ensure that all staff feel supported, safe and valued.

Unpaid volunteer work is limited to women who are retired from work, have their own wealth and/or independent income and are not therefore exploited by them as an organisation. As an organisation, their main resource is to feel united as a team and their mission in supporting women survivors cannot be achieved if they do not keep themselves healthy and well as a team, predictably and particularly with regard to mental well-being and self-care.

Useful strategies of self-care for organisations:

- Small-Group Time: Weekly supervisory sessions with an operational mini support supervisory session;
- One-to-One support supervision with each team member to ensure that they are well, safe and feel able to support other women with multiple issues;
- Counselling;
- Complaints and whistle-blowing policy, vital to enable colleagues to report any Cohort 4 colleague, director or other, regarding behaviour that may be inappropriate and not conducive to a healthy organisation. They have four directors and one of these would conduct the enquiry about any bullying or discord;
- Away Day – glass fusion team session (a craft where glass pieces are fused together in a kiln).

For more information such as a glass fusion and contacts:

Beverley Gilbert

Senior Lecturer in Violence Prevention

Admissions Tutor MA Understanding Domestic & Sexual Violence

ORCID

325 <http://www.cohort4.org.uk/>

9.6.2 Self-care Targeting Staff of NGOs Working with GBV Survivors – Albania

The Albanian Women Empowerment Network (AWEN) is a network consisting of 10 member organisations, working all over Albania, where 2/3 of the Albanian population lives. Besides working to advance women's human rights, AWEN also focuses on supporting the organisational and professional growth of its member organisations, mainly with the support of the Swedish Government.

Aware of the burden carried by CSO staff working with GBV survivors, a two-day workshop was carefully programmed and implemented, combining two important components. The aim of the workshop was to address professional burn-out as a serious mental and physical health issue and to empower women front-line workers who assist and protect GBV survivors.

The workshop was conceptualized as a retreat, a total break from all professional and personal concerns of the participating staff. The venue was carefully selected to be in a very quiet and green area, in the mountains far from the city, taking care that the staff would be comfortable and relaxed for two days and two nights.

Two professionals, a psychotherapist and an international trainer in empowerment through self-defence, carried out the workshop, combining the agenda so that half of each day could focus on:

- assessing personal level of burn out;
- exploring common and individual factors of burn out;
- techniques, strategies and resources to address it;
- encourage sharing and support among professionals;
- practicing exercises and proposing rituals aiming at preventing and addressing burn out;
- increase group cohesion and group identification as a means to increase burn out resilience.

Approximately 2/3 of the participants showed moderate to high levels of risk for burn out. Main factors contributing to burn out as described by participants were mostly related to the intensive workload, disproportional ratio of intensive professional efforts to low responsiveness from beneficiaries, and unrealistic expectations.

The other half of each workshop day focused on self-defence, aiming to empower girls and women, and through them their families and communities but also the persons they assist in their daily work, in order to prevent situations of abuse, violence, bullying, crime and victimization, to break the myths surrounding violence against women, and to develop simple, easy-to-use self-defence techniques.

Central to this initiative was the concept and dynamics of “women-teaching-women”, whereby it is important for girls and women to be able to look to oneself for protection and to have other women as peer role models when it comes to this vital area of personal development and empowerment.

Rather than thinking “well, of course she can do it,” women and girls in this program experience the feeling that they can do what they see modelled by other women: “if she can do it, maybe I can too!” To reinforce this message, the instructor was a woman, hence embodying this concept throughout the process. The self-defence section was organised using the “Think-Yell-Run-Fight-Tell” approach of ESD Global for Self Defence.

The workshop was immensely appreciated by all the participants and there are plans to replicate this successful experience with the remaining staff of the organisations. Feedback showed that participants felt more capable (for self-defence) and more assertive, recharged, very energized, motivated and with more self-confidence, stronger - physically and emotionally - more motivated to respect themselves and their personal space, and motivated for their (personal and professional) objectives.

A recommendation would be that if budget is available, this workshop can be ideally programmed to last for at least 3 full days.

For more information, contact AWEN at info@awenetwork.org

10 Conclusions

We are publishing this handbook at a time when the world is social distancing, self-isolating and operating under restrictive measures designed for the public good to address the global health pandemic. During the global health pandemic, violence against women has increased both in severity and frequency as women are trapped in homes with limited (or restrictive) access to support services. The world in which we currently live is also one where existing inequalities – structural, institutional and social – have been exacerbated. COVID has highlighted how inequality impacts diverse groups of women and their access to rights, protections and resources. In this context, women across race, class and other interlocking oppressions and identities have faced increased violence in the home and even death. Women's organisations have faced the cumulative effect of need without adequate resources and have struggled to provide the full spectrum of services. Disproportionality is a critical term in addressing gender neutrality in the post COVID period because this is where Black and minoritised, migrant, asylum-seeking and refugee women and many other groups of women are subjected to marginalisation and are disenfranchised through social and economic policy. COVID has exposed the limitations and exclusions within social and economic structures and has brought to the surface, the falsehood of equal representation and protection within existing political systems.

It is clear from the analysis in this handbook that in addressing gender neutrality, the wider socio-economic context is important to consider. The analysis found that neoliberalism, as an economic system, creates an environment conducive to gender neutrality because inequality is embedded in systems of economic growth, resource concentration and accumulation, and distribution. Structural inequality that is exacerbated by neoliberalism through the policies and normative frameworks create social circumstances that reproduce inequality, disproportionality and under-representation of women across social, political and economic sectors.

This handbook highlighted the essential and critical framing of intersectionality to challenge gender neutrality. Intersectionality enables an analysis of interlocking oppression which considers gender, race, class and other oppressions impacting groups of women and their access to resources, rights and protections differently. Intersectionality in this context is not about the narrow and mainstreamed definitions, or another way to express multiple complex need. Intersectionality is framed politically and historically and because of this framing, the handbook recognises how diverse groups of women are differently impacted regarding their rights, resources and protections. Race and other interlocking oppression are therefore critical in the analysis addressing gender neutrality. We have come full circle in this handbook by contextualising sexism and misogyny as historically rooted oppression and an act of political discrimination. By using the term intersectionality, we are able to centre racial oppression and other interlocking oppression in the policy and practice of gender neutrality by using the term race erasure. The handbook is clear that gender neutrality from an intersectional lens is an act of state violence.

The handbook raises the question about the reimagined world and whether it is possible to transform the social and economic systems that are inherently oppressive for diverse groups of women. The handbook discloses the ways in which feminism and women's rights more broadly can be displaced and co-opted by right-wing nationalist and populist ideologies that promote a traditional patriarchal family values agenda which aims to maintain violence against women as a private matter. This ideology is at the heart of gender neutrality as a retrogressive policy and normative framework where violence against women is tolerated, normalised and accepted. One way in which this is done is through the introduction of gender neutral language which denies male violence against women and views both men and women being equally impacted. This rhetoric is promoted on the back of the conservative fathers' rights agenda which ignores fathers as perpetrators of violence against women. The handbook is clear in highlighting gender neutrality policies as victim-blaming, as abuse minimisation and the reinforcement of male privilege. In identifying right-wing ideology as the context for gender neutrality, the handbook recognises that gender neutrality can be racialised targeting specific groups of women by linking women's rights to retrogressive agendas specifically regarding the policing and surveillance of women. Reimagined feminism in this context must therefore centre itself on the lived experiences and struggles of ALL women and separate itself from policies reinforcing state violence in all its manifestations.

The analysis found that gender neutrality is an example of retrogression policy and law across the region which impacts diverse groups women in terms of their access to safe housing, health, employment, education and training and other rights and opportunities critical to women in rebuilding their lives. The handbook showed how defunding of the specialist women's sector across the region has resulted in curbing and reducing the rights and safe access for women to holistic services identifying how migrant women are impacted by pre-existing inequalities and subjected to policing and surveillance leading to unsafe reporting, detention and deportation. Rights, resources and protections are interconnected as reflected in the Istanbul Convention. Gender neutrality dismantles all three elements that are critical in ending violence against women.

The reader is invited to use the analysis and tools to work in solidarity across the region and sectors to address gender neutrality. The handbook offers a political economy approach to address gender neutrality identifying arguments that can be used in public policy making from health, social care and housing to public procurement which recognise the value of women's services as part of a vibrant economy of provision that must be protected through funding. Regarding funding, the handbook recognises the impact of neoliberal austerity cuts on women's services and that some groups of women, such as services for Black and minoritised women, have been disproportionately targeted by cuts. In this respect, the handbook warns against corporatist interests that re-shape the social economy away from social justice aims. Through these arguments, it is hoped the political arguments can be used to address gender neutrality. The reader is invited to use the legal and normative instruments and the Istanbul Convention to reinforce a rights-based system of protections and laws addressing violence against women and the backlash and hostile environment that pursues. The state has responsibility to address violence against women and this is embedded within the framework of the CEDAW Convention, the 2030 Agenda for Sustainable Development and the Sustainable Development Goals. Specific articles of the Istanbul Convention are highlighted addressing the human rights violations and forms of discrimination that are produced by gender neutrality. The reader is able to use these specific articles to challenge gender neutrality in political spaces in their respective countries.

The handbook ends with healing. The work to address gender neutrality causes harm that is referenced in the handbook as structural inequality, the backlash, the hostile environment, and discrimination and racism. Self-care is critical to the sustainability of this work and to building solidarity. The handbook offers self-care strategies so that we can care for each other and ourselves as we engage in the struggle ahead. On this point, the struggle for women's rights is about compassion and revolutionary love that is located in social justice. This is not to say that politicisation and critical consciousness are not central components but rather, this work is about our collective lived experiences recognising the diversity of these experiences and the different paths we travel. As individual women, achievement will always be limited. The struggle and care that is needed must be collective and in this time and age, we must centre the struggle on women who are structurally excluded and rely on the power of the counter-narrative to pave the way.

11 Glossary

Activism – the use of direct and noticeable action to achieve a result, usually a political or social one.

Advocacy – an activity by an individual or group that aims to influence decisions within political, economic, and social institutions. Advocacy includes activities and publications to influence public policy, laws and budgets by using facts, their relationships, the media, and messaging to educate government officials and the public. Advocacy can include many activities that a person or organization undertakes including media campaigns, public speaking, commissioning and publishing research. Lobbying (often by lobby groups) is a form of advocacy where a direct approach is made to legislators on a specific issue or specific piece of legislation.

Agender – different genders of people who commonly do not have a gender and/or have a gender that they describe as neutral.

Ahistorical – lacking historical perspective or context.

Alliances – a group of countries, political parties, or people who have agreed to work together because of shared interests or aims.

Ally – one that is associated with another as a helper. A person or group that provides assistance and support in an ongoing effort, activity, or struggle

Anti-feminism – opposition to some or all forms of feminism. In the present, some anti-feminists see their ideology as a response to one rooted in hostility towards men, holding feminism responsible for several social problems, including lower college entrance rates of young men and a decline in manliness. Antifeminists oppose women's entry into the public sphere, the re-organization of the private sphere, women's control of their bodies, and women's rights generally. See also father's rights.

Black and minoritised women (BME or BAME) – the term most commonly used by governments is BME (black minority ethnic) or BAME (Black Asian minority ethnic). The term black and minoritised replaces these terms because it recognises that the global majority is comprised of black and minoritised people who are subjected to minority status through migration. In the UK context for example, the term 'BME' and 'BAME' is imposed on Black and minoritised women to distinguish women as 'other', 'outsider' and migrant. It functions as a systemic barrier against rights, social protections and representations that perpetuate division among diverse groups of women to prevent collective solidarity action. The term Black means politically black. Politically Black recognise that oppression is historically rooted and a constant feature in the experiences of racism and discrimination. By

identifying and grounding the work in the historical roots of oppression, and by recognising that the experiences of oppression for diverse communities of women is interlocking, there is no hierarchy of oppression. Black and minoritised recognises the multiple counter-narratives that must be constructed and visibilised. The process of visibilisation contributes to transformative change under a social justice framework. For this reason, it is important to use the term Black and minoritised.

BSI or Brief Symptom Inventory is an instrument that evaluates psychological distress and psychiatric disorders in people.

By-and-For – can be used as by and for specialist ending VAWG organisations which distinguishes these organisations from generic organisations. By and for organisations have the following features: they are gendered, meaning that they deliver services to women and girls only in women and girls safe space; the by and for ethos is organic to these organisations meaning that they developed historically as VAWG organisations under diverse feminist perspectives addressing patriarchy, structural inequality, oppression, disadvantage, marginalisation and exclusion; they centre the voices and representations of women and girls in governance, service delivery and development; the by and for identity is embedded historically in the vision, policy and practice of these organisations and form the fundamental principles around which governance frameworks are developed; leadership and management of by and for organisations as well as staffing structures address structural inequality by ensuring that they reflect the women and girls who use services; and, a key feature of diverse feminism is addressing structural inequality and patriarchy (sexism and misogyny). Within by and for, there are also specific and nuanced specialism such as organisations working with Black and minoritised women and girls, disabled women and the many other categories of women that make up protective characteristics. These by and for organisations work under an intersectional framework where all forms of VAWG are recognised and oppression is viewed as interlocking. By and for is not an add-on or a label that can be used for convenience in funding. It does not describe generic organisations whose main function is activity that is not centred around VAWG.

CEDAW – the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) was adopted by the United Nations General Assembly in 1979. CEDAW provides the framework for the definition, protection and promotion of the rights of women and girls at the local, national and international level. It constitutes a framework for the elimination of all forms of discrimination against women and the promotion of equality in public and private life. CEDAW is the sole human rights treaty to

focus entirely and exclusively on women. Discrimination against women under the convention is defined as any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment, or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. CEDAW uses the term gender-based violence which is defined as unequal power relations, gender inequality, patriarchy and disproportionality where women and girls are mainly victims and survivors of violence and men are mainly perpetrators of violence against them.

Cisgender (cis) – denoting or relating to a person whose sense of personal identity and gender corresponds with their birth sex

Civil society – the “third sector” of society, distinct from government and business, and including the family and the private sphere. Civil society is used in the sense of 1) the aggregate of non-governmental organizations and institutions that manifest interests and will of citizens or 2) individuals and organizations in a society which are independent of the government.

Collaboration – a process where two or more people or organizations work together to realise shared goals.

Destitution Domestic Violence Concession (DDVC) – The DDVC can be applied for in the UK on a temporary visa as a partner, when your relationship has broken down because of domestic violence and one has no money to support oneself.

Devolution – the moving of power or responsibility from a main organization to a lower level, or from a central government to a local government.

Domestic violence – all acts of physical, sexual, psychological, or economic violence that occur within the family or domestic unit or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim.

Empowerment – in 1993, Caroline Moser discussed women's empowerment as redistribution of power. According to Rawland (1997), in order to understand the process of empowerment, there is a need to be aware that power can take many different forms (controlling power – power over; generative and productive power – power to; group power – power with; the spiritual strength in each one – power from within). Rawland argues that the empowerment must involve undoing negative social construction, so that people come to see themselves as having the capacity and the right to act and influence decisions. Empowerment has personal, rational and collective dimensions. Empowerment is not just a question of

rearrangement of economic and political power, it is also a matter of change of values.

Far-Right – politics of or relating to the extreme right wing. Far-right politics can lead to oppression, violence, forced assimilation, ethnic cleansing and even genocide against groups of people based on their supposed inferiority, or their perceived threat to the native ethnic group, nation, state, national religion, dominant culture, or ultra-conservative traditional social institutions.

Father's rights movement – This movement attempts to level a playing field they believe is skewed against some men by suggesting actual discrimination against all men. They believe that domestic violence is a shared problem between men and women, therefore not gender-based violence. The initial cause of the movement was for men to gain more rights in child custody, however, the movement also engages in discrediting and minimizing experiences of female victims of intimate partner violence and victim-blaming.

Femicide – the term femicide was used by Diana Russell at the International Tribunal on Crimes against Women held in Brussels in 1976 to raise questions about women's victimisation, over-representation in crime data, and victim-blaming making women culpable in their own deaths while excusing men's violent behaviour.³²⁶ Crimes against women were described as acts of violence targeting women for example, in 1989, when women were killed at a technical school in Montreal, Canada because they were enrolled in engineering courses. The term was used again and included other ways in which women were subjected to male violence including sexual violence.³²⁷ The term described various forms of violence against women including gender inequality. In 2004, Marcela Lagarde used the term to describe the mass killings of women in Juarez, Mexico in districts with heavy concentrations of maquila production (small-scale industry and manufacturing production) where women were tortured and mutilated travelling to and from work.³²⁸ Femicide was understood as misogyny or universal hate crime against women.³²⁹

Femicide occurs when the state, through inappropriate action or inaction, fails to introduce protective laws and policies to address the situation of femicide – the killing and oppression of women. Femicide is the result of structural inequality and systemic institutional behaviours or patriarchy which reinforce apathy through inactivity and by legitimising sexism, misogyny and the oppression and inequality of women. In short, it is when the state, through its behaviour, does little to address the situation of femicide and the conditions of unequal

326 Shulman, M. 2010. The Rise of Femicide.

327 Ibid.

328 Shalhoun-Kavorkian, N. 2003. Re-examining Femicide: breaking the silence and crossing the 'scientific' borders IN Signs. 28:2. 581-608

329 Ibid.

ity of women that create the overall condition of femicide. This situation is often described as state violence against women and linked to structural inequality.

Gender-based violence (GBV) – Gender-based violence against women shall mean violence that is directed against a woman because she is a woman or that affects women disproportionately.

Gender equality – the effective equality between men and women, that entails the concept that all human beings, both men and women, are free to develop their personal abilities and make choices without the limitations set by stereotypical views, rigid gender roles, and prejudices; the different behavior, aspirations, and needs of women and men are considered, valued, and favored equally; women and men have equal rights, responsibilities, and opportunities.

Gender equity – fairness of treatment for women and men, according to their respective needs. This may include equal treatment or treatment that is different but which is considered equivalent in terms of rights, benefits, obligations and opportunities.³³⁰

Gender neutral – Gender neutral practices are those set of policies and regulations governing funding and service provision required by the state and governments to provide services that have been funded through public money to both men and women. Gender neutral practices and policies hide or diminish the root causes of gender inequality and gender-based violence by placing women only services under threat. Gender neutral is a way of thinking that specifically targets women only organisations to provide access to services to both men and women without consideration of historically unequal power relations between men and women. Gender neutral threatens to dismantle the ethos of women only organisations that challenge patriarchy as a root cause of women's inequality and violence against women. Gender neutral denies women access to safe women only space.

Gender-specific approach - Article 18 §3 of the Istanbul Convention recognises violence against women as gender-based violence. As such, all measures to eliminate violence against women must be implemented using a gendered understanding of the violence experienced by women, its specific dynamics and consequences, and should focus on victims' empowerment.

Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) – GREVIO is the independent expert body responsible for monitoring the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) by the Parties. GREVIO will draw up and publish reports evaluating

legislative and other measures taken by the Parties to give effects to the provisions of the Convention. In cases where action is required to prevent a serious, massive or persistent pattern of any acts of violence covered by the Convention, GREVIO may initiate a special inquiry procedure. GREVIO may also adopt, where appropriate, general recommendations on themes and concepts of the Convention.³³¹

Intervision – a method of analysing work-related problems within staff in women's support services when possible solutions or alternative problem-solving skills in women affected by violence in behaviour need to be analysed. It is best utilised in issues arising out of specific case work, but less suited to impact on longer-term support processes.

Istanbul Convention (The Council of Europe Convention on preventing and combating violence against women and domestic violence) – a human rights treaty of the Council of Europe against violence against women and domestic violence which was opened for signature on 11 May 2011, in Istanbul, Turkey. The convention aims at prevention of all violence against women and girls, victim protection and "to end with the impunity of perpetrators". It is the world's first binding instrument to prevent and tackle violence against women, from marital rape to female genital mutilation.

NGO – abbreviation for non-governmental organization: an organization that tries to achieve social or political aims but is not controlled by a government.

No Recourse to Public Funds (NRPF) – Section 115 of the Immigration and Asylum Act 1999 (UK) states that a person will have 'no recourse to public funds' if they are 'subject to immigration control'. This means they have no entitlement to the majority of welfare benefits, including income support, housing benefit and a range of allowances and tax credits.

Patriarchy – a social system in which men hold primary power and predominate in roles of political leadership, moral authority, social privilege and control of property. Patriarchy is associated with a set of ideas, a patriarchal ideology that acts to explain and justify this dominance and attributes it to inherent natural differences between men and women. Sociologists tend to see patriarchy as a social product and not as an outcome of innate differences between the sexes and they focus attention on the way that gender roles in a society affect power differentials between men and women.

³³⁰ International Labour Office [ILO], 2000.

³³¹ GREVIO. (n.d.). Retrieved August 05, 2020, from <https://www.coe.int/en/web/istanbul-convention/grevio>

Pre-implantation genetic diagnosis – is a procedure used prior to implantation to help identify genetic defects within embryos. This serves to prevent certain genetic diseases or disorders from being passed on to the child.

Queer – people of marginalised gender identities and sexual orientations who are not cisgender and/or heterosexual.

Restraining order or protective order – an order used by a court, a temporary restraining order (TRO). There are different types of restraining orders to protect people who are being harassed, stalked or have faced violence or threats of violence.

Supervision is a formal process by which a trained, more experienced, senior professional helps a less experienced staff member to learn and develop professionally through engaging in a process of review of and reflection on their work. The aims of supervision are: improving the supervisee's work with clients, supporting the supervisee's work and professional development, emotional support, or ensuring client welfare. Clinical supervision is distinct from managerial supervision and describes a process intended to support staff to provide a better service to clients.

Transgender (trans) – people whose gender identity differs from the sex they were assigned at birth. The term transgender is not indicative of gender expression, sexual orientation, hormonal makeup, physical anatomy, or how one is perceived in daily life

Vicarious trauma (secondary trauma) – is caused through indirect exposure to traumatic events through first-hand accounts or narratives of those events. Counsellors and therapists in women's support services may be at risk of vicarious traumatisation. Symptoms of vicarious trauma generally fall into one of the following categories: emotional, behavioural, psychological, cognitive or spiritual symptoms.

Victim / Survivor – we use the terms "victim" and "survivor" interchangeably. The term survivor is used in the context of support services and protection, empowering women by recognizing that the woman has survived the violence and is not defined by it. The term victim is a legal term, recognizing the person has been victimized. It is used in the context of the legal process.

Victim-centered, needs-led approach – This approach is defined as the systematic focus on the needs and concerns of a victim to ensure the compassionate and sensitive delivery of services in a non-judgmental manner. A victim-centered approach aims to take into account the individual needs of the victim, tailoring protection responses accordingly. The approach is based on the fundamental considerations of safety, confidentiality and non-discrimination.

Violence Against Women (VAW) or Violence against Women and Girls (VAWG) was developed as a concept after CEDAW. Under the United Nations framework, VAW is defined as an inequality recognising that much violence is gender-based. The definition of Violence Against Women emerged at the Beijing Platform for Action and states that Violence against women refers to any act of gender-based violence that results in or is likely to result in physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life. Violence against women encompasses physical, sexual and psychological violence in the family, within the general community and perpetrated and condoned by the state. A strategic approach to violence against women includes effective service planning, integrated approach to prevention, effective protection, access and provision of support and rehabilitation, effective prosecution, and adequate resources. The term violence against women and girls (VAWG) is used in the UK because it reflects the gendered nature of the problem, the disproportionate impact of violence on women and girls, and covers all forms of violence to which women and girls are subjected. By using this term, specific forms of violence are defined enabling an approach to protective laws and policies that encompasses these forms. In policy, one type of response is appropriate for all forms of violence. VAWG recognises that VAWG impacts girls differently. The term also helps to locate violence historically, structurally and socially and it is clear that VAWG is gendered and rooted in gender oppression which is patriarchy. This definition is consistent with the definition provided by the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence 2011 (Istanbul Convention). The definition states: "Violence against women is understood as a violation of human rights and a form of discrimination against women and shall mean all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life." The Istanbul Convention identifies that all forms of violence against women must be condemned by states. This means that in defining violence against women, the definition recognises all forms of violence within the definition. The Istanbul Convention defines domestic violence within this context as: "Domestic violence shall mean all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former and current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim."

Women's centre – the term includes all women's services providing non-residential specialist support to victims, serving only or predominantly women survivors of violence and their children. The following services are subsumed under the term: women's counselling and women

crises centres, supporting women survivors of all forms of gender-based violence; services focussing on the support of survivors of sexual violence such as rape crisis, sexual assault centres and centres for girls who experienced sexual violence; regional crises centres on domestic violence; pro-active intervention centres serving victims as a follow-up to police interventions; specialist services for black, minority ethnic women, migrant and refugee women victims of violence; outreach services; services providing independent domestic or sexual violence advisors, and other newer types of services. These centres usually provide the following kind of support: information, advice, advocacy and counselling, practical support, court accompaniment, pro-active support, outreach and other services. Women's centres are a specialist service for women survivors of violence and their children, if any, providing empowering short and long-term support, based on a gendered understanding of violence and focusing on the human rights and safety of victims.

Women's shelter – a specialist residential support service for women survivors of violence and their children, if any, providing safe accommodation and empowering support, based on a gendered understanding of violence and focusing on the human rights and safety of victims. Women's shelters offer immediate and unbureaucratic services and safety precautions. In some cases they also offer longer-term support (e.g. resettlement support after a woman leaves the shelter) in order to provide women and their children, if any, with the opportunity and resources necessary to resume their lives free from violence. To qualify as a women's shelter, the service must serve predominantly women and their children.

Women's specialist support service (WSS) – this term is used as a collective term covering all services supporting women survivors of violence and their children, such as women's shelters, women's helplines, women's centres, rape crisis and sexual assault centres, specialised services for migrant and minority ethnic women, national women's helplines, outreach services, independent domestic violence advisors, intervention centres and others. Services using a gender-specific approach that predominantly serve women victims of gender-based violence and their children are also included in the definition of specialist women's support services.



Values

Feminism¹, solidarity, intersectionality, equality, respect, transparency and human rights.

Vision

A world where all forms of discrimination and violence against women² and their children have been eliminated and all women and girls are able to enjoy their human rights.

Purpose

The WAVE Network exists for the prevention and elimination of all forms of violence against women and their children, to strengthen the human rights of diverse women and girls and to ensure their right to access all services that help them live their lives free from violence.

Mission

To enable all women and their children to live free from violence, particularly through strengthening and sustaining a European network of specialized support and prevention services, experts and survivors. To share expertise and experience to prevent, challenge, address and ultimately end violence against all women and their children, through an intersectional feminist approach.

1 = WAVE defines the term feminist to mean aiming at de jure and de facto equality between women and men in all areas of society. See WAVE Statutes, page 1 reference 3.

2 = WAVE understands the structural nature of violence against women as gender-based violence and that violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men