



WOMEN AGAINST VIOLENCE EUROPE

COUNTRY REPORT 2010

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

A Right for Protection and Support?





IMPRINT

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WAVE (VIOLENCE AGAINST WOMEN EUROPE)

WAVE is a network of European women's non-governmental organizations and works in the field of ending violence against women and children. The network is coordinated by the AÖF (Austrian Women's Shelter Network), an umbrella organization of the Austrian autonomous refuge workers. The WAVE network consists of more than 90 focal points located in the 27 countries of the European Union, the applicant countries Croatia and Turkey as well as in 18 other European countries, including the Balkan countries.

WAVE aims at reducing violence against women and children by improving the protection of and services for women and children survivors of violence. WAVE has a long term experience in developing and carrying out training for different professionals and in developing standards for the protection and support of victims and the improvement of multi-agency co-operation.

The WAVE database contains more than 4,000 addresses of women's organizations and is highly frequented. WAVE further focuses on the dissemination of good practice models and on lobbying for gender equality and the prevention of violence against women in the European, the national, the regional and local level.

"But there is one universal truth, applicable to all countries, cultures and communities: violence against women is never acceptable, never excusable, never tolerable."¹ Ban Ki- Moon, UN Secretary- General

Endnotes

¹ UNIFEM: http://www.unifem.org/news_events/story_detail.php?StoryID=656 (25.02.2010)

1. Introduction

1.1. Women's Shelters in Europe

The WAVE annual report 2010 provides information on the situation of women's services in Europe with a special focus on the situation of migrant and minority women.¹ The report is aiming at raising awareness about the situation of migrant and minority women, who often face multiple forms of violence and discrimination,² to demonstrate gaps in service provisions and access to services and to provide recommendations for the improvement of protection measures and services for migrant and minority women and their children.

The report focuses on specific support services for women survivors of violence and their children. It does not include general services such as shelters for homeless people, mother and child homes or general helplines for survivors of violence. Research and practice of the last thirty years have shown that specific services for women are needed in order to provide adequate support. This principle is also recognised by the new Council of Europe Convention to Prevent and Combat Violence against Women and Domestic Violence, which was signed in May 2011 in Istanbul.³ Women's services need to apply a gender-specific approach in order to tackle the problem effectively and, according to the Council of Europe Convention, governments need to recognise that "the realisation of de jure and de facto equality between women and men is a key element in the prevention of violence against women".⁴

The information provided in the report is mainly about women's helplines, women's shelters and women's support centres. For the report 2011 WAVE is planning to also include information on rape crises and sexual assault centres.

Experts from 94 WAVE focal points in 44 countries were the main source of information for the report.⁵ Information was also collected from women's NGOs specialised in the support of migrant and minority ethnic women and we thank all of them for their contributions. Additionally other sources such as research and project reports or international documents have been used.

CONTENT

The *second chapter* of the report provides an overview on the situation of women's support services for women survivors of violence and their children in Europe based on the collected information from 44 countries.

The *third chapter* deals with the situation of migrant and minority women and tries to elaborate common problems and gaps in service provision and protection. Despite great challenges collecting information on this often complex issues (due to complicated immigration and alien laws) information from 38 countries could be obtained.

The *fourth chapter* provides information on 44 European countries.⁶ The main focus in this country information part lies on women's support services and the access of migrant, minority ethnic and refugee/asylum seeking women survivors of violence to support and protection. Additionally information on legal measures and national action plans and policies is provided.

When gathering information for this report, we realised that the information on the problem of violence against women, especially on migrant and minority women survivors of violence, is still incomplete and that there is an urgent need for further research and data collection. There are serious gaps in available data which underlines the need of systematic and gender disaggregated data collection on the dimension of violence against (migrant and minority) women in Europe.

The WAVE report is a work in progress because as much as we try to gather relevant and comprehensive information, gaps and mistakes are unavoidable and we kindly ask you to be a pro-active reader and inform us about any inaccuracy or missing information – we will include it in the WAVE report 2011.

The report aims at raising awareness of the gaps in service provision and on the exclusion of marginalised groups such as migrant and minority women and their children from benefiting existing measures. At the end of the second and the third chapter we also take the opportunity to address different actors in the field and to make a number of recommendations to policy-makers, state authorities and service providers. Last but not least, the WAVE Country Report 2010 should not only be seen as a collection of data but also as a lobbying tool for addressing policy makers, both on the national and international level, in order to improve the protection and support of all women survivors of violence and their children, including documented and undocumented migrant women.

1.2. The WAVE network

In 1993, women's NGOs from all over the world gathered at the UN World Conference on Human Rights in Vienna to campaign for women's human rights. Activists from Europe realised at this Conference that women's organisations in other parts of the world, in Latin America and Asia, were much better organised for forming transnational networks than European women's organisations. This observation gave the impetus for the setting up of European network Women against Violence Europe – WAVE in 1994. It was founded by activists from women's shelters and other women's services from Austria, Ireland, the Netherlands, Poland, Portugal, Serbia and Sweden.

The Austrian women's shelter network took the initiative of coordinating the network, which was launched at the Fourth UN World Conference on Women in 1995 in Beijing. The first European conference took place in 1997 in Belgrade and the annual WAVE conferences are the main tool for networking, policy making and lobbying. The 2010 WAVE conference took place in Warsaw and the 2011 conference will be hosted by the Italian WAVE focal points in Rome.⁷

WAVE is a network consisting of 94 focal points in 45 European countries. Most WAVE focal points represent national or regional networks and have the task of gathering and disseminating information. WAVE provides information on women's support service in Europe through the WAVE database.⁸ The database includes more than 4,000 addresses of women's support services in Europe and serves as a tool for transnational cooperation and support of women survivors of violence.⁹

WAVE has participatory status at the Council of Europe and is part of the Conference of INGOs. In 2011, WAVE also was recommended by the ECOSOC NGO Committee to be granted for consultative status with the United Nations Economic and Social Council in June 2011. WAVE is also part of the Global Shelter Network founded in 2009.¹⁰

WAVE has carried out several international projects, including DAPHNE projects funded by the European Union. In 2010 WAVE, among other projects, carried out the DAPHNE project PROTECT to improve the protection of women at high risk and their children.¹¹

1.3. Violence against women – facts and figures

Violence against women, including domestic violence, is one of the most serious forms of gender-based violations of human rights in Europe. Women are affected by male violence regardless of their gender, sex, age, race, ethnicity, class, culture and religion. According to prevalence studies, approximately 20 per cent to 25 per cent of all women have suffered physical violence, and more than 10 per cent, sexual violence¹², during adult life.¹³ If all forms of violence against women are taken into account, around 45 per cent of women experience violence. This means that for example in the 27 member states of the European Union, with a total of almost 500 million inhabitants, about 100 million women are estimated to become victims of male violence in their lifetime and one to two million women are victimised daily.

Every day in Europe women are killed and the perpetrator is often not a stranger, but a partner or ex-partner. A survey on femicide carried out in the EU within a Daphne Project identified that the death of approximately 2,419 women related to intimate partner violence from which about 1,400 were delete femicide by a male partner.¹⁴

Violence against women is not random violence; it is violence that is “directed against a woman because she is a woman or violence that affects women disproportionately”.¹⁵ The Beijing Platform for Action defines violence against women as “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”. The Platform also claims violence against women as “one of the crucial social mechanisms by which women are forced into a subordinate position compared with men.”¹⁶

Violence against women always affects their children as well and this is exacerbated by the fact that it is still predominantly women who care for children. No matter which form of violence it is that women have endured, sexual violence in the context of wars or armed conflicts, sexual harassment at work or rape by their partners: their children will always suffer, too, and it is an important aspect for women to get help for their children as well. In the case of domestic violence against women, children are very strongly affected; the violent husband or partner often also abuses the children. The more severe the violence against the wife or partner, the more massive the violence against the children will be, and it often will not stop even after the mother has separated from her violent partner (Hester 2005).¹⁷ Domestic violence can be lethal for children, as a case that reached the European Court of Human Rights shows: two children were murdered by their father who had repeatedly abused his wife. After experiencing abused, the woman escaped the abusive husband but the children were left with the father and the authorities did not take action to protect them from further harm. The European Court decided in 2007 that Slovakia had failed to protect the right to life of the two children.¹⁸

The various forms of violence against women are multifaceted problems and survivors of violence need both crisis support and long term services in order to overcome their traumatic experiences. They need access to safe accommodation, protection, healthcare facilities, legal and psychological counselling, social support and financial aid (see chapter 2).

1.4. The new Council of Europe Convention on preventing and combating violence against women and domestic violence and new initiatives in the European Union

1.4.1. The new Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence

WAVE very much welcomes the initiative of the Council of Europe to establish a legally binding instrument on violence against women and domestic violence, the CAHVIO convention.¹⁹ WAVE had the opportunity, represented by Hilary Fisher, to take part in the two years negotiations on the Convention and to contribute the experience of the WAVE network to it. WAVE focal points have also lobbied their governments throughout the process and encouraged them to support a strong and comprehensive convention. Despite major difficulties, especially in keeping a clear gender and human rights focus, the draft convention is an important milestone in Europe to intensify and improve the efforts to combat all forms of violence against women.

The Draft Convention was finished in December 2010, the Explanatory Memorandum in January 2011. The approval by the Council of Europe Committee of Ministers took place in April 2011 and the Convention will be opened for signature and ratification in Istanbul in May 2011. Upon ratification of a minimum of 10 parties, the Convention will enter into force. A special expert committee (GREVIO) will be set up to monitor the implementation of the Convention and the compliance of the parties.

Very important provisions for migrant and asylum seeking women survivors of violence are included in Chapter VII on Migration and Asylum. Article 59 defines the obligation of the parties to *“take the necessary legislative or other measures to ensure that victims whose residence status depends on that of the spouse or partner as recognised by internal law, in the event of the dissolution of the marriage or the relationship, are granted in the event of particularly difficult circumstances, upon application, an autonomous residence permit irrespective of the duration of the marriage or the relationship.”*

Article 60 on gender-based asylum claims states that *“Parties shall take the necessary legislative or other measures to ensure that gender-based violence against women may be recognised as a form of persecution within the meaning of Article 1, A (2), of the 1951 Convention relating to the Status of Refugees and as a form of serious harm giving rise to complementary/subsidiary protection”* (para 1). Parties shall further *“ensure that a gender-sensitive interpretation is given to each of the Convention grounds and that where it is established that the persecution feared is for one or more of these grounds, applicants shall be granted refugee status according to the applicable relevant instruments”*. (para 2).

These two articles set the standard that migrant and asylum seeking women have the right to be recognised and protected when experiencing violence and not to be subjected to further discrimination. A general obligation to refrain from any discrimination is also defined in the convention: *“The implementation of the provision of this Convention by the Parties, in particular measures to protect the rights of victims, shall be secured without discrimination on any ground such as sex, gender, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, sexual orientation, gender identity, age, state of health, disability, marital status, migrant or refugee status, or other status.”* (Article 4 para 3). This article establishes, for instance, the right for every victim to protection and support.

The convention is a comprehensive standard setting framework; it contains 81 articles in 12 chapters and an extensive explanatory report. The provisions are quite detailed and concrete and cover the following areas: integrated policy and data collection, prevention, protection and support, substantive law, investigation, prosecution, procedural law and protective measures and other areas.

The substantive criminal law part contains for example a clear obligation to criminalize rape, also rape in marriage, and rape is defined by the absence of consent, not by violence. Article 22 defines the need for specialist women's support services to all women survivors of violence and their children. Article 23 aims for shelters in sufficient numbers and in the explanatory memorandum refers to the Council of Europe Task Force report recommendation of one family place per 10,000 inhabitants in specialised women's shelters (Article 135).

Further important provisions in the convention are, inter alia:

- The obligation of providing protection and support for child witnesses (Article 26).
- The recognition of repeated violence or the committing of violence in the presence of a child and other factors as aggravating circumstances (Article 46).
- The prohibition of mandatory alternative dispute resolution processes or sentencing (Article 48).
- The obligation to carry out risk assessment and risk management (Article 50).

- The provision of emergency barring orders and restraining or protection orders (Article 52 and 53).
- The establishment of one or more official bodies responsible for the coordination, implementation, monitoring and evaluation of policies and measures to prevent and combat all forms of violence against women (Article 10).
- The recognition of NGOs and civil society (Article 9).

WAVE calls upon the Council of Europe member states and the European Union to quickly ratify and implement the Convention in order to intensify and improve their measures to prevent and combat all forms of violence against women and their children and other victims of domestic violence.

1.4.2. New activities of the European Union on the prevention of violence against women

1.4.2.1. European Protection Order

WAVE welcomes the initiative of the Spanish EU presidency in the first half of 2010 to initiate a European Protection Order (EPO) and WAVE provided a position paper on this important initiative.²⁰

Although protective measures for survivors of violence are in force in many member states, these measures are presently not directly applicable in another member states.

Due to increased mobility, more and more women survivors of violence are facing the problem that the protection they receive is limited to the country in which they live and that it ends when they move to another EU member state. Perpetrators of violence are also increasingly mobile and they follow the victim and continue the abuse and harassment. Thus the victim's freedom of movement is restricted.

According to the proposal, the Directive would grant protection to any victim who has been granted a protective measure in the country of origin, which would greatly improve the protection of victims, even if the current text provides for a certain degree of discretion to the authorities to adopt measures which they find appropriate under national law.

In December 2010 the proposal for a European Protection Order was approved by the European Parliament.²¹ Unfortunately, the parliament's proposal is not yet supported by all EU member states (for instance Austria, the Czech Republic and the Netherlands do not support it). Also the EU Commission seems to be strongly opposed to the initiative and WAVE regrets, that the argument seems to be on purely legalistic grounds, contesting the member states right to such a legal initiative. WAVE urges all member states and the European Commission, to swiftly solve the remaining problems and to ensure that women survivors of violence and their children are guaranteed effective protection not only in their own country but in all EU member states.

1.4.2.1. Activities of the European Council, the European Parliament and the European Commission on violence against women

On the International Women's Day, 8th of March, the European Council adopted Council Conclusions on the Eradication of Violence against Women in the European Union calling upon the European Commission and the member states to, inter alia,

- Support the proposal for a Directive on the European Protection Order.
- Draw up a proposal for a Directive aimed at eradicating violence against women, based on an assessment of the possibilities, opportunities and needs for European-level harmonization of legislation against gender-based violence.
- Devise common strategies at the European level for preventing and combating gender-based violence, including

specific actions for the most vulnerable populations and groups, including migrants, Roma and other minorities, disabled women and women living in rural areas.

- Create a European Observatory on Gender-based-Violence within the European Agency for Fundamental Rights.
- Introduce a unique and free European-wide telephone number (116) offering information and assistance to victims of gender-based violence.
- Ensure the collection of comprehensive, comparable and representative data on gender-based violence, so as to enable the member states to base their policies for preventing and combating violence against women on the latest available studies and knowledge in the field.
- Launch a long-term European-wide awareness-raising campaign condemning the perpetration of gender-based violence and highlighting its negative impact on minors.²²

WAVE strongly supports the Council Conclusions and urges the Commission and the EU member states to swiftly implement the proposed provisions.

In June and July 2010 the European Commission Directorate General on Justice and Fundamental Rights started to develop an EU Strategy for combating violence against women 2011-2015. A consultative process was carried out to include the opinion of various stakeholders in the future strategy and WAVE was invited to submit a position paper.²³

In November 2010 the European Commission organised a conference on violence against women and WAVE was invited to give a presentation. At the conference, a new study carried out on behalf of the European Commission, was presented, emphasising the importance of standardising national legislation on violence against women, violence against children and sexual orientation violence.²⁴

Unfortunately the Commissioner and Vice President of the EU Viviane Redding did not speak about a comprehensive strategy on violence against women at the Commission's conference, but just referred to a "victim's package". WAVE is of the opinion that a victim's package alone, which mainly focuses on criminal law provisions, is not enough to address the root causes of violence against women and to provide protection and support to the survivors.

WAVE will continue to lobby for a comprehensive EU Strategy for combating violence against women and welcomes the resolution of the European Parliament adopted in April 2011 on priorities and outlines of a new EU policy framework to fight violence against women, which proposes a new comprehensive policy approach against gender-based violence including, inter alia:

- A criminal-law instrument in the form of a directive against gender-based violence.
- Demands on member states to ensure that perpetrators are punished in accordance with the gravity of the crime.
- Requires member states to demonstrate due diligence and to record and investigate all forms of gender-based violence crimes in order to initiate public prosecution.
- Policy proposals to help victims rebuild their lives, addressing the specific needs of different groups of victims such as minority women.
- Demands on member states to provide shelters for victims of gender-based violence in cooperation with relevant NGOs.
- Minimum requirements as to the number of victim support structures per 10,000 inhabitants for victims of gender-based violence in the form of centres with specific expertise to help victims.
- The establishment of a European Charter setting out a minimum level of assistance services to be offered to victims of violence against women, including the right to legal aid, the creation of shelters to meet victims' needs for protection and temporary accommodation, urgent psychological aid services to be provided free of charge by specialists on a decentralised and accessible basis, and financial aid arrangements aimed at promoting victims' independence and facilitating their return to normal life and the world of work and other measures.²⁵

2. Overview on women's helplines and women's shelters in Europe and recommendations for minimum standards for women's support services

The following chapter contains in its first part definitions of women's support services and a short outline on principles and quality standards for these services. The second gives an overview on number of women's helplines and women's shelters in Europe. The third part of this chapter consists of recommendations for minimum standards regarding women's support services.

Services for women survivors of violence vary widely in Europe and a process to define common definitions and standards has just started in the last years. In 2004 WAVE developed quality standards for women's shelters within the framework of a DAPHNE project.²⁶ In 2008 an expert group of the Council of Europe, the Task Force to Combat Violence against Women, Including Domestic Violence recommended qualitative and quantitative minimum standards for services supporting women survivors of violence.²⁷ Additionally a report on minimum standards for support services was prepared by the Child and Women Abuse Studies Unit at the London Metropolitan University.²⁸ The following definitions and standards are based on the long-standing work of WAVE experts as well as on the named reports.

In the last thirty-five years the women's movement against violence in Europe has developed and founded a range of women's services in order to support women survivors of violence and their children. Women's shelters and rape crises centres were among the first services that were established, followed by other services such as women's crises centres, sexual assault centres, specialized services for migrant and minority women and others. While in some countries a range of services could be developed (mostly thanks to active women's NGOs and engaged governments working in close cooperation with each other) other countries still lack basic support services such as women's shelters (see also part 2.2. in this chapter). Countries and regions with few women's support services often also lack specialised support such as services for survivors of sexual violence and women's centres have to fulfill multiple functions and provide support to all women survivors of violence.

2.1. Definitions and principles of quality standards for women's support services

2.1.1. Definitions

WOMEN'S SUPPORT SERVICES

The term "women's support service" is used in this chapter as the 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 crises 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.

In order to tackle the root causes of violence, women's helpline, as other women's support services, have to apply a gender-specific and feminist²⁹ approach (see next section about principles of women's support services).

NATIONAL WOMEN'S HELPLINE

Research and practice show that women's helplines are an important provision of help for women survivors of violence, because women can stay anonymous and still get information and advice. Women's helplines provide low-threshold services and are an important "gate" to other services such as women's shelters or to reporting violence to the police.

Therefore it has become a minimum standard that every country should have at least one national helpline for women survivors of violence (see also the recommendations at the end of this chapter).

A national helpline qualifies as a women's helpline if it is a service specifically for women and if it serves only or predominantly women survivors of violence. Other target groups can be family members, friends, neighbors or the professional surrounding of a survivor seeking information and advice in order to support the women.

A women's helpline should operate 24 hours 7 days a week. It should be free of charge and serve survivors of all forms of violence against women.

As the name states, national women's helplines need to operate nationally and provide adequate support to women from all regions of a country; this means the staff have to be knowledgeable about the regional situations and all relevant provisions.

In order to be able to provide adequate support to women survivors of violence, who may suffer from repeat violence and are traumatized, the staff of national women's helplines needs appropriate training. Crises support in acute and dangerous situations of violence needs to be provided by a specialist women's helpline as does well as long-term telephone counselling for survivors of violence who might be severely traumatized from repeat victimization. As stated, staff also have to be qualified to provide support concerning all forms of violence against women, from domestic violence to rape, sexual harassment, so called "honour related violence", female genital mutilation and other forms.

National women's helplines need to offer support in all main languages spoken in a country, at least for a considerable amount of hours a week and in cases of emergency.

Since the work of a helpline for women victims requires professional and multiple skills, staff should be properly employed and paid. Engaged volunteers can be a necessary and valuable resource too, but they need to be well trained and adequately supported by employed staff.

WOMEN'S SHELTERS

A women's shelter is a specialised service for women which provides immediate and safe accommodation to women survivors of violence and their children where they can live without fear of being abused. Women's shelters needs to offer special services and safety precautions.

Violence can occur at any time of the day, thus survivors need 24 hour access to women's shelters. Women's shelters should provide holistic and comprehensive support to women and their children. The services needed by survivors in a women's shelter are described in detail in the WAVE manual *Away from Violence* which is available in more than ten languages on the WAVE website.³⁰

WOMEN'S CENTRES

The term women's centre is used in this chapter for all women's services that provide non-residential support of any kind (information, advice, counseling, practical support, court accompaniment, legal information, pro-active support, outreach) to women survivors of any kind of violence and their children. Women's NGOs used different terms for this kind of services in different countries, such as "women's crises centres" or "women's counselling centres". Since these terms, especially the term "counselling" might have different meanings in different countries and regions, it was decided to use the term "women's centres" in the comparative part of the report.

2.1.2. Standards and principles of women's support services

THE NEED FOR SPECIALISED WOMEN'S SERVICES WITH A GENDER-SPECIFIC APPROACH

It is widely recognised among researchers, practitioners and in international documents, that women survivors of violence and their children need services specialised on the issue of violence. General services such as social services or general shelters are not adequately provisioned to comprehensively support survivors. Specialised services are necessary, just as one needs specialised doctors for specific health problems. Services need to be specialised in two ways: they need to be specifically targeted at women survivors and their children. Further they need to be specialised in dealing with violence against women as a gender-specific form of violence and need to tackle the root causes of violence against women, which, according to the new Council of Europe Convention, is the "historically unequal power relations between women and men, which have led to domination over, and discrimination against, women by men and to the prevention of the full advancement of women".³¹ A "gender-neutral" approach is not able to tackle these root causes of violence and to empower women to live a life without violence.

SERVICES SHOULD BE RUN BY INDEPENDENT WOMEN'S NGOS AND BE SUPPORTED BY GOVERNMENTS

Services supporting women victims/survivors of violence and their children belong to the range of victims support services and should be run by independent NGOs. The principle of independence is important to guarantee that the interests of women survivors of violence and their children are at the centre of the activities of the organisation running the service. The organisation should be only committed to the rights and the support of victims and should not be influenced by any party, religious group, state authority or any other institution. Women's services have to be able to lobby for the interests and needs of women survivors of violence and they can only fulfil this role if they are autonomous and not subject to influence. Thus women's NGOs supporting survivors of violence are a part of civil society working for social change, gender equality and gender democracy. The new Council of Europe convention as well as many other international documents, acknowledge the important role of NGOs calling upon the parties to "recognise, encourage and support, at all levels, the work of relevant non-governmental organisations and of civil society active in combating violence against women and establish effective co-operation with these organisations" (Article 9).

PRINCIPLES FOR THE SUPPORT OF WOMEN SURVIVORS OF VIOLENCE AND THEIR CHILDREN

The Council of Europe Task Force to Combat Violence against Women, including Domestic Violence³² as well as other sources such as the WAVE Manual Away from Violence establish basic requirements for states and service providers and principles upon which services should operate. These principles combine human rights thinking and practices, which women's NGOs have developed and proved effective in supporting women and their children in the aftermath of violence. The principles apply to specialised women's support services but also to general services such as health services. Some basic principles are:

Working from a gendered understanding of violence against women

Services need to demonstrate an approach which recognises the gendered dynamics, impacts and consequences of violence against women and their children within an equalities and human rights framework, including the need for women only services.

Specialist women's support services

The support must be appropriate and tailored to the specific needs of service users. Special attention should be given to address the needs of specific groups of women, such as young women, older women, migrant women, asylum seeking and refugee women, women from minority ethnic groups, women with disabilities and others. The kind of support survivors need may differ according to the type of violence suffered and this makes it necessary to provide specialized

services such as rape crises and sexual assault centres, women's centres for survivors of sexual harassment in the workplace, young women's shelters and women's shelters for victims of forced marriage.

Support for children

Children are always affected by the violence against their mother, especially in cases of domestic violence and they are often abused as well. Therefore all women's services should also have the resources to adequately support the children, according to their age and their needs.

Safety, security and human dignity

Services need to ensure that all interventions prioritise the safety and security of survivors and respect their dignity.

Confidentiality

Services need to respect and observe service users' right to confidentiality; service users should also have the right to be informed of situations where that confidentiality may be limited.

Diversity and non-discrimination

All services need to respect the diversity of service users and apply a non-discriminatory approach (see also the non-discrimination clause in the new Council of Europe convention).³³

Fair access and free of charge

Support should be available free of charge, equitably distributed across regions and crisis provisions such as women's helplines and shelters should be available 24hours, 7 days a week.

Advocacy and support

Women's services need to provide both case and system advocacy to be able to promote the rights of and meet the needs of service users.

Empowerment and autonomy

The main aim of all services should be to empower women survivors of violence and their children by, inter alia, making sure they know their rights and entitlements and can make decisions freely in a supportive environment that treats them with dignity, respect and sensitivity. Services should always aim at supporting survivors to re-gain control of their lives and to promote their right to autonomy and self-determination.

Participation and consultation

Services need to promote service-user involvement in the development and evaluation of the service. Therefore, services should be organised in a democratic way and ensure the participation by the service users. Survivors should be regularly invited to participate in the evaluation of services and have the right to file a complaint to an independent body (for instance the ombudsperson) if they are not satisfied with the quality of the service.

Holding perpetrators accountable

Services for survivors of violence need to apply the approach that there is no excuse for violence, that the perpetrator is always responsible for the abusive behaviour and that he has to be held accountable.

Governance and accountability

Services need to be effectively managed, ensuring that service users receive a quality service from appropriately skilled and supporting staff.

A co-ordinated response

Services need to operate within a context of relevant inter-agency co-operation, collaboration and co-ordinated service delivery. The protection and needs of women survivor of violence should always be at the centre of multi-agency work.

State obligations and due diligence

That women's services should be run by independent women's NGOs does, of course, not mean that there is no obligation of the state to fund the services, on the contrary. According to international human rights law, it is the responsibility of the state to prevent violence against women and to protect survivors. They have to exercise due diligence in doing so, which means they have to actively apply effective measures to prevent violence. This principle is also laid down in the new Council of Europe Convention.³⁴

Concerning the question, how many and what kind of women's services and support would be needed, the present report provides a list of recommendations at the end of this chapter as well as at the end of chapter three, regarding the needs of migrant and minority ethnic women.

The above described principles should be applied in all women's support services. To what extent they are actually implemented in the women's support services listed in the WAVE country report, is not possible to say in detail, since that would require an in-depth study on the quality of the services. However, the authors of the report were striving, as explained, to identify women's services providing specialist support with a gendered approach to women survivors of violence and their children.

2.2. Statistics on women's helplines and women's shelters in Europe

The following part provides an overview on the number of women's helplines and women's shelters in Europe and aims at identifying strengths and weaknesses of the European support network for women survivors of violence.

Due to limited resources and the complexity of the problem, it is not possible to cover all areas concerning the support and protection of women survivors of violence and the aim is, to focus on specific themes in every WAVE country report. For the next report we are aiming at also including information on rape and sexual assault centres.



NATIONAL WOMEN'S HELPLINES

The following table shows the number of countries which have (at least one) national women's helpline. As stated previously, only specific services for women survivors of violence operating nationally were recorded.

	National women's helpline 24/7, free of charge	National women's helpline free of charge	National women's helpline 24/7
Albania	no	no	no
Armenia	yes	yes	yes
Austria	yes	yes	yes
Azerbaijan	yes	yes	yes
Belarus	no	no	no
Belgium	no	no	no
Bosnia&Herzegovina	no	no	no
Bulgaria	yes	yes	yes
Croatia	no	no	no
Cyprus	yes	yes	yes
Czech Republic	no	no	yes
Denmark	yes	yes	yes
Estonia	no	no	no
Finland	no	yes	no
France	no	no	no
Georgia	yes	yes	yes
Germany	no	no	no
Greece	yes	yes	yes
Hungary	no	yes	no
Iceland	yes	yes	yes
Ireland	no	yes	no
Italy	yes	yes	yes
Latvia	no	no	no
Liechtenstein	no	no	yes
Lithuania	no	yes	no
Luxembourg	no	no	no
Macedonia	yes	yes	yes
Malta	yes	yes	yes
Montenegro	no	no	no
Netherlands	no	yes	no
Norway	no	yes	no
Poland	no	no	no
Portugal	no	no	no
Romania	no	no	yes
Russia	no	yes	no
Serbia	no	no	no
Slovakia	no	no	no
Slovenia	no	yes	no
Spain	yes	yes	yes
Sweden	yes	yes	yes
Switzerland	no	no	no
Turkey	yes	yes	yes
Ukraine	no	no	no
UK	yes	yes	yes
Total number countries 44			
Total Yes	16	24	19
% yes	36.4%	54.5%	43.2%
Total No	28	20	25
% no	63.6%	45.5%	56.8%

Table: National women's helplines

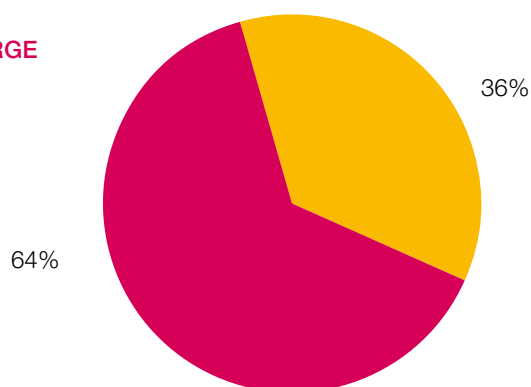
The table shows, that out of the 44 countries in which information was gathered, 16 countries have a national women's helpline operating 24/7 providing services free of charge (Armenia, Austria, Azerbaijan, Bulgaria, Cyprus, Denmark, Georgia, Greece, Iceland, Italy, Macedonia, Malta, Spain, Sweden, Turkey, UK). 28 countries do not have such a women's helpline.

Additionally, eight countries (Finland, Hungary, Ireland, Lithuania, Netherlands, Norway, Russia, Slovenia) have a national women's helpline free of charge, but not operating 24/7, and in three countries (Czech Republic, Liechtenstein, Romania) it is the other way round – 24/7 service, but not free of charge.

NATIONAL WOMEN'S HELPLINES 24/7 AND FREE OF CHARGE

 existing helpline

 no helpline



As the table shows, only around one third (36.4%) of the countries in Europe fulfill the standard of providing free of charge and around the clock telephone support to women survivors of violence. Two third of the countries (63.6%) do not offer such services yet.

The most recent women's helpline was established in Russia in the beginning of 2011. In Germany the government is planning to open a women's helpline in the near future.

The funding situation of women's helplines is still a major problem and a lack of resources is often the reason why national women's helplines cannot provide their services around the clock and free of charge.


NATIONAL WOMEN'S HELPLINES IN EU COUNTRIES

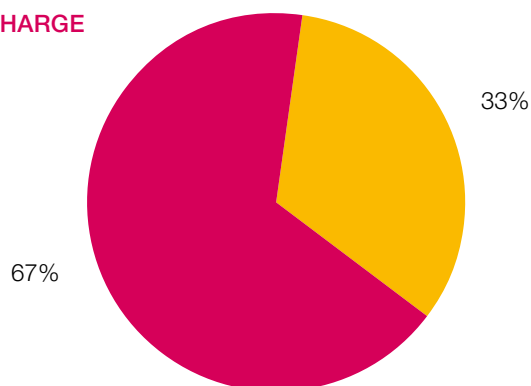
	National women's helpline 24/7, free of charge	National women's helpline free of charge	National women's helpline 24/7
Austria	yes	yes	yes
Belgium	no	no	no
Bulgaria	yes	yes	yes
Cyprus	yes	yes	yes
Czech Republic	no	no	yes
Denmark	yes	yes	yes
Estonia	no	no	no
Finland	no	yes	no
France	no	no	no
Germany	no	no	no
Greece	yes	yes	yes
Hungary	no	yes	no
Ireland	no	yes	no
Italy	yes	yes	yes
Latvia	no	no	no
Lithuania	no	yes	no
Luxembourg	no	no	no
Malta	yes	yes	yes
Netherlands	no	yes	no
Poland	no	no	no
Portugal	no	no	no
Romania	no	no	yes
Slovakia	no	no	no
Slovenia	no	yes	no
Spain	yes	yes	yes
Sweden	yes	yes	yes
UK	yes	yes	yes
27 Countries			
Total Yes	10	16	12
% yes	33.30%	55.60%	40.70%
Total No	17	11	15
% no	66.75%	44.40%	59.30%

Table: National women's helplines

EU: NATIONAL WOMEN'S HELPLINES 24/7 AND FREE OF CHARGE

 existing helpline

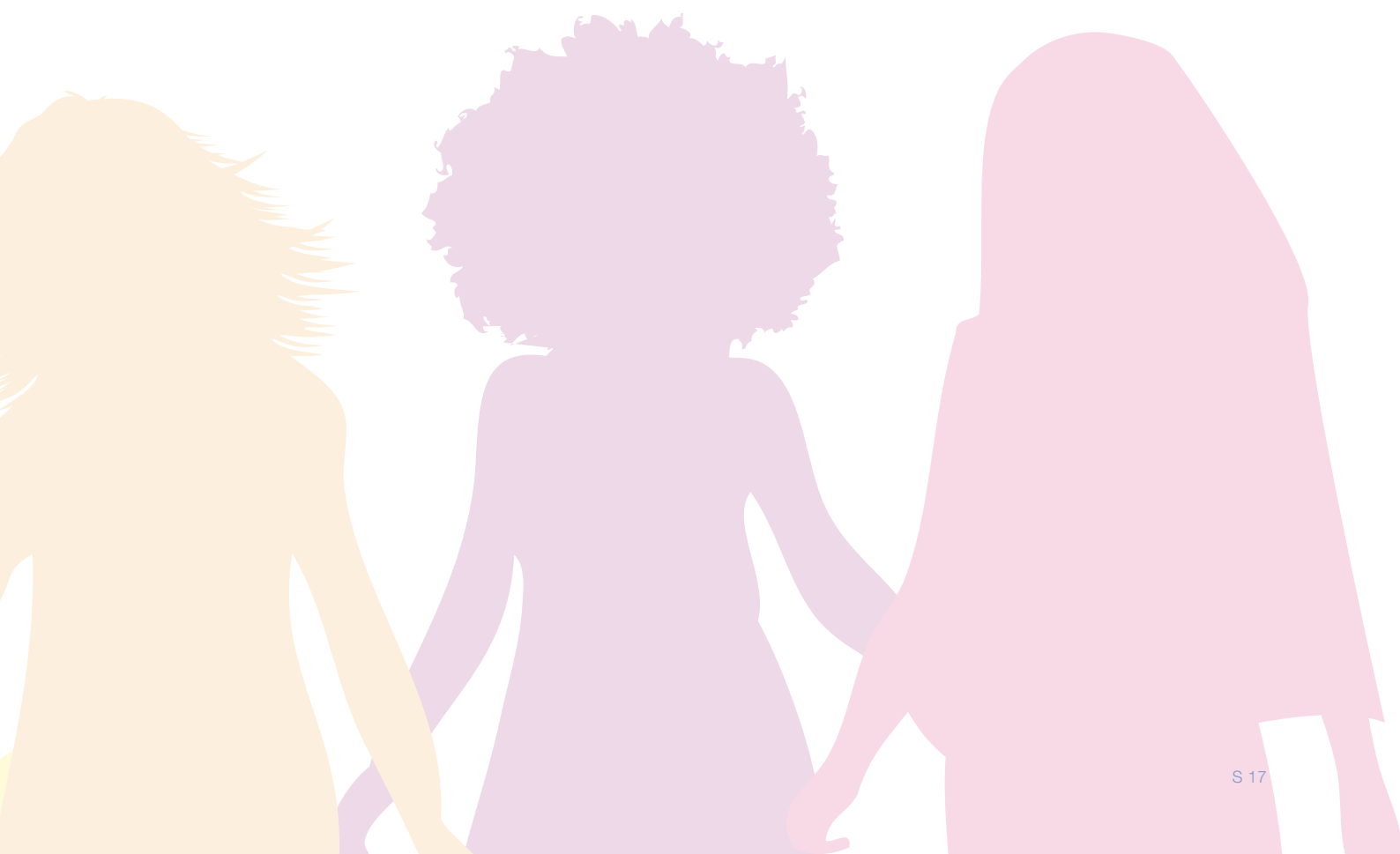
 no helpline



In the 27 EU member states, so far only nine countries (Austria, Bulgaria, Cyprus, Denmark, Greece, Italy, Malta, Spain, Sweden, UK) have a national women's helpline operating 24/7 and free of charge. Thus two third of the countries (66.75%) do not have such a service yet.

WAVE recommendations regarding national women's helplines

WAVE urgently calls upon the member states of the Council of Europe and the European Union, to fully fund national women's helplines so that they can provide services to survivors of violence 24/7 and free of charge and to establish a national women's helpline in the near future, if there is none yet. To insure the independent and impartial character of the service to the survivors, national women's helplines should be run by independent women's NGOs.



This table on women's shelters indicates that there are 1,992 women's shelters in the whole of Europe, providing approximately 27,000 places to women and children survivors of violence. According to the minimum standard of one place per 10,000 inhabitants, approximately 80,100 further places would be needed in Europe. Thus there is a shortage of approx. 54,800 places. The average rate of women's shelter places is 0.34 per 10,000 inhabitants. This means that on average there is only one women's shelter place available per 29,630 inhabitants.

WOMEN'S SHELTERS IN EUROPE

	Population Data	Number of women's shelters	Number of places (beds) in these women's shelters	Women's shelter places needed	Women's shelter places missing	Women's shelter places per 10,000 inhabitants	Number of inhabitants per 1 women's shelter place
Albania	3,069,275	5	100	310	210	0.32	30,700
Armenia	3,002,594	2	31	300	269	0.1	96,900
Austria	8,340,667	30	750	803	80	0.93	10,700
Azerbaijan	8,922,300	2	50	892	842	0.06	178,400
Belarus	10,045,237	0	-	1,005	1,005	-	-
Belgium	10,296,350	26	460	1,030	570	0.45	22,400
Bosnia&Herz	4,377,033	9	183	438	255	0.42	23,900
Bulgaria	7,928,901	5	60	793	733	0.08	132,100
Croatia	4,437,460	10	60	444	384	0.14	74,000
Cyprus	689,565	1	12	69	57	0.17	57,500
Czech Rep	10,230,060	3	44	1,023	979	0.04	232,500
Denmark	5,349,212	41	332	535	203	0.62	16,100
Estonia	1,370,052	9	55	137	82	0.40	24,910
Finland	5,181,115	2 ¹	16	518	502	0.03	323,820
France	61,399,541	41	1,100	6,140	5,040	0.18	55,800
Georgia	4,355,673	6	75	436	371	0.16	62,200
Germany	82,491,000	346	6,968	8,249	1,281	0.84	11,800
Greece	10,964,020	10	201	1,096	895	0.18	54,550
Hungary	10,198,315	0	-	1,020	1,020	-	-
Iceland	281,154	1	22	28	6	0.78	12,780
Ireland	4,239,848	20	141	424	283	0.33	30,100
Italy	57,110,144	54	500	5,711	5,211	0.09	114,220
Latvia	2,377,383	0	-	238	238	-	-
Liechtenstein	33,307	1	3	3	0	0.91	11,100
Lithuania	3,483,972	0	-	348	348	-	-
Luxembourg	439,539	9	154	44	0	3.5	2,900
Macedonia	2,022,547	7	75	202	127	0.37	26,950
Malta	404,962	4	43	40	0	1.07	9,400
Montenegro	620,145	2	20	62	42	0.32	31,000
Netherlands	16,105,285	100	2,430	1,611	0	1.51	6,600
Norway	4,520,947	50	788	452	0	1.74	5,700
Poland	38,230,080	1	26	3,823	3,797	0.006	1,470,000
Portugal	10,356,117	35	617	1,036	419	0.59	16,800
Romania	21,680,974	20	300 *	2,168	1,868	0.14	72,270
Russia	145,166,731	16	200	14,517	14,317	0.01	725,800
Serbia	7,498,001	8	120 *	750	630	0.16	62,480
Slovakia	5,193,376	5	60	519	459	0.1	86,600
Slovenia	1,987,971	15	205	199	0	1.03	9,700
Spain	40,847,371	148	4500	4,085	0	1.1	9,100
Sweden	8,975,670	180	620	898	278	0.69	14,500
Switzerland	7,288,010	18	247	729	482	0.34	29,00
Turkey	71,517,100	62	1478	7,152	5,674	0.21	48,400
Ukraine	48,240,902	3	100	4,824	4,724	0.02	482,500
UK	50,431,700	685	3,890	5,043	1,153	1	12,960
Total	801,193,865	1,992	27,036	80,144	54,834	0.34	29,630

Table: women's shelters in Europe; * = estimated number; ¹ Only the specific women's shelters were counted, not the family shelters

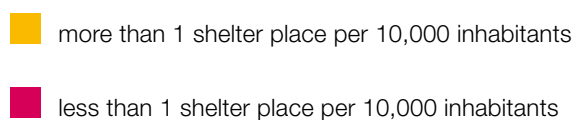
WOMEN'S SHELTERS IN EUROPE ACCORDING TO NUMBERS (DESCENDING ORDER)

	Population Data	Number of women's shelters	Number of places (beds) in these women's shelters	Women's shelter places needed	Women's shelter places missing	Women's shelter places per 10,000 inhabitants	Number of inhabitants per 1 women's shelter place
Luxembourg	439,539	9	154	44	0	3.5	2,900
Norway	4,520,947	50	788	452	0	1.74	5,700
Netherlands	16,105,285	100	2,430	1,611	0	1.51	6,600
Spain	40,847,371	148	4,500	4,085	0	1.1	9,100
Malta	404,962	4	43	40	0	1.07	9,400
Slovenia	1,987,971	15	205	199	0	1.03	9,700
Austria	8,340,667	30	750	803	80	0.93	10,700
Liechtenstein	33,307	1	3	3	0	0.91	11,100
Germany	82,491,000	346	6,968	8,249	1,281	0.84	11,800
Iceland	281,154	1	22	28	6	0.78	12,780
UK	50,431,700	685	3,890	5,043	1,153	0.77	12,960
Sweden	8,975,670	180	620	898	278	0.69	14,500
Denmark	5,349,212	41	332	535	203	0.62	16,100
Portugal	10,356,117	35	617	1,036	419	0.59	16,800
Belgium	10,296,350	26	460	1,030	570	0.45	22,400
Bosnia&Herz	4,377,033	9	183	438	255	0.42	23,900
Estonia	1,370,052	9	55	137	82	0.4	24,910
Macedonia	2,022,547	7	75	202	127	0.37	26,950
Switzerland	7,288,010	18	247	729	482	0.34	29,000
Ireland	4,239,848	20	141	424	283	0.33	30,100
Albania	3,069,275	5	100	310	210	0.32	30,700
Montenegro	620,145	2	20	62	42	0.32	31,000
Turkey	71,517,100	62	1,478	7,152	5,674	0.21	48,400
Greece	10,964,020	10	201	1,096	895	0.18	54,550
France	61,399,541	41	1,100	6,140	5,040	0.18	55,800
Cyprus	689,565	1	12	69	57	0.17	57,500
Georgia	4,355,673	6	75	436	371	0.16	62,200
Serbia	7,498,001	8	120 *	750	630	0.16	62,480
Romania	21,680,974	20	300 *	2,168	1,868	0.14	72,270
Croatia	4,437,460	10	60	444	384	0.14	74,000
Slovakia	5,193,376	5	60	519	459	0.12	86,600
Armenia	3,002,594	2	31	300	269	0.1	96,900
Italy	57,110,144	54	500	5,711	5,211	0.09	114,220
Bulgaria	7,928,901	5	60	793	733	0.08	132,100
Azerbaijan	8,922,300	2	50	892	842	0.06	178,400
Czech Rep	10,230,060	3	44	1,023	979	0.04	232,500
Finland	5,181,115	2 ²	16	518	502	0.03	323,820
Ukraine	48,240,902	3	100	4,824	4,724	0.02	482,500
Russia	145,166,731	16	200	14,517	14,317	0.01	725,800
Poland	38,230,080	1	26	3,823	3,797	0.006	1,470,000
Hungary	10,198,315	0	-	1,020	1,020	-	-
Latvia	2,377,383	0	-	238	238	-	-
Lithuania	3,483,972	0	-	348	348	-	-
Belarus	10,045,237	0	-	1,005	1,005	-	-
44 countries							
Total	801,193,865	1,992	27,036	80,144	54,834	0.34	29,630

Table: Women's shelters in Europe according to numbers (descending order); ² Only the specific women's shelters were counted, not the family shelters

The table shows, that only six countries in Europe (Luxembourg, Norway, The Netherlands, Spain, Malta and Slovenia) fulfill the standard of providing one or more than one women's shelter places per 10,000 inhabitants.

NUMBER OF SHELTERPLACES PER POPULATION



Eight countries (Austria, Liechtenstein, Germany, Iceland, UK, Sweden, Denmark, Portugal) provide a rate of women's shelter places of 0.93 – 0.59 places per 10,000 inhabitants. In these countries there is one women's shelter place available for 10,700 to 16,800 inhabitants. Thus these countries fulfill at least half of the standard.

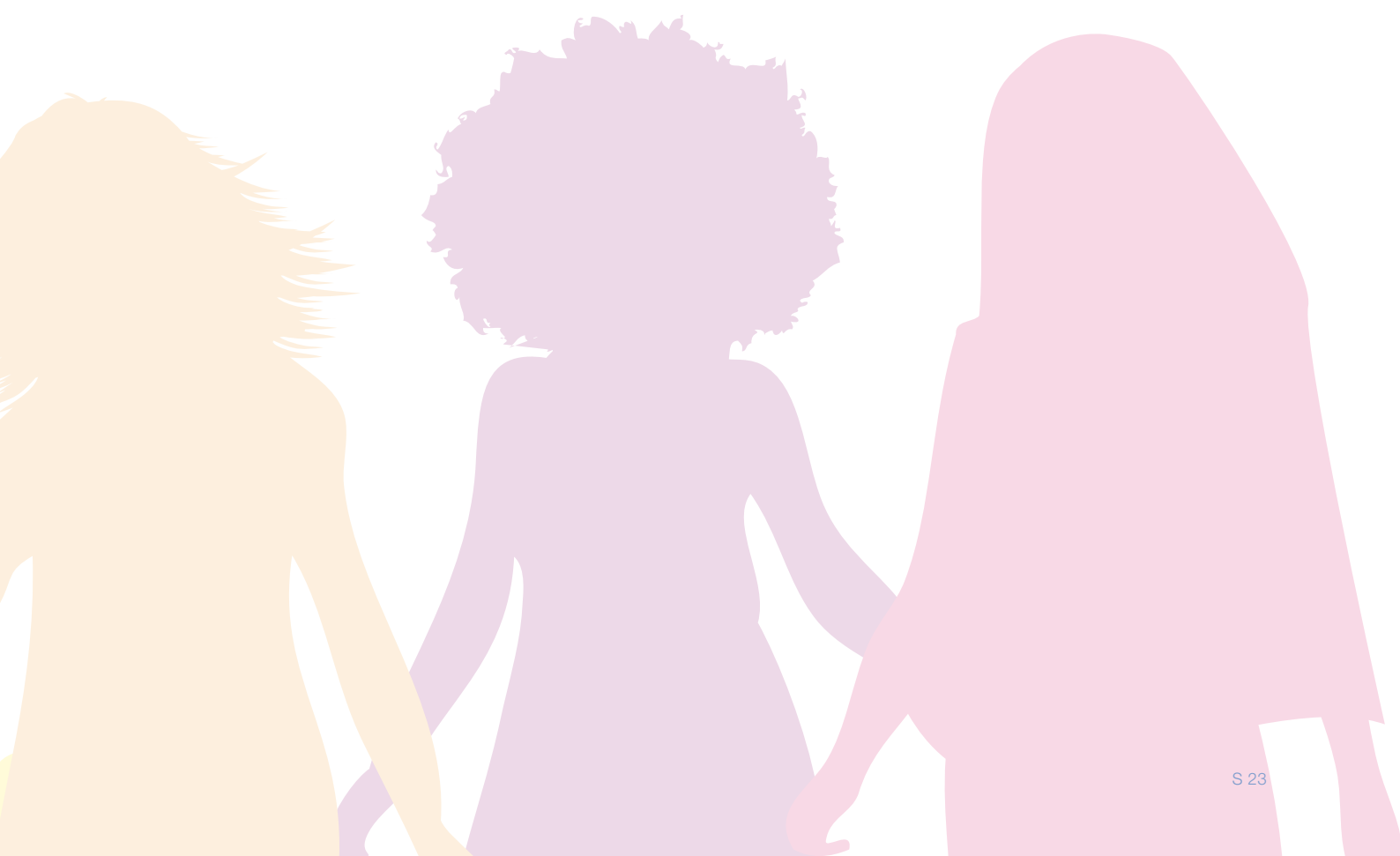
18 countries (Belgium, Bosnia & Herzegovina, Estonia, Macedonia, Switzerland, Ireland, Albania, Montenegro, Turkey, France, Greece, Cyprus, Georgia, Serbia, Romania, Croatia, Slovakia, Armenia) have a rate of women's shelter places of 0.45 to 0.1 and the service provision is very poor – there is only one women's shelter place available for 22,400 to 96,900 inhabitants. It is surprising, and concerning that that even a country like Switzerland, one of the richest in the world, provides a very low number of women's shelter places (one place per 29,000 inhabitants). Also the situation in France is concerning, where one women's shelter place has to cover over 55,000 inhabitants.

The service provision is extremely poor in the next group of eight countries (Italy, Bulgaria, Azerbaijan, Czech Republic, Finland, Ukraine, Russia and Poland). The women's shelter places rate in these countries lies between 0.09 and 0.006 places. This means that in Italy for instance, there is only one women's shelter place for over 110,000 inhabitants.

In Poland, the most ill-equipped country in this group, one women's shelter place serves almost 1.5 million people.

It has to be noted, that these numbers only show a trend, but cannot give a picture about the quality of services. It is known, for instance, that Finland provides family shelters in good quality; but since they are not services specifically for women survivors of violence they were not listed in the report.

Four countries (Hungary, Latvia, Lithuania, Belarus) do not seem to have any service that would qualify as a women specific shelter. This situation of course causes considerable concern.



WOMEN'S SHELTERS IN EUROPE (NON EU COUNTRIES)

	Population Data	Number of women's shelters	Number of places (beds) in these women's shelters	Women's shelter places needed	Women's shelter places missing	Women's shelter places per 10,000 inhabitants	Number of inhabitants per 1 women's shelter place
Albania	3,069,275	5	100	310	210	0.32	30,700
Armenia	3,002,594	2	31	300	269	0.1	96,900
Azerbaijan	8,922,300	2	50	892	842	0.06	178,400
Belarus	10,045,237	0	0	1,005	1,005	-	-
Bosnia&Herz.	4,377,033	9	183	438	255	0.42	23,900
Croatia	4,437,460	10	60	444	384	0.14	74,000
Georgia	4,355,673	6	75	436	371	0.16	62,200
Iceland	281,154	1	22	28	6	0.78	12,780
Liechtenstein	33,307	1	3	3	0	0.91	11,100
Macedonia	2,022,547	7	75	202	127	0.37	26,950
Montenegro	620,145	2	20	62	42	0.32	31,000
Norway	4,520,947	50	788	452	0	1.74	5,700
Russia	145,166,731	16	200	14,517	14,317	0.01	725,800
Serbia	7,498,001	8	120*	750	630	0.16	62,480
Switzerland	7,288,010	18	247	729	482	0.34	29,00
Turkey	71,517,100	62	1478	7,152	5,674	0.21	48,400
Ukraine	48,240,902	3	100	4,824	4,724	0.02	482,500
Total	801,193,865	1,992	27,036	80,144	54,834	0.34	29,630

Table: women's shelters in Europe; * = estimated number

A look at the table about women's shelters in non-EU countries shows that there is a huge disparity between EU and non-EU countries. Out of the 1,992 women's shelters in Europe, 1,790 are located in EU countries and only 202 in non-EU countries.

The 202 women's shelters have to serve a population of more than 325 million people, which is clearly not enough. Only 3,552 places are available in women's shelters, the minimum standard of one place per 10,000 inhabitants would require 32,544 places. Thus 29,338 places are missing and only about 10 per cent of the places needed exist. The rate of women's shelter places is 0.1 per 10,000 inhabitants. Thus one shelter place serves a population of 91,600.

The situation is most concerning in Russia, where for 725,000 people only one women's shelter place is available. Combined with the housing problem – women in Russia often have to stay with the abuser even after divorce, due to a lack of housing, this situation becomes a deadly trap in Russia.

According to the Russian WAVE focal point expert Marina Pisklakova-Parker, women are beaten to death and thrown out of the windows, and lately more of them are being shot than ever before in Moscow. According to Tatiana Melnikova, head of the Duma's Committee on Social Defense, of 21,400 murders in the country in the year 2009, 14,000 were of women who died in domestic violence (not counting the ones attributed to other causes or not reported at all to the police). The Interior Ministry reports that at least 34,000 women fall victim to domestic violence every year.³

The situation is very problematic in the Ukraine as well, where only three women's shelters are available for a population of more than 48 million people.

Endnotes

³ Newsweek article on violence against women in Russia: The Predictable Death of My Friend September 2, 2010 <http://www.newsweek.com/2010/09/02/domestic-violence-pervades-russian-homes.html>, 17 May 2011

WOMEN'S SHELTERS IN THE EUROPEAN UNION

	Population Data	Number of women's shelters	Number of places (beds) in these women's shelters	Women's shelter places needed	Women's shelter places missing	Women's shelter places per 10,000 inhabitants	Number of inhabitants per 1 women's shelter place
Austria	8,340,667	30	750	803	80	0.93	10,700
Belgium	10,296,350	26	460	1030	570	0.45	22,400
Bulgaria	7,928,901	5	60	793	733	0.08	132,100
Cyprus	689,565	1	12	69	57	0.17	57,500
Czech Rep	10,230,060	3	44	1023	979	0.04	232,500
Denmark	5,349,212	41	332	535	203	0.62	16,100
Estonia	1,370,052	9	55	137	82	0.4	24,910
Finland	5,181,115	2	16	518	502	0.03	323,820
France	61,399,541	41	1,100	6,140	5,040	0.18	55,800
Germany	82,491,000	346	6,968	8,249	1,281	0.84	11,800
Greece	10,964,020	10	201	1,096	895	0.18	54,550
Hungary	10,198,315	0	0	1,020	1,020	-	-
Ireland	4,239,848	20	141	424	283	0.33	30,100
Italy	57,110,144	54	500	5711	5,211	0.09	114,220
Latvia	2,377,383	0	0	238	238	-	-
Lithuania	3,483,972	0	0	348	348	-	-
Luxembourg	439,539	9	154	44	0	3.5	2,900
Malta	404,962	4	43	40	0	1.07	9,400
Netherlands	16,105,285	100	2,430	1,611	0	1.51	6,600
Poland	38,230,080	1	26	3,823	3,797	0.006	1,470,000
Portugal	10,356,117	35	617	1,036	419	0.59	16,800
Romania	21,680,974	20	300*	2,168	1,868	0.14	72,270
Slovakia	5,193,376	5	60	519	459	0.1	86,600
Slovenia	1,987,971	15	205	199	0	1.03	9,700
Spain	40,847,371	148	4,500	4,085	0	1.1	9,100
Sweden	8,975,670	180	620	898	278	0.69	14,500
UK	50,431,700	685	3,890	5,043	1,153	1	12,960
Total	475,995,449	1,790	23,484	47,600	25,496	0.49	47,590

Table: women's shelters in Europe; * = estimated number

Endnotes

³ Newsweek article on violence against women in Russia: The Predictable Death of My Friend September 2, 2010 <http://www.newsweek.com/2010/09/02/domestic-violence-pervades-russian-homes.html>, 17 May 2011

WOMEN'S SHELTERS THE EU ACCORDING TO NUMBERS (DESCENDING ORDER)

	Population Data	Number of women's shelters	Number of places (beds) in these women's shelters	Women's shelter places needed	Women's shelter places missing	Women's shelter places per 10,000 inhabitants	Number of inhabitants per 1 women's shelter place
Luxembourg	439,539	9	154	44	0	3.5	2,900
Netherlands	16,105,285	100	2,430	1,611	0	1.51	6,600
Spain	40,847,371	148	4,500	4,085	0	1.1	9,100
Malta	404,962	4	43	40	0	1.07	9,400
Slovenia	1,987,971	15	205	199	0	1.03	9,700
Austria	8,340,667	30	750	803	80	0.93	10,700
Germany	82,491,000	346	6,968	8,249	1,281	0.84	11,800
UK	50,431,700	685	3,890	5,043	1,153	0.77	12,960
Sweden	8,975,670	180	620	898	278	0.69	14,500
Denmark	5,349,212	41	332	535	203	0.62	16,100
Portugal	10,356,117	35	617	1,036	419	0.59	16,800
Belgium	10,296,350	26	460	1,030	570	0.45	22,400
Estonia	1,370,052	9	55	137	82	0.4	24,910
Ireland	4,239,848	20	141	424	283	0.33	30,100
France	61,399,541	41	1,100	6,140	5,040	0.18	55,800
Greece	10,964,020	10	201	1,096	895	0.18	54,550
Cyprus	689,565	1	12	69	57	0.17	57,500
Romania	21,680,974	20	300 *	2,168	1,868	0.14	72,270
Slovakia	5,193,376	5	60	519	459	0.12	86,600
Italy	57,110,144	54	500	5,711	5,211	0.09	114,220
Bulgaria	7,928,901	5	60	793	733	0.08	132,100
Czech Rep	10,230,060	3	44	1,023	979	0.04	232,500
Finland	5,181,115	2 ⁴	16	518	502	0.03	323,820
Poland	38,230,080	1	26	3,823	3,797	0.006	1,470,000
Hungary	10,198,315	0	-	1,020	1,020	-	-
Latvia	2,377,383	0	-	238	238	-	-
Lithuania	3,483,972	0	-	348	348	-	-
Total	475,995,449	1,790	23,484	47,600	25,496	0.49	47,590

Table: women's shelters in Europe; * = estimated number; ⁴ Only the specific women's shelters were counted, not the family shelters

WOMEN'S SHELTERS IN NEW EU COUNTRIES⁵

	Population Data	Number of women's shelters	Number of places (beds) in these women's shelters	Women's shelter places needed	Women's shelter places missing	Women's shelter places per 10,000 inhabitants	Number of inhabitants per 1 women's shelter place
Bulgaria	7,928,901	5	60	793	733	0.08	132,100
Cyprus	689,565	1	12	69	57	0.17	57,500
Czech Republic	10,230,060	3	44	1,023	979	0.04	232,500
Estonia	1,370,052	9	55	137	82	0.4	24,910
Hungary	10,198,315	0	0	1,020	1,020	-	0
Latvia	2,377,383	0	0	238	238	-	0
Lithuania	3,483,972	0	0	348	348	-	0
Malta	404,962	4	43	40	0	1.07	9,400
Poland	38,230,080	1	26	3,823	3,797	0.006	1,470,000
Romania	21,680,974	20	300	2,168	1,868	0.14	72,270
Slovakia	5,193,376	5	60	519	459	0.1	86600
Slovenia	1,987,971	15	205	199	0	1.03	9,700
Total	103,775,611	63	805	10,377	9,581	0.07	128,900

Table: Women's shelters in new EU countries

WOMEN'S SHELTERS IN OLD EU COUNTRIES⁶

	Population Data	Number of women's shelters	Number of places (beds) in these women's shelters	Women's shelter places needed	Women's shelter places missing	Women's shelter places per 10,000 inhabitants	Number of inhabitants per 1 women's shelter place
Austria	8,340,667	30	750	803	80	0.93	10,700
Belgium	10,296,350	26	460	1,030	570	0.45	22,400
Denmark	5,349,212	41	332	535	203	0.62	16,100
Finland	5,181,115	2	16	518	502	0.03	323,820
France	61,399,541	41	1,100	6,140	5,040	0.18	55,800
Germany	82,491,000	346	6,968	8,249	1,281	0.84	11,800
Greece	10,964,020	10	201	1,096	895	0.18	54,550
Ireland	4,239,848	20	141	424	283	0.33	30,100
Italy	57,110,144	54	500	5,711	5,211	0.09	114,220
Luxembourg	439,539	9	154	44	0	3.5	2,900
Netherlands	16,105,285	100	2,430	1,611	0	1.51	6,600
Portugal	10,356,117	35	617	1,036	419	0.59	16,800
Spain	40,847,371	148	4500	4,085	0	1.1	9,100
Sweden	8,975,670	180	620	898	278	0.69	14,500
UK	50,431,700	685	3,890	5,043	1,153	1	12,960
Total	372,219,838	1,727	22,679	37,223	15,915	0.61	16,410

Table: Women's shelters in new EU countries

Endnotes

- ⁵ Countries which became members of the EU in 2004 and 2007
⁶ Countries which became members of the EU before 2004

WOMEN'S SHELTERS IN EUROPE – OVERVIEW PER REGION

	Population Data	Number of women's shelters	Number of places (beds) in these women's shelters ⁷	Women's shelter places needed	Women's shelter places missing	Women's shelter places per 10,000 inhabitants	Number of inhabitants per 1 women's shelter place
Europe (44 countries)	801,193,865	1,992 (100%)	27,036 (32.5%)	80,144 (100%)	54,834 (67.5%)	0.34	29,630
Europe without EU (17)	325,198,416	202 (10%)	3,552 (10%)	32,544 (100%)	29,338 (90%)	0.1	91,600
EU (27)	475,995,449	1,790 (90%)	23,484 (47.8%)	47,600 (100%)	25,496 (52.2%)	0.49	47,590
EU new countries (12)	103,775,611	63 (3.5%)	805 (7.7%)	10,377 (100%)	9,581 (92.3%)	0.07	128,900
EU old countries (15)	372,219,838	1,727 (96.5%)	22,679 (59%)	37,223 (100%)	15,915 (41%)	0.61	16,410

Table: Women's shelters in Europe – overview per region

27 EU COUNTRIES: NO. OF SHLERTER PLACES PER POPULATION



This overview shows the huge differences concerning women's shelters in Europe:

- Of the 1992 women's shelters in Europe, only 202 (10%) are located in non-EU countries serving a population of over 325 million people.
- Of the 1,790 women' shelters in EU countries, 1,727 (96.5%) are located in the old EU countries.⁸
- Only 63 women's shelters (3.5%) are located in the 12 new EU countries.
- Only 805 women's shelter places are available in the new EU countries for a population of more than 10 million people and one women's shelter place has to serve a population of almost 130,000 people.

WAVE urgently calls upon the Council of Europe and the European Union as well as the member states to undertake effective measures to increase the number of safe women's shelters and not to accept that the economic crises would lead to further budget cuts and cause the deterioration of the situation and jeopardize health, live and freedom of hundreds of thousands of women and their children in Europe.

No women's shelter shall be closed!

New women's shelters shall be opened daily in Europe, until we meet the minimum standard of providing one women's shelter place per 10,000 inhabitants!

Endnotes

⁷ percentage value approximate

⁸ New EU countries = the 12 countries which became members in 2004 and 2007; old EU countries = countries who became members before 2004

2.3. WAVE recommendation for minimum standards

As demonstrated in the previous part of this chapter, there is still a concerning lack of services for women survivors of violence and their children in Europe and also in the EU member states, especially in new EU member states. In Western European countries, it was the women's movement against gender violence which, since the 1970s, engaged in establishing a network of women's shelters, rape crisis centres, women's helplines and other services. States increasingly valued the important work of women's NGOs by funding these services and working in close co-operation. The new EU member states were often more reluctant to support and fund the work of women's NGOs and, as a result, much fewer women-specific services could be established.

The concerning lack of specific services means that women survivors of violence and their children often do not get adequate help or even no help at all. For instance, in many countries there are not enough women's shelters. According to recommendations by the European Parliament and the Council of Europe Task Force to Combat Violence against Women,³⁵ a minimum standard of one family place in a shelter should be provided per 10.000 inhabitants. The Task Force also recommends that there should be one national women's helpline 24/7 free of charge in every country and defines other minimum standards; as described in the previous chapter, only 36 per cent out of 44 countries in Europe fulfil these standards presently.

Without support, women victims of partner violence feel like there is no alternative to violence for them and that they cannot leave because there is nowhere to go or there is no-one to help them. Women's shelters are especially important because they offer a safe place for women and children, provided they are equipped with the necessary safety devices. Women's shelters can save lives of women and children, especially if they are at high risk.

Besides the lack in quantity there is also a concerning lack of quality of services. WAVE experts are reporting that in some regions "shelters resemble prisons and provide sub-standard living conditions".³⁶

It is not enough to have "a roof over the head"; women survivors of violence and their children need good quality services, which are independent, empowering and gender-specific. As pointed out previously, general services such as homeless shelters or social services are not adequate. WAVE experts, as well as experts from other organisations, have developed quality standards for women's shelters and other services which should be applied in all countries and regions.³⁷

STANDARDS FOR SPECIALISED WOMEN'S SUPPORT SERVICES

Some indicators for minimum standards in service provision are, inter alia:

- Every women victim/survivor of violence and her children should be guaranteed effective protection and adequate support, regardless of age, status, nationality, ethnic background, ability, residence status, religion.
- Every country should have at least one national women's helpline where all women survivors of violence can get assistance 24 hours a day and free of charge.
- Provision of safe accommodation and high quality support in a women's shelter for women and their children. A minimum standard of one place³⁸ for every 10,000 inhabitants should be guaranteed; further government should aim at providing a standard of one family place per 10,000 inhabitants, which amount to two places per 10,000 inhabitants.³⁹
- Qualitative standard of one room per family.
- One rape crisis centre per 200,000 women.
- One women's centre for every 50,000 women, which provides crisis intervention as well as middle and long-term support to victims of all forms of violence or to special groups (i.e. specialised services for victims of trafficking in women or for women who have suffered sexual harassment at the work place).

- One domestic violence intervention centre per district/province that provides pro-active support and advocacy to women survivors of violence after police interventions or interventions of health or other agencies;⁴⁰
- Every woman victim of violence should have the right to be supported by an independent (domestic) violence advocate throughout all legal and institutional proceedings
- Sufficient numbers of specialised services for migrant/minority and refugee women.
- Outreach services to victims in rural areas.
- Middle and long-term support and – if the woman wishes - therapy to overcome the traumatic experiences of violence.
- All women's services should apply a gender-specific and feminist approach.⁴¹
- All services for women survivors of violence should be free of charge and should aim at empowering women and ensuring their safety; they should also have the necessary resources to provide adequate support to the women's children.

SOCIAL AND ECONOMIC RIGHTS

It is also necessary to guarantee social and economic rights of women so that they have a chance to live a self-determined life and not to depend on their husbands or families. This is important for the prevention of violence because women who depend on a partner financially run a higher risk of suffering violence. It is also important for getting out of a violent relationship, which is easier if a woman has her own income that ensures her subsistence. It must also be taken into account that women often are the primary care takers of children.

The following social and economic rights should be granted to all women and in particular to women survivors of violence:

- The right to affordable housing. Women survivors of violence should not be constrained to live with a violent partner even after a separation, for lack of affordable housing. This situation is still common in many regions of the EU. Also, women and their children should not have to stay in a women's shelter for a long period due to a lack of affordable housing.
- The right to free or affordable childcare.⁴²
- The right to education and training, including the right to free language courses for migrant and refugee women.
- The right for support in finding a job which ensures the subsistence of the woman and her children.
- Effective measures to close the gender-pay-gap.
- The right to adequate financial assistance (at a level that ensures subsistence) for all women who do not have a sufficient income of their own.
- Free health care for all women survivors of violence and other measures.
- An independent residence permit for women survivors of violence and humanitarian visas for undocumented women (see also recommendations at the end of chapter 3).

WAVE OBSERVATORY

Despite considerable progress many governments have made in preventing violence against women and supporting victims in Europe in the last decade, very few governments have a clear policy on establishing and funding an adequate network of women's support services and so it is often a matter of engaged women's NGOs to fight and fundraise for their existence. This represents a serious obstacle to the efforts to eliminate violence against women. The economic crises has deteriorated the situation and women's NGOs all over Europe are experiencing that budget cuts jeopardize the existence of women's shelters and other services or lead to a restriction of their services. Some governments, especially in Eastern and Southern Europe, are still providing very little or no funding the work of women's NGOs making their work dependent on foreign donors, who often follow their own funding strategies rather than the needs of women

survivors of violence. An example there are donors who fund shelters for women victims of trafficking which is seen as a serious and organised transnational crime, but would not fund shelters for women victims of domestic violence, because this is a “domestic problem”.

In the European Union another threat for the existence of independent women’s NGOs comes from the EU Directive on Goods and Services. Although not obligatory in the social sector, more and more governments on the national, regional and local level have begun to commission women’s services and women’s shelters who have been established through the commitment of civil society organisations such as women’s NGOs have suddenly to compete for the (sometimes little) funding they get on the “free market”. If the funding becomes more available, for-profit organisations appear who have special departments, lawyers and resources to join competitions, while women’s NGOs are mostly underfunded and do not have such resources. The experience and values, women’s NGOs bring into the work, their engagement against violence, the awareness raising work they are doing besides providing services, is often not valued and organisations can win a tender for running a victim service without engagement and commitment to end violence against women in society.

This is a concerning development and women’s NGOs have a difficult time to fulfill the important role they have according to international documents in eliminating violence against women.

To encounter these problematic tendencies WAVE has decided to strengthen the efforts to work for the quantitative and qualitative improvement of women’s support services and to lobby against the closing of women’s support services or the reduction of their financial resources. In order to monitor the developments and to react quickly to budget cuts a WAVE Observatory has been established in the first half of 2011.

Endnotes

- ¹ In this report term „migrant and minority women“ is used with the abbreviation MM, comprising migrant women, including undocumented migrants, asylum seeking and refugee women as well as minority ethnic women – see also chapter three
- ² See also: European Agency for Fundamental Rights (2010): EU-MIDIS. European Union Minorities and Discrimination Survey. Main Results Report, Publication Office of the European Union, Luxembourg order from: <http://www.fra.europa.eu>, 31 March 2011
- ³ Council of Europe (2011): Convention on preventing and combating violence against women and domestic violence, Istanbul, download: http://www.coe.int/t/dghl/standardsetting/violence/documents_en.asp, 11 May 2011
- ⁴ See footnote 10, page 1
- ⁵ Moldavia is missing in the country report because sufficient information could not be obtained yet; for the WAVE Country Report 2011 the inclusion of Moldavia, Andorra, Monaco, San Marino and Kosovo is planned
- ⁶ See List of Focal Points in the Annex
- ⁷ Detailed information on the WAVE conferences, including expert presentations and conference reports can be found on the WAVE website under <http://www.wave-network.org/start.asp?ID=23097>, 31 March 2011
- ⁸ WAVE data base Get information on help services: <http://www.wave-network.org/start.asp?ID=22651>, 31 March 2011
- ⁹ Unfortunately, due to a lack of resources, some of the country information on the database is out-of-date; updating information as a constant goal and challenge and we kindly ask the reader to notify the WAVE office if you come across any incorrect or missing information: office@wave-network.org
- ¹⁰ Global Network of Women’s Shelters website: <http://www.gnws.org/>, 31 March 2011
- ¹¹ For more information about the activities of WAVE, see: www.wave-network.org, 31 March 2011
- ¹² Council of Europe (2006): Combating Violence against women. Stocktaking study on the measures and actions taken in Council of Europe member States, prepared by Carol Hagemann-White with the assistance of Judith Katzenbrink und Heike Rabe/University Osnabrück, on behalf of the Gender Equality, and Anti-Trafficking Division/Directorate General of Human Rights and Legal Affairs, Strasbourg
- ¹³ Ursula/Schrötte, Monika (2004): Lebenssituation, Sicherheit und Gesundheit von Frauen in Deutschland. Eine repräsentative Untersuchung zu Gewalt gegen Frauen in Deutschland. Im Auftrag des Bundesministerium für Familie, Senioren, Frauen und Jugend, Berlin
- ¹⁴ Psytel, Ingenieure der Information, Daphne Project 2007 „IPV EU Mortality“, http://www.psytel.eu/files/violences/IPV%20EU_Mortality/IPV%20EU_Mortality%20Synthese_En.pdf, 15 December 2010
- ¹⁵ United Nations (1996): The Beijing Declaration and the Platform for Action. Fourth World Conference on Women Beijing, China 4-15 September 1995, New York
- ¹⁶ Beijing Platform for Action, <http://www.un.org/womenwatch/daw/beijing/platform/index.html>, 15 December 2011
- ¹⁷ Hester, Marianne (2005): Children, abuse and parental contact in Denmark, in: Eriksson, Maria et. al: Tackling Men’s Violence in Families. Nordic issues and dilemmas, The Policy Press, Bristol, 13-30
- ¹⁸ European Court of Human Rights (2007): Judgement Case of Kontrová v. Slovakia (Application no.7510/04), Strasbourg 31 May 2007
- ²⁹ Council of Europe (2011): Convention on preventing and combating violence against women and domestic violence, Istanbul, download:

- http://www.coe.int/t/dghl/standardsetting/violence/documents_en.asp, 11 May 2011
- ²⁰ WAVE (2010): Comments regarding the draft European Protection Order, prepared by Rosa Logar, April 2010, Vienna
- ²¹ The EPO has been approved by 610 votes to 3 with 56 abstentions.
- ²² Council of the European Union (2010): Council conclusions on the Eradication of Violence Against Women in the European Union, 3000th EMPLOYMENT and SOCIAL POLICY Council meeting, Brussels, 8 March 2010: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/lsa/113226.pdf
- ²³ the article can be downloaded from: <http://www.interventionsstelle-wien.at/start.asp?ID=339&b=47>, 31 March 2011
- ²⁴ European Union (2010): Feasibility study to assess the possibilities, opportunities and needs to standardise national legislation on violence against women, violence against children and sexual orientation violence, commissioned by the European Commission and carried out by a team of researchers led by Carol Hagemann-White/University of Osnabrück, Liz Kelly/London Metropolitan University and Renée Römkens/Tilburg University; report published by the European Union Publications Office, Luxembourg, Download: http://ec.europa.eu/justice/funding/daphne3/funding_daphne3_en.htm, 30 April 2011
- ²⁵ European Parliament (2011): Resolution on priorities and outline of a new EU policy framework to fight violence against women of 5 April 2011 (2010/2209(INI)) Download: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2011-0127+0+DOC+XML+V0//EN>, 15 April 2011
- ²⁶ For more information on the quality standards of women's shelters see the WAVE manual „Away from violence“; the manual can be downloaded in fifteen languages from the WAVE website: <http://www.wave-network.org>
- ²⁷ Council of Europe/ Task Force to Combat Violence against Women, Including Domestic Violence (2008): Final Activity Report, Strasbourg
- ²⁸ Kelly, Liz/ Dubois, Lorna (2008): Combating violence against women: minimum standards for support services, report prepared for the Council of Europe/ Gender Equality, and Anti-Trafficking Division/Directorate General of Human Rights and Legal Affairs, Strasbourg
- ²⁹ Feminist means an approach aiming at establishing equal political, economic, and social rights and equal opportunities for women and ending all forms of discrimination and violence against women, by empowering women and supporting their right to autonomy and self-determination.
- ³⁰ WAVE website: <http://www.wave-network.org>, under publications
- ³¹ Council of Europe (2008): Council of Europe Task Force to Combat Violence against Women, including Domestic Violence (EG-TFV)- Final Activity Report, Gender Equality, and Anti-Trafficking Division/Directorate General of Human Rights and Legal Affairs, Strasbourg
- ³² http://www.coe.int/t/dg2/equality/domesticviolencecampaign/Source/Final_Activity_Report.pdf, 31 December 2011
- ³³ Council of Europe (2008): Setting the standard: A study on and proposals for minimum standards for violence against women support services, prepared by Liz Kelly and Lorna Dubois/London Metropolitan University, Council of Europe EG-VAW, Strasbourg
- ³⁴ “The implementation of the provision of this Convention by the Parties, in particular measures to protect the rights of victims, shall be secured without discrimination on any ground ground such as sex, gender, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, sexual orientation, gender identity, age, state of health, disability, marital status, migrant or refugee status, or other status.” (Article 4-3.)
- ³⁵ Article 5-State obligations and due diligence
- ³⁶ Council of Europe (2008): Council of Europe Task Force to Combat Violence against Women, including Domestic Violence (EG-TFV)- Final Activity Report, Gender Equality, and Anti-Trafficking Division/Directorate General of Human Rights and Legal Affairs, Strasbourg
- ³⁷ http://www.coe.int/t/dg2/equality/domesticviolencecampaign/Source/Final_Activity_Report.pdf, 15 February 2011; European Parliament (2011): Resolution on priorities and outline of a new EU policy framework to fight violence against women of 5 April 2011 (2010/2209(INI))
- ³⁸ WAVE (2010): Europe United: Ending Violence against Women – Towards better Laws, Policies and Support Service, documentation of the 12th WAVE Conference, 14-16 October 2010, Warsaw, p.13; http://www.wave-network.org/images/doku/12th_wave_conference_documentation.pdf, 30 April 2011
- ³⁹ WAVE-Network (Women against Violence Europe) (2004): Away from Violence. European Guidelines for Setting up and Running a Women's Refuge, Manual produced through an EU DAPHNE project, Vienna; <http://www.wave-network.org/start.asp?b=6&sub=14> ;
- ⁴⁰ Kelly, Liz/ Dubois, Lorna (2008): Combating violence against women: minimum standards for support services, Report prepared for the Council of Europe, Directorate General of Human Rights and Legal Affairs, Strasbourg
- ⁴¹ Women's Aid England (2009): National Service Standards for Domestic and Sexual Violence, Core Standards, Bristol, website: <http://www.womensaid.org.uk/domestic-violence-articles.asp?section=00010001002200220001&itemid=1332>
- ⁴² The definition for „one place“ is “one bed-place”
- ⁴³ one Family place = one place for one woman and her children, this makes on average two places per 10.000 inhabitants;
- ⁴⁴ Such Services are for instance provided by the Intervention Centres in Austria or by the Independent Domestic Violence Advisors (IDVAS) in the UK
- ⁴⁵ Feminist means an approach aiming at establishing equal political, economic, and social rights and equal opportunities for women and ending all forms of discrimination and violence against women, by empowering women and supporting their right to autonomy and self-determination.
- ⁴⁶ See the Barcelona childcare targets of the European Union: by 2010, childcare should be provided to 33% of children fewer than 3 and 90% of children between 3 and 5 years of age.

3. Migrant and Minority Women experiencing violence in Europe

3.1. Introduction

Migrant, ethnic minority, asylum seeking and refugee women often face multiple discrimination when it comes to access to services and protection from violence (Logar 2011 forthcoming). To raise awareness on this issue and to improve the situation of migrant and minority women and their children, the 2010 WAVE report will focus on migrant and minority women.

In order to gather information on the situation of migrant and minority women survivors of violence in Europe, a questionnaire was sent to the WAVE focal points. Originally the plan was to differentiate between *migrant women without documents*, *migrant women without residence permit*, *migrant women with insecure or temporary residence permit*, *asylum seekers/refugees* and *ethnic minority women*. However it became clear when collecting and assessing information from the questionnaires, that the differentiation of undocumented women into these three sub-categories was too detailed. Therefore the information has been summarised into one category “undocumented migrant women”, this covers all women who do not have a valid residence permit in the country they live in.

A differentiation has been made between asylum seekers and refugee women as these two groups face very different situations. While refugee women recognised as refugees under the 1951 Geneva Convention are guaranteed rights similar to those of native citizens, asylum seeking women often face a very insecure situation and are in danger of becoming undocumented migrants when their application for asylum is rejected.

For this report, the authors decided to use the term “migrant and minority women”, knowing that it does not do justice to the specific situations and needs of all different groups of women concerned. The term should be seen as working term which can and most likely will be changed while we continue working on the realisation of migrant and minority women’s rights.

Women’s NGOs in different countries are using different definitions and categorization. Scholars like Ravi K. Thiara¹ have introduced the abbreviation of BME which stands for Black and Minority Ethnic women. Another term is BAMER (for Black, Asian, Minority Ethnic and Refugee women) which is used by the UK-based NGO IMKAAN.²

The term “migrant and minority women (MM)” used in this report aims at including the following groups of women:

- migrant women
- undocumented migrant women
- refugee women
- asylum seeking women, and
- minority ethnic women.

The report does not include comprehensive information on women victims of trafficking since the main expertise of most WAVE focal points does not lie in the area of trafficking. There are other women’s NGOs and European networks, such as La Strada, who focus on the prevention of trafficking in women.³ However, the support for women survivors of trafficking was addressed by several experts from WAVE focal points during the process of collecting information which shows the overlap of the different forms of violence against women such as trafficking, sexual and domestic violence. Therefore it was decided not to exclude information on measures and services for women victims of trafficking from the report, while acknowledging that this information is not comprehensive.

3.2. Definitions and concepts

The following part is aiming at explaining the terms used in this report, especially the terms migrant, undocumented migrant, refugee, asylum seekers, minority ethnic groups and trafficking and at developing a common understanding of these terms. Definitions used in international documents and by international organisations as well as definitions developed by NGOs are described.

3.2.1. Migrants

There is no unitary definition of the term migrant. The UNESCO Glossary on Migration⁴ provides the following definition: *"The term migrant can be understood as "any person who lives temporarily or permanently in a country where he or she was not born, and has acquired some significant social ties to this country."*

UNESCO recognizes that this may be too narrow a definition when considering that, according to some states' policies, a person can be considered as a migrant even when s/he is born in the country. In some countries such as the UK second or third generation migrants are named minority ethnic groups (see also definition of minority ethnic women).

The UN Convention on the Rights of Migrants (1990) defines a migrant worker as a *"person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national."* The Convention further states that *"The term 'migrant' ... should be understood as covering all cases where the decision to migrate is taken freely by the individual concerned, for reasons of 'personal convenience' and without intervention of an external compelling factor."*⁵

The latter definition indicates that the term migrant does not refer to refugees or displaced persons or to women victims of trafficking. Migrants are defined as people able to make choices about when to leave and where to go, even though these choices might be more or less constrained.

3.2.2. Migration

While the term "migrant" usually addresses some form of labour migration, the concept of migration is broader. It means the crossing of the border of a political or administrative unit for a certain period of time. It includes the movement of refugees, displaced persons, uprooted people as well as economic migrants. This broad definition is also applied in the World Migration Report (2010) of the International Organization of Migration.⁶ Internal migration refers to a move from one area (a province, district or municipality) to another within one country. International migration is the territorial relocation of people between nation-states.

Migration can be distinguished according to the motives (political persecution, economic migration, family reunion) or legal status (controlled migration, irregular migration, free migration). Countries use varying categories dependent on their legal and administrative systems. Thus it is difficult to use common terms and to develop common definitions.

Migration is a concept with two parts – immigration, the process of moving to a country/region where one was not born and emigration as the act of leaving the country of origin. Migrants who return to their country of origin are usually not called immigrants, but "return migrants".

A broad concept of migration implies, that many people become migrants at some point in their lives, except those who stay in the country/region where they were born and even then their status can change with political changes or war. For example, with the enlargement of the EU millions of people, who before had been classified as "foreigners" became "EU citizens" distinguishing them from other migrants or so called "third country nationals". EU citizens enjoy the four

freedoms of the EU (free movement of goods, services, people and money) and are thus privileged as opposed to other migrants.

As UNESCO states in their glossary, migration “is an important factor in the erosion of traditional boundaries between languages, cultures, ethnic group, and nation-states. Even those who do not migrate are affected by movements of people in or out of their communities, and by the resulting changes. Migration is not a single act of crossing a border, but rather a lifelong process that affects all aspects of the lives of those involved.”⁷

3.2.3. Undocumented migrants

In many countries concepts like “illegal migrants” or “irregular migrants” are used based on the migration policies and legislations that determine which migrants are in the country legally and which are not. However, migrant people are not illegal individuals rather their status is illegal. Therefore it was decided not to use the discriminatory terms “illegal” or “irregular migrant” in this report and instead apply the term “undocumented migrants”.

The international human rights organisation PICUM (International Platform of Undocumented Migrants) defines undocumented migrants as *“those without a residence permit authorising them to regularly stay in their country of destination. They may have been unsuccessful in the asylum procedure, have overstayed their visa or have entered irregularly.”*⁸

According to PICUM the routes to becoming an undocumented migrant are complex and often the result of restrictive immigration policies and procedures over which migrant people have little or no control. In PICUM’s experience the majority of undocumented migrants enter Europe legally but after a period of time, experience problems and find themselves without the relevant permit for residence or employment. PICUM argues that “irregularity” is not a criminal offence. It is often caused by unfair regulations and administrative hurdles. It is the experience of WAVE that women, due to their dependency on men, easily find themselves in an insecure residence situation. For instance migrant women, who are dependent on their husbands for their residence status, risk losing their permit when they seek to leave their violent partner and become undocumented.

Undocumented women are highly vulnerable to violations of their most fundamental human rights because of their irregular status.

3.2.4. Refugees

Refugee is the term commonly used to describe a person who has already been granted refugee status according to the United Nations 1951 Geneva Convention.

According to the Convention the term refugee applies to any person who, due to *“a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.”* [Convention of 1951, Article 1A (2)]

The granting of refugee status usually implies being guaranteed the same rights as national citizens. Thus women who are granted refugee status might face all sorts of discrimination but they cannot be denied basic rights such as the right to stay in the country or the right to financial aid, health care or access to women’s shelters.

3.2.5. Asylum seekers

The term “asylum seeker” describes a person who moved across borders in search of protection and who applied for protection as a refugee according to the 1951 Convention and is awaiting the determination of his or her status. Asylum seekers become refugees if the authority recognises them as such. If this is not the case, they become undocumented migrants and are often obliged or forced to leave the country where they sought protection.

The international definition of refugee has long been interpreted primarily in the context of male asylum-seekers. However, as the UNESCO Glossary on Migration explains, the claims of women asylum-seekers often differ from those of men in several respects. Women often suffer from or face harms which are either unique to their gender, such as female genital mutilation or forced abortion, or which are more commonly inflicted upon women than men, such as rape or domestic violence. Women’s claims also differ from those of men in that they may suffer from harms because they are women, i.e., as a result of their gender and experience violence from private rather than governmental actors.

Unfortunately asylum authorities often fail to recognise that harms solely or predominately affecting women, such as female genital mutilation, so called “honour crimes” or forced marriage, may constitute persecution. Thus women asylum seekers might face discrimination and not be granted political asylum.

3.2.6. Minority ethnic and indigenous groups

A minority can be defined as a sociological group that does not constitute the dominant majority of the total population of a given society. An ethnic group can be defined as a group of people having racial, religious, linguistic or other characteristics in common.

By using the term “minority ethnic” instead of the term “ethnic minority” we want to recognise that ethnicity is a characteristic of all individuals and groups, minorities and majorities. The term “ethnic minority” tends to suggest that only minority groups have an ethnicity and that their marginalised status arises from the “possession” of ethnicity rather than from social exclusion and discrimination. The term minority ethnic as an alternative term draws attention to the commonality of ethnicity and indicates, as stated, that it is the non-inclusion of particular types of ethnicity which results in minority (i.e. relatively powerless) status.

Minority Rights Group International, an international human rights organisation working to secure rights for ethnic, religious and linguistic minorities and indigenous people around the world, defines disadvantaged ethnic, national, religious, linguistic or cultural groups who are smaller in number than the rest of the population and who may wish to maintain and develop their identity, as minorities of concern to them.⁹

The British NGO INKAAAM, an NGO providing specialist support and routes to safety for BAMER (Black, Asian, Minority Ethnic & Refugee) women and children affected by violence and abuse, also uses the term “minority ethnic” women.

Minority ethnic people, including indigenous people, can be confronted by discrimination and even denial of basic rights in Europe. Everywhere on the continent, Roma are the most vulnerable group, often facing multiple discrimination such as exclusion from housing, employment, education, health care and justice. Roma women are also often excluded from services for women survivors of violence.

In many countries of Europe migrant communities have long existed; often they are still named migrants, even if they or even their parents were born in the country and have obtained citizenship in the country. It is therefore more appropriate to call these groups of people national citizens differentiating them from minority ethnic groups to avoid discriminating against them.

Minority ethnic women survivors of violence do not have insecure residence and citizenship rights. But they still often face many forms of discrimination, including racism and are often socially excluded. Muslim communities face increasing islamophobia since 9/11 and as UNESCO states in the glossary on migration; this is strengthening radicals among Muslim communities and feeding into a cycle of distrust.

3.2.7. Women victims/survivors of trafficking

According to the United Nations, trafficking is *“the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.”* (UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons 2000 – Palermo Protocol)

Women are disproportionately affected by trafficking and are forced into prostitution or into labour services.

Due to international conventions on trafficking, such as the Palermo Protocol or the Council of Europe Convention on Action against Trafficking in Human Beings (2005), many countries in Europe have been obliged to improve their efforts to fight trafficking. This form of violence against women is more recognised than other forms of violence, such as sexual or domestic violence against women, because it is considered part of organised crime. As a result, women's NGOs in Eastern and Southern European countries face the problem that they get funding for shelters accommodating women victims of trafficking but not for victims of sexual and domestic violence.

Migration is not a static but a dynamic phenomenon and migration flows change constantly. The following chapter is based on the World Migration Report 2010 published by the International Organisation of Migration and aims at giving a short overview on migration flows in Europe and Central Asia.¹⁰

3.3. Migration in Europe

Migration developments and migration policies are a phenomenon concerning WAVE focal points' daily work in supporting migrant women survivors of violence and their children. In order to orient ourselves in often rapidly changing situations and to try to find adequate answers to the problems and needs of migrant women it is necessary to be familiar with the issue of migration and future migration flows. It is also important to raise awareness on biases and prejudices concerning migration, for instance on the way Western Euro-Centrism is shaping the views and perspectives: migration is preliminary seen as a problem of immigration in Western European countries caused by “sending” countries from Eastern Europe or other regions and it is overlooked that other countries can also be “destination” countries facing the challenge of managing emigration and immigration at the same time.

As stated in the previous chapter, the concept of migration used in the IOM report covers every reasons for why people leave their country and move to other countries, including labour migration, forced migration i.e. through persecution and trafficking, migration caused by poverty or natural disaster or political conflict.

In 2010 and estimated 72.6 million migrants lived in Europe and Central Asia¹¹ (IOM 2010, p.183). Some countries (Albania, Georgia, the Republic of Moldova, Lithuania and Tajikistan) still remain “sending” countries, although to a lesser degree than in the 1990s (IOM 2010, p. 183).

In Europe strong intraregional migration flows can be observed, particularly since the EU enlargement in 2004 and 2007. Western and Central European migrants predominantly move within EU countries or to North America. Eastern European and Central Asian migrants mostly immigrated to Russia or other former Soviet Union countries.

Regarding migration flows, the Russian Federation is both the most important country of origin in Europe as well as the most important country of destination. Over 12 million people from Russia are living abroad, and 12 million from other countries are living in Russia.

The Russian Federation is the leading country concerning immigration in Europe, followed by Ukraine (5.9 million), the United Kingdom (4.2 million), Germany (4.1 million) and Kazakhstan (3.6 million) (IOM 2010, p. 184).

3.3.1. Female migrants in Europe

Between 2005 and 2010 the number of female migrants increased in Europe and Central Asia, reaching a total of 36.5 million in 2010. However, the percentage of women in the total stock of migrants in Europe remained stable at 52.3 per cent (IOM 2010, p.184).

Eastern Europe has the highest proportion of female migrants (57.3% of total migrant stock), while Western Europe has the lowest (49% of total migrant stock).

3.3.2. Migration in Western and Central Europe¹²

In Western and Central Europe the majority of countries have seen an increase in net immigration¹³ with Cyprus, Luxembourg, Spain, Iceland and Ireland being the countries with the highest increase. Central Asian and new Member States of the EU have experienced a reduction in their net emigration.

An estimated 51 million migrants live in Western and Central Europe, according to the migration report. The top five destination countries in Western and Central Europe are: Germany (10.8 million migrants), France (6.7 million), United Kingdom (6.5 million), Spain (6.4 million), Italy (4.5 million) (IOM 2010, p. 185). Between 2005 and 2010 migration in Western Europe increased by 5.6 million migrants. The highest increase was registered in Spain and Italy (1.8 and 1.4 million), followed by the UK (610,000), Ireland (280,000) and France (210,000) (IOM 2010, p. 185).

With some exceptions the number of migrants as a percentage of total population has also increased almost across the board in Western and Central Europe. Luxembourg has the highest percentage of migrant population (35%), followed by Switzerland (23%), Ireland (20%) and Cyprus (18%) (IOM 2010, p. 186). The reasons for the increase in the number of migrants do not lie so much in the interest of the migrants, but rather in the interests of the destination countries; important factors are the fast declining population, especially in Southern Europe, high rates of economic growth before the economic crises with a need for an increase in labour force (for instance in Ireland). Another reason for the increase in migration is family reunification.

However, it is also important to note that the increase in immigration has not led to an increase in net migration. Many Western European countries also have a significant emigration rate of foreign-born population which has led to a reduction of net migration by over a third in Germany, Switzerland and the United Kingdom (IOM 2010, p. 188).

The EU enlargement in 2004 had a significant impact on migration flows within the EU from new to old Member States. Overall, 34 per cent of migrants to EU Member States come from other EU Member states (Eurostat 2008, quoted in IOM 2010, p. 188).

3.3.3. Migration in Eastern Europe and Central Asia

According to the Migration report, in Eastern Europe, approximately 25.6 million migrants were hosted by the Western Balkans, Central Europe and Central Asia in 2010. The top three destination countries are the Russian Federation (12.3 million), the Ukraine (5.3 million) and Kazakhstan (3 million); these three countries host 80 per cent of the international migrants in the region.

The percentage of migrants in the total population was 8.6 per cent in 2010 and has remained stable since 2005. The decrease in immigration was paralleled by a population decline that also took place in Eastern Europe and Central Asia so that the percentage of migrant population stayed the same. The top countries concerning the percentage of migrant population are Kazakhstan (19.5%), Ukraine (11.6%), Moldova (11.4%), Belarus (11.4%) and Armenia (10.5%) (IOM 2010 p. 191)

Migration to the Russian Federation is dominated by the inflow of ethnic Russian citizens residing in countries of the former USSR. However, labour migration by non-ethnic Russian citizens of former Soviet republics may become the main driver for the increase in migration flows in the future. (IOM 2010, p. 192).

3.3.4. Migration flows, impacts and challenges

As stated, changes in migration can be caused by political, economic, demographic, environmental or other factors.

Some examples: The wars in Former Yugoslavia forced hundreds of thousands of people to leave their homes and many of them sought refuge in EU countries at the beginning of the nineties.

The enforcement of the EU Schengen treaty with the principle that refugees have to apply for political asylum in the country where they entered the EU has shifted the migration problem to the margins of the EU. Countries such as Greece with the borders to the East, Spain and Italy are experiencing an increase in people trying to cross their borders often by risking their life and health in order to enter the "Fortress EU" in search of freedom and better living conditions. The authorities of these countries are often unable to manage the migration flow in a professional, human rights based way and thus tens of thousands of migrants are living in inhuman conditions on the margins of the EU.

The recent political uprising of people against authoritarian and totalitarian regimes in North Africa and Western Asia (Near East) and other events will also have an impact on migration in Europe.

The economic crisis has further deteriorated the situation for migrants: the crises caused a sharp increase in unemployment rates. As a consequence governments, especially in the EU, introduced measures to protect domestic labour markets. New immigration restrictions were introduced aiming at reducing the inflow of migrants and encouraging their return. Policy measures to restrict migration included reinforced measures against employers of irregular migrants, return programmes, stricter enforcement of residence laws, enhanced border management and rising unemployment rates in EU Member States (IOM 2010, p. 185).

These restrictive policies unfortunately contributed to increasing the negative public opinion towards migrant people who are often made scapegoats and blamed for problems such as unemployment. Xenophobia and racist tendencies are on the increase fueling nationalism and supporting right-wing political groups gaining political influence, which further exacerbates the situation for migrant people and restricts their enjoyment of human rights.

Women's shelters and other women's services are always impacted by these developments in migration and the political reactions. They face the challenge of adapting to the changing situations constantly in order to be able to respond to the needs of old and new groups of migrant women and to secure their access to services and justice.

3.4. The situation of MM women victims/survivors of violence

Violence against women is a universal phenomenon and women from any ethnic background, social origin, class and age can become a victim of violence committed by men. However, migrant and minority women survivors of violence are women often facing multiple forms of violence and discrimination because they are women, migrants, minority ethnic or undocumented and different dimensions of oppression intersect in their lives.¹⁴ In order to understand the situation of MM women it is necessary to analyse all the dimensions of inequality they face. An intersectional perspective is not only important for understanding why MM women are marginalised but also why and how they are excluded from access to services for survivors of violence.

A serious problem some groups of MM women survivors of violence face is their insecure residence status. Migrant women, who follow their husbands to a foreign country through family reunification, often lack an independent residence permit and are dependent on their husband's visa. This creates a dependence on the partners and decreases their ability to leave them; otherwise they risk losing their residence permit and being expelled from the country. The vulnerable legal status of MM women disempowers them and opens yet another door for abuse by their partners: they can use their dependency and threaten to report them to the police, so that they will be deported, or that they will not see their children again.

As is often in cases of domestic violence, women face pressure to deal with the abuse within the family rather than reporting it to the police. Women, who live in small migrant communities, are also afraid of being stigmatised as survivors of violence. The situation of migrant women survivors of violence can be further complicated by a lack of knowledge about the way the society and the system are organised (healthcare, police, judiciary, social services, labour market) in the country of residence. MM women who have just arrived recently might not have relatives, acquaintances or friends whom they can ask for advice and reveal their situation if they suffer violence. Isolation and a lack of a social network are reasons as well as result of the violence and further increases their dependence on the abusive husband.

The language barrier is another serious problem for MM women; a lack of language skills and the absence of multi-lingual services hinders their independent access to services. They rely on their husband or other family members to visit doctors or other services. Sometimes women survivors of violence are not allowed to leave the house on their own or to enroll in language or other courses or they are even locked in the house and not allowed to see anyone. These strategies of power and control are not only experienced by MM women, they are common in abusive relationships and lead to disempowerment, low self-confidence and a loss of control of their own lives. These are consequences of violence, but, as a further stigmatisation, are often interpreted as part of the "culture" and as attributes of MM women who are then not viewed as individuals but merely as wives and part of their family. The strength of MM women, to cope and survive in an often difficult and hostile environment, is not recognised and valued.

MM women survivors of violence are less likely than country nationals to seek help from institutions as they frequently experience racism and prejudice.¹⁵ They often experience that institutions and practitioners are insensitive to their situation and needs.

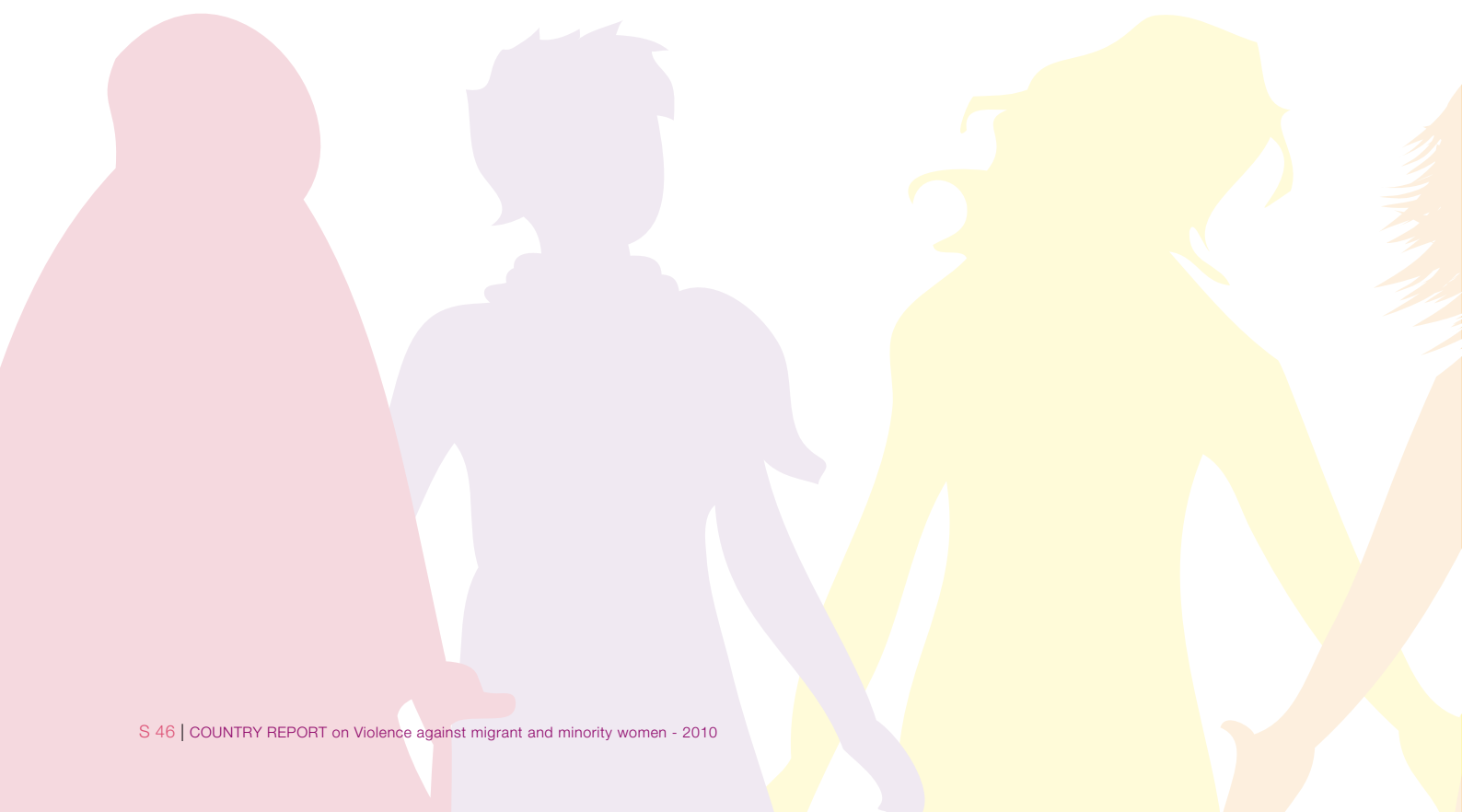
Stereotyping of migrant groups such as attributing violence to their cultures leads to the perception of violence as “normal occurrence” and hinders government authorities from taking the necessary measures to protect MM women.¹⁶ Such attitudes can cause serious gaps in protection measures endangering women’s lives, health and freedom, as the CEDAW cases¹⁷ concerning two women from Turkish origin living in Austria, who were killed by their husbands after repeated violence and threat, show.¹⁸

Often the issue of violence against MM women is not treated as a human rights issue, but as an “immigration case” and dealing with the legal status of women becomes the focus of the authorities, rather than protecting them from violence.¹⁹ As a consequence, MM women often find themselves trapped between the violence and controlling behaviour of their partner’s and the control of immigration regulations; they only have two “choices”: either bearing the violence for some years to get an independent residence permit or risking their very existence in the country and seek help.²⁰ Even if the legislation of some countries include “abuse clauses” for migrant women to apply for independent residence permits in case of violence (see next chapter), it is still very difficult to get residence permit on these grounds.²¹

Attributing violence to minority cultures is a strategy which leads to a double victimisation of MM women and to ignoring the fact that violence is universal and a result of patriarchal society as well as unequal power relations between men and women. As Sokoloff and Dupont argue, culture should not be confused with patriarchy; instead it is necessary to look at how patriarchy operates differently in different cultures.²²

3.5. Overview on the current situation of migrant and minority women survivors of violence in Europe

This chapter aims at giving an overview on the current situation of migrant and minority women survivors of violence in Europe regarding their access to services, residence status, recourse to public funds, access to protective measures and justice. As stated at the beginning of chapter three, the information comes from WAVE focal points, from organisations specialized in the support of migrant and minority women as well as from literature and other sources. The respective sources are quoted in the country sections.



3.5.1. Access of MM women to women's shelters and to information

The following table gives an overview of the access of migrant and minority women in Europe to shelters.

Table 1: Access of MM women to shelters

	Do MM women have access to women's shelters?	Are there women's shelters providing specialized support for MM women?	Do children of MM women have access to women's shelters?	Do women's shelters provide multilingual services?	Do women's shelters receive state funding for accommodating MM women?	Is there information material available in different languages?	Are there any Information campaigns addressing MM women?
Albania	Yes	Yes (only 1)	Yes (boys under 12)	No	No	Yes	No
Armenia	Yes	No	–	Yes	–	–	–
Austria	Yes	Yes (1 shelter for asylum seeking women victims of DV/ rape)	Yes (boys under 14)	Yes	–	–	–
Azerbaijan	–	Yes (for victims of trafficking)	Yes (boys under 16)	Yes	–	Yes	No
Belarus	Yes	No	–	–	No	–	–
Belgium	–	3 for victims of trafficking	–	–	–	–	–
Bosnia and Herzegovina	–	No	Yes (boys under 12)	–	–	Yes	Yes
Bulgaria	Yes	No	Yes	No	No	Yes	No
Croatia	Yes	No	Yes (boys under 16)	No	Yes	Yes	No
Cyprus	Yes	No	Yes (boys under 16)	Yes	No	sometimes	No
Czech Republic	Yes (except undocumented women)	No	Yes	No	No	Yes	No
Denmark	Yes	Yes (only 1)	Yes (boys under 15)	Yes	Yes	Yes	Yes
Estonia	Yes	No	Yes (boys under 14)	Yes	No	Yes	No
Finland	Yes	Yes (only 1)	Yes	Yes	Yes	Yes	No
France	Yes	No	Yes (sometimes only boys under 14)	some	–	some	–
Georgia	Yes	No	Yes	Yes	–	sometimes	No
Germany	Yes	Yes, several	Yes (boys under 14)	Yes	Yes, depends on federal state	Yes	Yes
Greece	Yes	No	–	No	No	No	No
Iceland	Yes	No	Yes	Yes	–	Yes	–
Ireland	Yes (undocumented women only in emergency)	No	Yes	Yes	No	Yes	Yes

	Do MM women have access to women's shelters?	Are there women's shelters providing specialized support for MM women?	Do children of MM women have access to women's shelters?	Do women's shelters provide multilingual services?	Do women's shelters receive state funding for accommodating MM women?	Is there information material available in different languages?	Are there any information campaigns addressing MM women?
Italy	Yes	No	Yes (age limit varies from shelter to shelter)	Yes	No	No	–
Liechtenstein	Yes	No	Yes (boys under 12)	Yes	–	–	–
Lithuania	Yes (except undocumented women)	No	Yes (boys under 15)	Yes	No	Yes	No
Luxembourg	–	–	–	–	–	–	–
Malta	Yes	No	Yes	No	Yes	Yes	No
Moldova	–	–	–	–	–	–	–
Montenegro	Yes	No	Yes (boys under 18)	Yes	No	No	No
Netherlands	Yes	Yes	–	Yes	No	Yes	–
Norway	Yes	No	–	Yes	–	Yes	–
Poland	Yes	Yes (for victims of trafficking)	Yes (age restrictions vary)	No	No	Yes	No
Portugal	Yes	Yes (for victims of trafficking)	–	No	–	–	Yes, but only for trafficking
Serbia	Yes	Yes (for victims of trafficking)	Yes (boys under 14)	–	–	–	Yes (by NGOs)
Slovakia	Yes	No	Yes (boys under 15)	Yes	–	No	No
Slovenia	Yes	No	Yes (boys under 16)	No	No	No	No
Spain	Yes	No	Yes (boys under 18)	Yes	No	Yes	Yes
Sweden	Yes	Yes	Yes (sometimes boys over 12 Not accepted)	Yes	No	Yes	Yes
Switzerland	Yes	Yes (only 1)	Yes (boys under 12)	Yes	No	Yes	Yes
UK - England²³	Yes (but usually not asylum seekers)	Yes	Yes (access for boys depends on shelter)	Yes	Yes	–	Yes (by NGOs)

	Do MM women have access to women's shelters?	Are there women's shelters providing specialized support for MM women?	Do children of MM women have access to women's shelters?	Do women's shelters provide multilingual services?	Do women's shelters receive state funding for accommodating MM women?	Is there information material available in different languages?	Are there any Information campaigns addressing MM women?
YES	33 (out of 38)	14	29	23	6	23	10
NO	0	22	9	9	17	5	16
No data	5	6	–	6	15	10	12
% YES	86,8 %	36,8 %	76,3 %	60,5 %	15,8 %	60,5 %	26,4 %
% NO	0 %	57,9 %	23,7%	23,7 %	44,7 %	13,1 %	42,1 %
% no data	13,1 %	5,2 %	0 %	15,8 %	39,5 %	26,4 %	31,5 %

Number countries: 38

Access to women's shelters

The table shows, that 33 (approx. 86%) out of the 38 countries providing information on the access to shelters, state that in principle MM women have access to women's shelters. Four countries do not accommodate undocumented or asylum seeking women; in one country undocumented women are admitted in cases of emergency. However, according to a report by PICUM, this rather positive picture does not seem to reflect the reality of undocumented migrant women, who often experience that they are not provided with shelter places.²⁴

This is not the fault of the women's shelters themselves, but due to problematic government policies: in many countries women's shelters are faced with the situation that migrant women, and especially undocumented migrant women are not entitled to public funds; thus shelters do not get state funding when accommodating MM women and their children, especially if they do not have residence status. According to the information from WAVE focal points, women's shelters receive state funding for accommodating migrant and minority women in only six countries (approx. 16%). 17 countries (approx. 45%) state that they receive no state funding; the rest 15 (approx. 39%) did not provide information on this question.

Many women's shelters try to find alternative resources for accommodating migrant women, particularly for undocumented migrant women, but they can only accept one or two women and their children due to a lack of resources. In some countries undocumented women can only stay a few days in shelters. Also, the general lack of women's shelter places in many countries jeopardizes the safety of undocumented women, since they are the last accommodated if there is a shortage of place. Thus undocumented migrant women are often left without access to safe shelters and are forced to stay with the abuser or end up living in the streets.

There are few specialised shelters for MM women in Europe. 14 countries (approx. 38%) indicate that they have specialised shelters, but the majority of countries only have a few shelters or even only one for the whole country. The UK has the biggest number of specialised women's shelters and provides 17 BAMER²⁵ shelters (13 for Asian; one each for African, Latin American and Jewish women). MONIKA in Finland, Violetta in Switzerland and the Intercultural Women's Shelter (Interkulturelles Frauenhaus) in Germany are some other examples for specialised shelters.

Many specialised shelters are shelters for victims of trafficking or for asylum seeking women.

Access of children to shelters

Children of MM women have access to the women's shelters; however, there is an age limit for boys in almost all countries which varies between 12 years to 18 years. In some countries there is no age limit for boys but their situation is assessed individually. This is a significant problem for MM women as they usually do not have a social network which can support them in the country they live in. So when a shelter applies an age limit for boys they do not have any alternative accommodation. This can have a serious impact on MM women's access to the shelter.

Multilingual and culturally sensitive services

Despite all funding difficulties, women's shelters in twenty-three countries (approx. 60%) indicate that they provide multilingual services, at least in the most common languages. Multilingual counseling and multicultural services might be provided by staff with migrant backgrounds, staff with various language skills or by especially trained interpreters. In nine countries (approx. 24%) women's shelters indicate that they do not provide multilingual services; still, an interpretation service may be provided in these countries, at least in legal proceeding. Six countries did not provide information on this issue.

Culturally sensitive and multicultural services are still not a common practice in Europe and only a few women's shelters employ staff with migrant background.

Access to information

In 23 (approx. 60%) countries women's shelters are able to provide at least some information material in different languages. In five countries (approx. 13%) women's shelters are not able to provide such material and ten (approx. 26%) did not provide any information on this issue.

Information campaigns targeting migrant and minority women are still rare in Europe. Sixteen countries (approx. 42%) have not carry out these campaigns yet, 10 countries (approx. 26%) claim that MM women were targeted in information campaigns and 12 (approx. 31%) did not provide information on this issue.

Conclusion

In the last few years there has been progress in various European countries regarding their efforts to combat violence against women. However there still is a gap in providing specialised support to MM women.²⁶ The number of specialized shelters for MM women is very small across Europe. MM women survivors of violence often do not have access to women's shelters in practice, especially if their residence permit is not secure or if they do not have a valid residence status.

There is an urgent need to improve the access of migrant women, and especially undocumented migrant women to women's shelters and to guarantee them the basic human right to protection and support. The draft Council of Europe Convention on preventing and combating violence against women and domestic violence establishes the right of all women survivors of violence to protection and help and states that "the measures to protect the rights of victims, shall be secured without discrimination on any ground such as sex, gender, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, sexual orientation, gender identity, age, state of health, disability, marital status, migrant or refugee status, or other status."²⁷

3.5.2. Right of residence

Migrant women survivors of violence often do not have an independent residence permit and are dependent on their abuser. The following table gives an overview of the access of migrant and minority women in Europe to an independent residence permit.

Table 2: Provisions for migrant women to obtain an independent residence permit

Country	Do women have to prove a certain duration of marriage in order to obtain an independent residence permit?	Are there special provisions (e.g. abuse clause) for women survivors of violence?	Are MM women entitled to a residence permit through cohabitation/partnership?	Are MM women entitled to a residence permit through same sex cohabitation/partnership?
Albania	1 year	No	Yes	No
Austria	5 years	Yes	No	No
Azerbaijan	–	–	Yes, but only for a limited period of time	No
Belarus	less than 7 years, decisions taken individually	No	No	No
Bosnia and Herzegovina	5 years	only for victims of trafficking	No	No
Bulgaria	5 years	No	No	No
Croatia	4 years	No	Yes	Yes
Cyprus	no privileges gained through marriage	–	No	No
Czech Republic	2 years	No	Yes	Yes
Denmark	7 years	Yes (2 years -DV)	Yes	Yes
Estonia	5 years	No	No	No
Finland	5 years	No	No	Yes
France	–	Yes	No	No
Georgia	–	only for victims of trafficking	No	No
Germany	3 years	Yes ('Härtefall' - 2 years)	Yes	Yes
Greece	3 years	women do not lose their residence permit when leaving the violent husband/partner	No	No
Iceland	4 years	Yes	Yes	Yes
Ireland	8 years	No	No (only for EU citizens)	No (only for EU citizens)
Italy	women get an independent residence permit immediately	only for victims of trafficking	No	No
Liechtenstein	5 years	–	–	–

Country	Do women have to prove a certain duration of marriage in order to obtain an independent residence permit?	Are there special provisions (e.g. abuse clause) for women survivors of violence?	Are MM women entitled to a residence permit through cohabitation/partnership?	Are MM women entitled to a residence permit through same sex cohabitation/partnership?
Lithuania	7 years	No	No	No
Malta	5 years	No	No	No
Montenegro	3 years	–	No	No
Netherlands	3 years	yes (if women want to leave their husband within the 3 years)	Yes	Yes
Norway	3 years	–	Yes	Yes
Poland	after 3 years of residence in Poland	yes (it is possible to extend the residence permit after divorce)	No	No
Portugal	–	No	Yes	Yes
Serbia	3 years	No	No	No
Slovakia	–	No	No	No
Slovenia	5 years	No	Yes	No
Spain	5 years	yes (as soon as a protection order is issued or other proof of DV)	yes (it is possible to obtain a "communitarian card")	Yes
Sweden	2 years	if after 2 years of marriage: they do not lose residence permit	Yes	Yes
Switzerland	5 years	yes after 3 years if there is DV	Yes (if registered)	Yes (if registered)
UK - England	2 years	Yes	Yes	Yes

	Do women have to prove a certain duration of marriage in order to obtain an independent residence permit?	Are there special provisions (e.g. abuse clause) for women survivors of violence?	Are MM women entitled to a residence permit through cohabitation/partnership?	Are MM women entitled to a residence permit through same sex cohabitation/partnership?
YES	27 (79,4 %)	12 (35,3 %)	15 (44,1%)	13 (38,2 %)
NO	2 (5,9 %)	14 (41,2 %)	17 (50 %)	19 (55,9 %)
no data	5 (14,7 %)	4 (11,8 %) 3 (only for victims of trafficking) (8,8%); 1 (women keep the residence permit after divorce) (2,9%)	2 (5,9 %)	2 (5,9 %)

Number countries: 34; – = no information available

In 27 (79.%) of the 34 countries providing information on residence rights, women obtaining a residence permit through their husband have to wait for some time, often for years, in order to be entitled to an independent residence permit. The waiting period varies from one year in Albania to seven years in Denmark and Lithuania and eight years in Ireland.

Five years is the most common period for getting an independent residence permit for MM women. In one country (Italy) women get an independent residence permit from the beginning.

In 12 countries (approx. 35%) some sort of legislative “abuse clause” enables migrant women survivors of violence to apply for an independent residence permit under certain circumstances. They have to prove the violence and often also have to fulfil other conditions (such as a certain level of income and housing) which do not make it easy for migrant women to benefit from these type of provisions. In three countries regulations only exist for women victims of trafficking. In one country (Greece) women do not lose their residence permit when divorcing their violent husbands.

In 15 countries (approx. 44%) heterosexual cohabitation/partnership entitle women to a residence permit, in 17 countries (50%) this is not the case. The situation is even worse when it comes to same sex partnerships: only 13 countries (approx. 38%) provide the right to residence through a registered partnership, while 19 (approx. 59%) do not.²⁸

As mentioned, the threshold for MM women to prove that they are exposed to violence is high and often includes the requirement to report the violence to the police. Sometimes medical centre or shelter reports also count, which makes it easier for migrant women to provide evidence. Migrant women who can prove to have strong ties to the host country like having children, language skills, education or employment, or who can provide evidence that they are at risk of serious injury or death or social exclusion upon return to their countries of origin, have better chances of benefiting from such regulations. Considering these facts it can be argued that the existence of an “abuse clause” in the law does not guarantee a migrant woman the right to legally stay in the host country, even if she is a victim of domestic violence.

3.5.3. Access of MM women to public funds and services

Another crucial problem of MM women is that they have very limited access to public funds. Their access to public funds mainly depends on their residence permit and the more secure their permits the more they have access to public services.

Healthcare services

In most countries, migrant women appear to have access to healthcare services in emergency cases; however, migrant women without insurance are often reluctant to access health services since they cannot pay for them and are afraid of being detected if they are undocumented. In some countries there are NGOs or certain hospitals that provide free medical care for undocumented migrants.

Social benefits

Migrant women with an insecure or temporary residence permit often do not have recourse to social benefits. Undocumented women are rarely entitled to social welfare benefits.

Housing programmes

In several countries housing programmes do not exist; where they do exist, migrant women are often excluded from access to them or have very limited access.

Childcare facilities

It varies across countries but migrant women with a residence permit and a job and refugee minority ethnic women who are nationals have access to childcare facilities, if such facilities exist in sufficient numbers.

Labour market

Migrant and asylum seeking women often have no or restricted access to the labour market and thus are not able to

support their existence and those of their children. Undocumented migrant women only have the “choice” of black-market labour and face the risk of deportation if they are detected or if they have an accident at work.

3.5.4. Legal protection of MM women from violence

Protection and restraining orders are available in several countries. However, very few countries are able to provide data on the number of protection orders issued and no country has statistics on the number of MM women applying for and obtaining protection orders.

3.5.5. Policy measures and statistics

Only a few countries (UK, Finland and Switzerland) seem to address all forms of violence against women and include measures on the prevention of violence against MM women in their National Action Plans. Specific and comprehensive strategies to support and protect MM women from violence seem still to be absent in most European countries.

3.6. Recommendations to improve the support and protection of MM women survivors of violence

The gathering of information on the situation of MM women has provided WAVE with an invaluable knowledge on the issue of violence against MM women. As a result WAVE has developed the following recommendations for policy-makers, government authorities and service providers such as shelters.

Experiencing violence has a traumatising effect on women survivors of violence and it is even more difficult for MM women struggling with the problems listed above as survivors of violence, to leave the offender and to overcome the impacts of violence. Therefore it is very important for governments to take effective protection measures and prevent violence against MM women.

The following recommendations propose measures which should be taken in order to respect the human rights of migrant women. Governments and policy makers are encouraged to change current laws and policies that often make it impossible for migrant women to escape violent relationships; the concerns of migrant women and barriers they face in Europe should be addressed in all policy-making and programming on the local, national and the international level.

MM women are not a homogeneous group and their needs and expectations vary greatly, both among different migrant groups as well as within them. However, there are basic rights that MM women should be guaranteed and needs that should be met:

Recommendations concerning the right to support and protection

- The right of access to women's services and general services for all MM women survivors of violence, regardless of their legal status in their country of residency.
- The right to stay in the women's shelters as long as the women and their children need its support.
- The right to culturally sensitive services such as multilingual counselling and services for MM women and their children, including appropriate and empowering shelter conditions and arrangements.
- The right to bring children (until 18 years) to the women's shelter with no restrictions to gender or age.
- The right (but not the obligation) to choose to be supported by specialised women's services for MM women, such as women's shelters for women from certain minority ethnic groups.
- Staff of women's and general services should be familiar with and sensitive to the cultural background of survivors.
- The right to information in one's own language and the right to gender and culturally sensitive interpreter services.

Legal aid and protection

- Access to free legal aid, including representation in legal proceedings, provided by experienced attorneys who are familiar with the relevant laws and regulations.
- Access to affordable housing when they leave housing they share with the perpetrator.
- Empowerment to (re)gain self-confidence in order to live independent lives.

The right to an independent life, health care and access to all public services

- The right of access to labour market, free healthcare services, childcare facilities.
- Entitlement to free healthcare with emergency healthcare as a minimum standard.
- Free language courses for MM women and their children.
- The right to affordable housing and access to housing programmes for all women survivors of violence, including MM women.

The right to residence

- The right to stay in the women's shelters until they receive an independent residence permit.
- Recourse of MM women to public funds should not have negative consequences on the legal status of MM women.
- The right to an independent residence permit and access to the labour market.
- The right to a humanitarian visa for undocumented migrant women survivors of violence and their children.

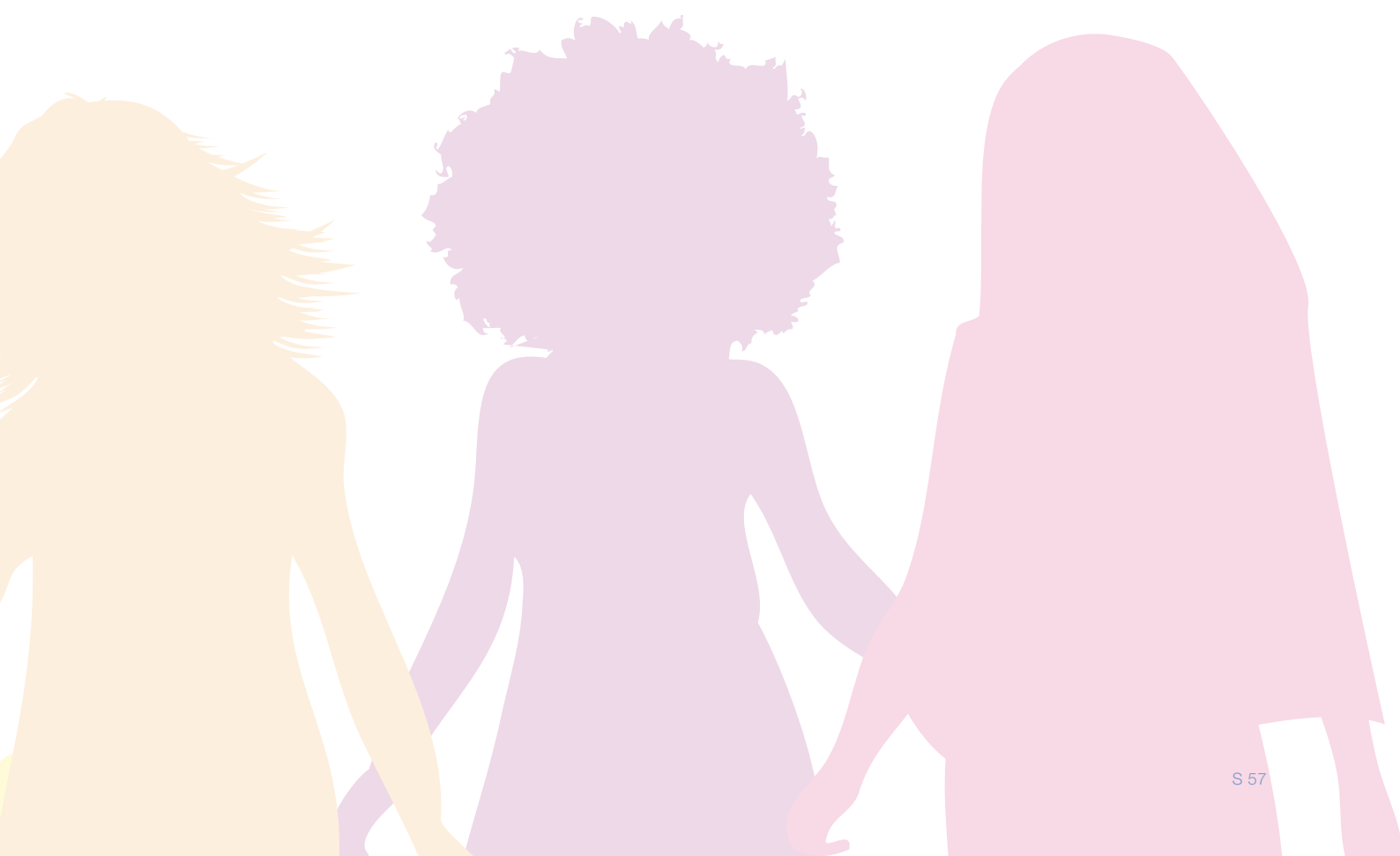
Governments and policy makers should further

- Adopt a human rights perspective on violence against MM women rather than an immigration control perspective.
- Train relevant state agencies to prevent the discrimination, prejudice, and stereotyping of migrant and minority communities.
- Avoid attitudes and approaches which perceive violence as inherent part of migrant cultures and as a normal occurrence.
- Employ intercultural mediators, who are trained to mediate and empower women in their own community in order to overcome barriers in accessing services.
- Translate information materials (leaflets and brochures) into the major languages of migrants, and carry out information campaigns on combating VAW targeting MM women.
- Conduct public information and awareness raising campaigns on combating VAW targeting MM women (such as posters in mostly visited places like immigration offices, consulates, pharmacies, markets, playgrounds, primary healthcare services, hairdressers, family counselling centres, police).
- Draft, with the support of women's NGOs supporting MM women, national action plans, provide necessary resources to implement and regularly evaluate the national action plans; the national action plans should include comprehensive measures on the protection and support of MM women survivors of violence.
- Integrate an intersectional and gender perspective in migration policies and other relevant programmes and national action plans.
- Gather relevant data and gender-sensitive statistics on MM women's access to support, protection and to justice and use this to inform future policy making.

The present list of recommendations was developed by WAVE experts in 2010. It is not exhaustive and in 2011 the WAVE office is planning to extend the consultation process and to provide more detailed and comprehensive recommendations in the WAVE report 2011.

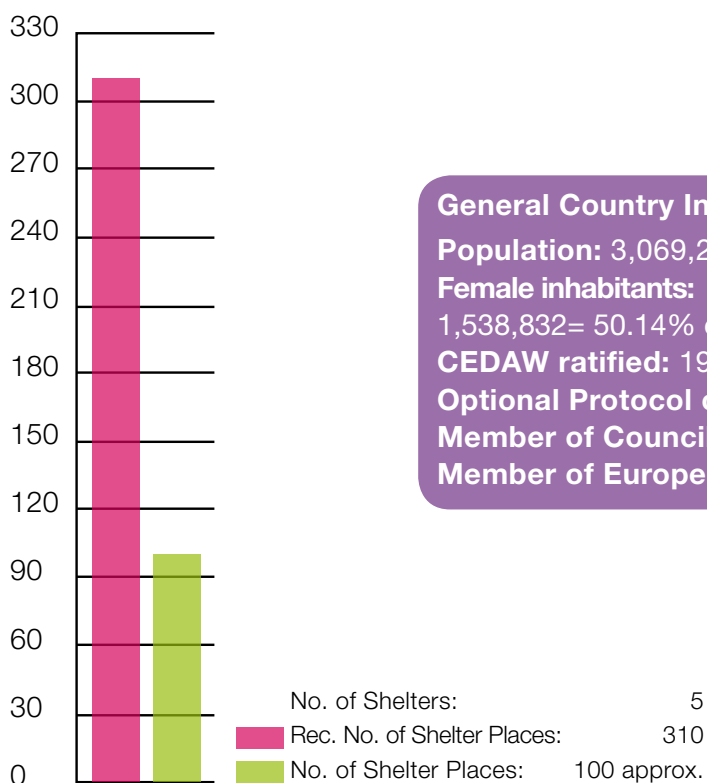
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- ⁷ See footnote 4
- ⁸ PICUM (International Platform of Undocumented Migrants) <http://www.picum.org/article/undocumented-migrants>, 15 December 2010
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- ¹⁰ International Organisation of Migration (IOM) (2010): World Migration Report 2010. The Future of Migration: Building Capacities for Change, Geneva
- ¹¹ The IOM World Migration Report includes in the figures on migration in Europe the data from the five countries of Central Asia (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan) with a total population of app. 61.5 million people
- ¹² In the IOM Migration Report Western Europe is defined comprising the 27 EU countries, the 3 EFTA countries (Iceland, Lichtenstein and Norway) and two EU candidate countries (Croatia and Turkey).
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- ²⁴ Wales: Access to shelters: yes, but only if they have recourse to public funds; boy: yes (under 18); no data available from Scotland and Northern Ireland
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- ²⁸ It has to be noted that the question if same sex cohabitation/partnership is legally recognized was not asked



ALBANIA

(REPUBLIC OF ALBANIA)



General Country Information

Population: 3,069,275¹

Female inhabitants:

1,538,832= 50.14% of total population

CEDAW ratified: 1994

Optional Protocol of CEDAW ratified: 2003

Member of Council of Europe: 1995

Member of European Union: no

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Facts and Figures

Latest number of femicides: According to a survey, 56 women were killed and 74 seriously injured in cases of domestic violence in 2005.²

Latest number of DV cases reported by police: In 2009, 1,063 cases of domestic violence were reported by the police;³ the courts received 747 petitions for protection orders.⁴

Latest number of DV cases reported by women's shelters: No data available.

Prevalence of DV: According to a report by Amnesty International published in 2008, one third of Albanian women are affected by domestic violence.⁵ In a national sample survey, by the National Statistics Agency of Albania with UN support, on gender based violence involving 2,590 families, it was found that the numbers of women affected by violence are high: 50.6 percent of women have suffered emotional abuse; 39.1 percent of women psychological abuse; 31.2 percent of women physical abuse and 12.7 percent of women have suffered sexual abuse.⁶

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE⁷

Women's Helplines


The first Albanian women's helpline was established in October 1996 in Tirana. Currently there is no 24 hour helpline free of charge available specifically for women.

The only free of charge helpline (besides the police emergency helpline 129) is the national helpline for children (ALO 116). There is a helpline for victims of trafficking (800 12 12), which also, but not solely, serves women.

On the regional level, ten helplines supporting women survivors of domestic and sexual violence are operated by counselling centres in Shkodra, Pogradec, Elbasan, Durrës, Berat, Vlorë, Gjirokastër, Kukës and Tropojë (the centre and helpline was opened recently by the Human Rights in Democracy Center). Of the ten regional helplines only one, the helpline Vlorë, is able to provide 24 hour services. Most of the helplines are financed through foreign donors and do not receive state funding. Since 2009 the government

has started to make small contributions to the running of the services, which is promising and will hopefully lead to greater state commitment in the future; the helpline Vlorë gets a small grant and the helpline in Berat is able to use premises provided by the municipality free of charge.

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	0	0	0	-	-
Regional	10	0	1	0%	0.1%


Women's Shelters

There are five women's shelters in Albania with an approximate capacity of about 100 places. Two of the shelters, the Shelter for Abused Women and Girls in Tirana, and the shelter Other Vision in Elbasan are specific shelters for women survivors of violence and their children. The other three shelters accommodate women victims of trafficking as well as survivors of domestic violence.

An additional shelter for women survivors of domestic violence and their children is planned as a part of the new National Centre for Domestic Violence, established by the Government in 2010, but the shelter is not yet open.

According to information by NGOs, the five shelters provide about 100 places, whereas the government, in the 2010 study of the Council of Europe, claimed that there are 124 places available.⁸ According to the standard set by the Council of Europe Task Force to combat violence against women⁹ to provide at least one place per 10,000 inhabitants, approximately 310 shelter places are needed in Albania. Thus between 180 to 210 shelter places are still missing and taking into account that the shelters also serve women victims of trafficking, even more shelter places are needed.

Table of Women's of SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
5	100 approx.	310	210	5	0

Further Services for women survivors of violence

Women's centres supporting women survivors of domestic violence are operating in Shkodra, Pogradec, Elbasan, Durrës, Berat, Vlorë, Gjirokastër, Kukes and Tropojë. The centres also run regional helplines.

The first counselling centre was created in Tirana in 1996. Several services, including the first helpline and the first women's shelter, were founded by the NGO Refleksione.

Since 1998, women's NGOs have formed a national network called the Network against Gender-Based Violence and Trafficking.¹⁰

National Action Plan

In cooperation with women's NGOs, the Albanian government has been working on the implementation of the National Strategy on Gender Equality and Domestic Violence (2007-2010).¹¹ Presently, the government is reviewing the action plan and working on a revised plan for the coming years.

ALBANIA

Additional Issues

In 2006, the Albanian legislature passed the law On Measures against Violence in Family Relations. From 2007 to 2009, the Network against Gender-Based Violence and Trafficking carried out the project Making it Real: Implementing the Law against Domestic Violence in Albania in order to facilitate the implementation of the law and to establish a co-ordinated community response.¹² The initiative to build a coordinated community response to tackle domestic violence is piloted in seventeen Albanian municipalities.

The Albanian Ministry of Health, has issued a number of regulations regarding the treatment of survivors of domestic violence in the health system.¹³ The Ministry of Health has also signed a cooperative agreement in 2008 called Measures against Violence in Family Relationships. The agreement was signed by the following institutions: Ministry of Interior, Ministry of Labour, Social Affairs, and Equal Opportunities, Ministry of Justice, Ministry of Health and Ministry of Education and constitutes an important basis for the implementation of and compliance with the Law.

Situation of MM Women survivors of violence in Albania

According to the International Organisation for Migration (IOM) the percentage of foreign born people in Albania was 2.8 per cent of the total population in 2010.¹⁴ Of this group of immigrants 53.1 per cent were women.

In 2006, 56 refugees and 36 asylum seekers lived in Albania in 2006.¹⁵ Additionally 21 asylum seekers requested refugee status and nine were granted political asylum.

As the above figures show, immigration is currently not a widespread phenomenon in Albania. Albania is still rather a country of emigration and migration policy is centered on managing emigration rather than on the development of an immigration policy.¹⁶

Minority ethnic groups in Albania are Greeks, Macedonian, Egyptians and Roma. The Roma communities are among the most politically, economically and socially neglected groups in the country. There are no official figures for the size of the community, but estimates range from 80,000 to 150,000.¹⁷ The Albanian government has adopted a national action plan for Roma in 2003, however, the record has not been encouraging so far. According to the European Commission the disparity between the social and economic situation of Roma and that of the rest of the Albanian population was increasing, with 78 per cent of the Roma living in poverty and 39 per cent in extreme poverty.¹⁸

Roma women and girls frequently live in extreme poverty, are illiterate or have very basic education and are living in continuous risk of exploitation. Early marriages and early childbirths are common. Often women are not officially married to their partners and are survivors of violence from family members and partners.

The legal age for marriage is 16 years for women and 18 years for men. Early marriage is generally not widespread in Albania. The average age of marriage is close to the global average but certain groups such as Roma girls are disproportionately affected by early marriage. Despite legislation in place, forced marriages are still frequent.

Trafficking in women is still a serious problem, even though it was formally criminalised in 2001. According to UNIFEM, the situation is improving, thanks to activities of NGOs and government action, but many problems persist.¹⁹ Women victims are often arrested, treated like criminals, and accused of prostitution and illegal entry into the territory.

1. Access of MM women to women's shelters and other services

Migrant and minority women have access to women's shelters if they are in especially vulnerable situations such as trafficking, threats to life, extreme poverty, trafficking risk. However, as stated earlier, there are not enough shelter places in the country. There is no information available on the number of MM women accommodated in women's shelters.

Children of MM women are generally admitted to the shelters, however, there is an age limit for boys (12 years).

The shelters seek to provide native language counselling for MM women and their children, but they often lack the necessary resources. According to the law, victims of trafficking or victims who are foreigners have the right to interpretation services.

There are special programmes for refugees and asylum seekers: The United Nations High Commissioner for Refugees (UNHCR) provides social and legal services, health care coverage, insurance, and limited training support for the small refugee community through the government-run national reception centre Babrru.

There are awareness raising and information campaigns on VAW in general but not specifically for MM women survivors of violence. Information materials in native languages are available for Roma and Egyptian women. These materials are delivered through campaigns run by NGOs addressing Roma and Egyptian communities.

2. Right of residence

There are no exceptions for MM women to get a residence permits if they experience violence.

A foreigner is allowed to apply for a residence permit because of family reunion, if one of the family members (any family member, not only the spouse) is an Albanian citizen, refugee, or a foreign resident with residence permit no shorter than one year. The residence permit request of a foreigner for reasons of cohabitation with a foreign resident in Albania, within the framework of family reunion, is accepted only if, cohabitation is recognised by the law of the country of one of the applicants. However, a same sex partnership/cohabitation does not provide any right to get a residence permit for the foreign partner.

3. Access of MM women to public funds and services

Healthcare services

According to the information provided by NGOs, migrant women, asylum seeking and refugee women, including undocumented women, have access to healthcare services within the frame of a specific programme for migrants and asylum seekers. Ethnic minorities groups have access to healthcare services like any other Albanian citizen. Women survivors of violence are offered healthcare services by law. The new National Center for Survivors of Domestic Violence will provide health as well as other services.

Social benefits

Migrant women, asylum seeking, refugee women can have access to social benefits depending on a specific programme for migrants and asylum seekers, whereas ethnic minorities are Albanian citizens and have access to all social benefits.

Housing programmes

Minority ethnic women, asylum seeking and refugee women have access to housing programmes, undocumented women do not. Women survivors of violence are offered temporary shelter, however the main problem is, the insufficient number of shelter places and housing programmes in general.

Childcare facilities

Minority ethnic, refugee and asylum seeking women have in principle access to childcare facilities, the two latter through specific programme for asylum seekers.

Labour market

Minority ethnic groups such as Roma and Egyptian women are Albanian citizens and in principle the labour market is open to them, but discrimination of different forms often excludes them. Migrant and refugee women, have access to the labour market if they have a residence permit.

4. Legal protection of MM women from violence

Important documents and laws regarding domestic violence and gender equality in Albania are:

- The Law no. 9669, On Measures against Domestic Violence, approved on 18th of December 2006, which entered into force in June 2007 and was amended in September 2010.

ALBANIA

- Law no. 10039, on Legal aid, dated 22nd of December 2008.
- The Law no. 9970, On Gender Equality in Society, approved on 24th of July 2008.

The Law No. 9669 On Measures Against Violence in Family Relations enables women to request a protection order. In 2009, courts received 747 petitions for protection orders from victims.²⁰ There is no exact data, but it is estimated that only 20 per cent of these orders were fully granted.²¹ There is no data available regarding the number of protection orders issued for MM women.

The police are required by law to respond to calls by providing immediate support to the victim and arresting the perpetrator until the court releases a protection order. This order, which must be based on clear evidence that there has been violence, prohibits the perpetrator from approaching the victim. There is no data available on how many cases the police intervene in to protect MM women from violence.

Domestic violence is not specifically mentioned in the criminal code, and is generally only prosecuted when accompanied by threats to life or results in severe injury or death.²²

Women increasingly report domestic violence particularly in urban cities. Nonetheless, many incidents still go unreported or women withdraw complaints as a result of family pressure and economic dependence on the perpetrator. According to official figures; in 2009, 1,063 cases of domestic violence were reported to the police. In more than 90 per cent of the cases women were affected by the violence.²³ There is no data available on the reporting of violence against MM women.

According to NGOs, civil courts are biased in their approach towards MM women, especially towards Roma women, deriving from the general prejudices and discrimination against this group in Albania.

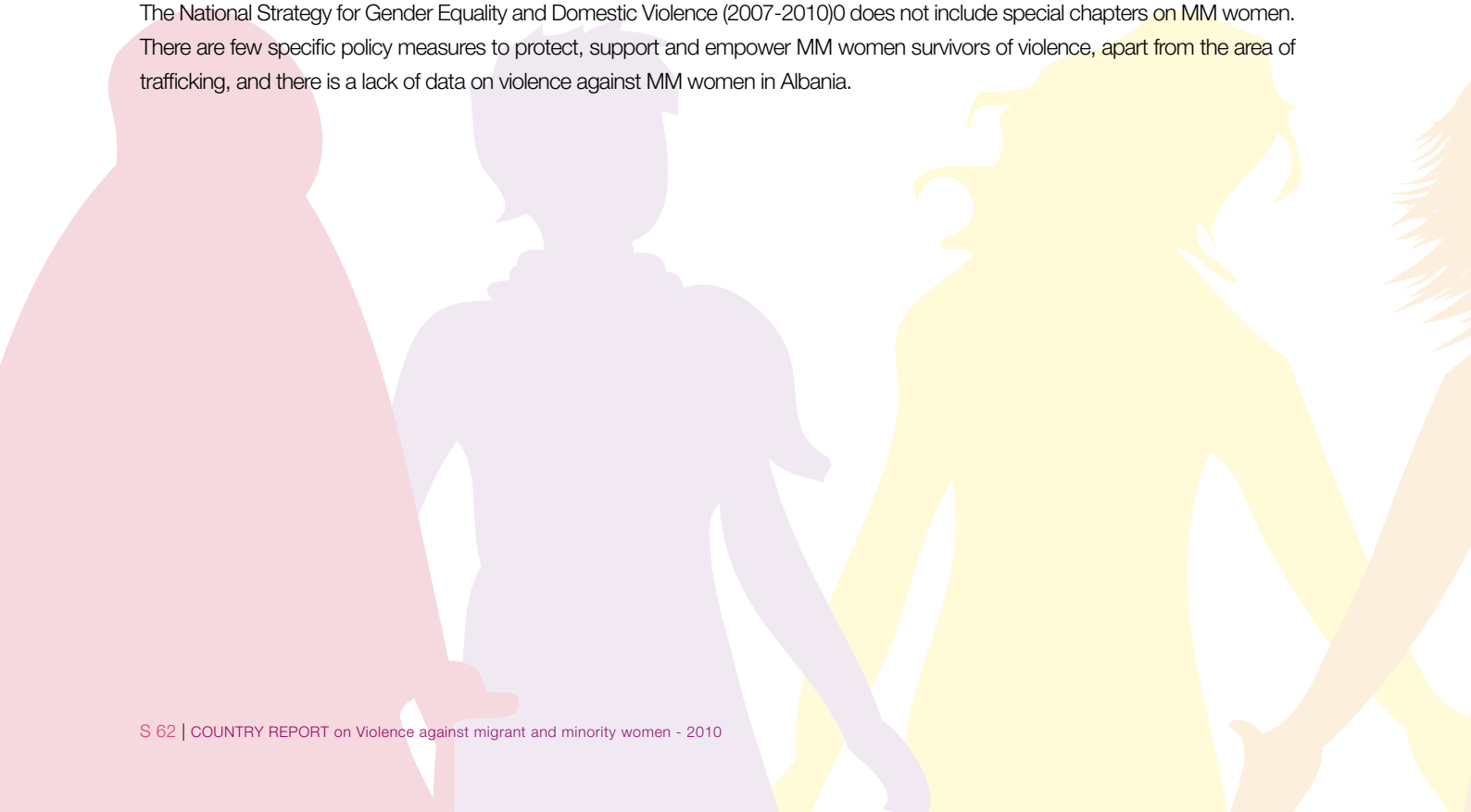
Legal aid

There is legal aid available for migrant women, women asylum seekers and refugees. Interpretation is provided in legal proceedings. According to the law, the government should also provide free legal assistance, but there is still room for improvement in this area. According to NGOs many survivors of violence do not have legal representative in court.

For new initiatives to improve the implementation of the laws see the report of the project Making it Real: Implementing the Law against Domestic Violence in Albania by the Network against Gender-Based Violence and Trafficking.²⁴

5. Policy measures and statistics

The National Strategy for Gender Equality and Domestic Violence (2007-2010)⁰ does not include special chapters on MM women. There are few specific policy measures to protect, support and empower MM women survivors of violence, apart from the area of trafficking, and there is a lack of data on violence against MM women in Albania.

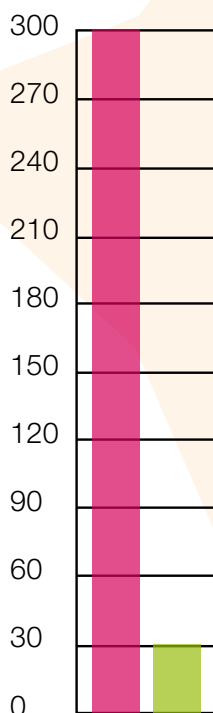


Endnotes

- ¹ United Nations Demographic Yearbook 2008
- ² US Department of State (2007): Country Reports on Human Rights Practices: Albania, US Department of State, Bureau of Democracy, Human Rights and Labor, Washington, DC
- ³ Annual Report on Human Rights for 2009, Albania. USA Embassy in Albania, 11.03.2010: http://albanian.tirana.usembassy.gov/10pr_0311.html
- ⁴ Albanian Police State Department
- ⁵ Amnesty International Report 2008: <http://archive.amnesty.org/report2008/eng/regions/europe-and-central-asia/albania.html>, November 2008
- ⁶ United Nations Albania website: <http://www.un.org.al/subindex.php?page=news&newsid=216>, 15 December 2011
- ⁷ The information was, unless provided by the WAVE focal point Gender Alliance for Development Centre, Tirana, is that correct?
- ⁸ Council of Europe/Directorate general of Human Rights and Legal Affairs (2010): Protecting women against violence. Analytical study of the results of the third round of monitoring the implementation of Recommendations Rec (2002), prepared by Carol Hagemann-White, University of Osnabrück, Strasbourg, p.43
- ⁹ Council of Europe (2008): Council of Europe Task Force to Combat Violence against Women, including Domestic Violence (EG-TFV)- Final Activity Report, Gender Equality, and Anti-Trafficking Division/Directorate General of Human Rights and Legal Affairs, Strasbourg
http://www.coe.int/t/dg2/equality/domesticviolencecampaign/Source/Final_Activity_Report.pdf, 15 December 2010;
- ¹⁰ The following NGOs are members of the "network against Gender-Based Violence and Trafficking":
Refleksione, Gender Alliance for Development Centre, Counselling Centre for Women and Girls, Centre for Legal Civic Initiatives
- ¹¹ Ministry of Labour, Social Affairs and Equal Opportunities, National Strategy on Gender Equality and Domestic Violence 2007 – 2010,
http://www.mpcs.gov.al/images/stories/ministria/mpcsshb/strategy/2.1_national_strategy_for_gender_equality_and_domestic_violence.pdf, 15th December 2010
- ¹² Refleksione Association (Ed.) (2010): Report on the Establishment and Effectiveness of Functioning of the Cross-Sectoral Referral System of Domestic Violence cases, at the Local Level; prepared in co-operation with the Network against Gender-Based Violence and trafficking within the framework of the project "Making it Real: Implementing the Law against Domestic Violence in Albania", prepared and published with the financial support of the United Nations Trust Fund in Support of Actions to Eliminate Violence Against Women (UN Trust Fund), Tirana, download: <http://www.refleksione.org>
- ¹³ Order No 13 from 23rd of January 2008 for the "equipment of violated persons in family relations with the relevant medical report" and order No 15th from 24th of January 2008 on the "Medical treatment at public health institutions of persons violated in family relations
- ¹⁴ International Organisation for Migration, Albania, <http://www.iom.int/jahia/Jahia/albania>, 15 December 2010
- ¹⁵ UNHCR (2006) Statistical Yearbook: 2006 Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons.
- ¹⁶ See National Action Plan on Migration (national action plan) developed in 2004-2005 with assistance from the European Community and IOM.
- ¹⁷ Minority Rights Group International: World Directory of Minorities and Indigenous Peoples, website: <http://www.minorityrights.org/1398/albania/roma.html>, 23rd December 2010
- ¹⁸ *ibid*
- ¹⁹ UNIFEM quoted in: Social Institution and Gender Index (SIGI), website: <http://genderindex.org/country/albania>, 23rd December 2010
- ²⁰ Albanian Police State Department
- ²¹ Centre for Legal Civic Initiatives (CLCI), <http://www.qag-al.org/ang/>
- ²² Amnesty International Report 2010: http://thereport.amnesty.org/sites/default/files/AIR2010_AZ_EN.pdf#page=5, November 2010
- ²³ *ibid*
- ²⁴ Refleksione Association (Ed.) (2010): Report on the Establishment and Effectiveness of Functioning of the Cross-Sectoral Referral System of Domestic Violence cases, at the Local Level; prepared in co-operation with the Network against Gender-Based Violence and trafficking within the framework of the project "Making it Real: Implementing the Law against Domestic Violence in Albania", prepared and published with the financial support of the United Nations Trust Fund in Support of Actions to Eliminate Violence Against Women (UN Trust Fund), Tirana, <http://www.refleksione.org>

ARMENIA¹

(REPUBLIC OF ARMENIA)



No. of Shelters: 2

Rec. No. of Shelter Places: 300

No. of Shelter Places: 31 approx.

General Country Information

Population²: 3,002,594

Female inhabitants: 1,595,374= 53.13% of total population

CEDAW ratified: 1993

Optional Protocol of CEDAW ratified: 2006

Member of Council of Europe: 1994

Member of European Union: no

Facts and Figures

Latest number of femicides: There is no available data on femicides, however, women in Armenia frequently suffer serious injury and even death at the hands of their husbands. One recent example is the death of 20 year-old Zaruhi Petrosyan, mother of two, who died on the 30th of September 2010 as a result of being viciously beaten by her husband and mother in law.³

Latest number of DV cases reported by police yearly: No data is available on the number of cases of domestic violence against women reported to the police.

Latest number of DV cases reported by women's shelters: According to the report of the Women's Rights Centre (WRC), 22 women and 32 children sought refuge in the only women's shelter in Armenia between November 2009 and August 2010.

Prevalence of DV: There is no data available on the prevalence of violence against women. Until recently, the government's

stance on domestic violence against women was that it was a non-issue. Fortunately this seems to be changing, albeit slowly.

According to research conducted by Amnesty International, one in four Armenian women may at some time experience physical abuse at the hands of their husbands or other family members, with much higher incidences of psychological forms of violence.⁴

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Domestic violence is still a serious problem in Armenia, however it is not always taken seriously. As a result, there are few services for women survivors of violence.

Women's Helplines


There is one national helpline operating 24 hours a day, the National Hot Line Service in Yerevan, operated by the WAVE focal point Women's Right Center (WRC). It has been in operation without interruption since 1997. It provides free psychological and legal counselling to survivors of domestic violence and covers the whole territory of Armenia.

In 2009, the WRC established Crisis Centres that provide regional helpline services in four regions of Armenia (Gegharkounik, Tavoush, Lori and Syunik).

The work of the Crisis Centres and the helplines is funded by international organisations and donors. Neither the state nor other Armenian organisations provide support.

Since 2004, the United Methodist Committee on Relief (UMCOR) operates a helpline for victims of trafficking, offering services every day from 9 pm to 11 am. The helpline also serves women, but is not a women specific service.

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service ⁵	State funding per %
National	1	1	1	1	0
Regional	4	4	-	4	0

Women's Shelters

Currently in Armenia, only one women's shelter for survivors of domestic violence exists for a population of approximately three million inhabitants. It offers accommodation for eight women and 13 children, however, there is still a enormous gap between the demand for services and what the shelter can offer.

The women's shelter was opened in 2002, but was not always able to operate continuously, due to a lack of resources. Since 2002, three more NGO shelters had opened with the support of funding from the US Agency for International Development, but were later closed due to lack of funding.⁶ The only remaining women's shelter continues its service through the support of international donors and thanks to the enthusiasm of the WRC staff. Neither the state nor any local authority supports it.

In addition to the women's shelter for survivors of domestic violence, there is one shelter for victims of trafficking, run by UMCOR, offering eight to 10 places. According to information provided by NGOs, the two shelters together offer a total of approximately 31 places. The Armenian government, in its monitoring report to the Council of Europe, estimates three shelters with 24 places.⁷

Despite some recent improvements, the number of women's shelter places is clearly not enough. According to the Council of Europe Task Force minimum standards recommending one place per 10,000 inhabitants,⁸ an estimated 300 places are needed in Armenia. Thus, approximately 270 places are missing, representing a serious lack of safe places for women survivors of violence and their children.

ARMENIA

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service	State Funding per %
2	31	300	approx. 270	2	2	0%

Further Services for women survivors of violence

In 2009, the WRC offered counselling and support to women survivors of domestic violence in four regions of Armenia. The centres also assist women in attending courses for vocational trainings and in finding jobs.

Since January 2010, five women have begun new professions and seven women have found jobs.

There are no implemented guidelines for the police or health care professionals on how to deal with survivors of domestic violence and no special units or responsible persons in law enforcement agencies provide help to survivors of violence. However, some promising changes have been taking place. In 2010, the WRC published a manual for the students of the Police Academy on domestic violence and the manual was included it in the curriculum of the Academy. In September 2010, trainings were provided to the lecturers and trainers of the Academy as well as to the Police Training Centre.

Additional Issues

In 2007, the WRC established a working group that included state officials to draft a Domestic Violence Law, which was revised by national and international experts and submitted to the Republic of Armenia Ministry of Labour and Social Issues in September 2009 for further circulation. In 2010, after the brutal murder of Zaruhi Petrosyan, a campaign was started to demand the adoption of the Domestic Violence Law.⁹

National Action Plan

A National Action Plan for 2004–2010 on Improving the Status of Women and Enhancing their Role in Society was adopted by the government in 2004. It contains eight sections, two of which address violence against women and trafficking. A separate action plan on all forms of violence against women did not exist and the implementation of the above mentioned action plan was poor. However, recently very positive signs indicate that the situation might improve: On the 30th of March 2010, an Interagency Commission on Combating Gender Based Violence was established by the Prime Minister of the Republic of Armenia (decree No. 213). The goal of the Commission is to improve the effectiveness of events and expand certain mechanisms aiming to prevent gender based violence. WRC participates in the Commission as an observer. Within the framework of the Commission, a working group was formed with an aim to develop a National Action Plan on Combating Gender Based Violence. WRC is also a member of this working group.

Situation of MM Women Survivors of violence in Armenia

Armenia is the most ethnically homogeneous country of the former Soviet republics. Upon the exit of Armenia from the Soviet Union, a conflict with Azerbaijan over the territory of Nagorny Karabakh, which has a majority Armenian population and is legally part of Azerbaijan, emerged.

According to the 2001 Census, almost 98 per cent of the total population of 3.2 million is ethnically Armenian.¹⁰ The biggest minority groups are Yezidi Kurds (1.3% of the total population) and Russians (0.5%). Furthermore, there are other small minority ethnic groups (Assyrians, Kurds, Ukrainians, Greeks and others). The constitution affords certain language and cultural rights to minorities.

Prior to the conflict with Azerbaijan, Armenia's largest minority had been Azeris. This population was displaced to Azerbaijan as a result of the conflict. Similarly, Armenia received ethnic Armenian refugees from Azerbaijan.

The severe economic hardship experienced by the population in Armenia following its independence and the war with Azerbaijan, encouraged the emigration of large numbers of Armenians to the USA, Canada, France and other countries.¹¹

Access of MM women to Shelters and other Services

There is no specialised shelter for migrant and minority women, but both existing shelters provide support to all women survivors of violence, irrespective of race, nationality or status.

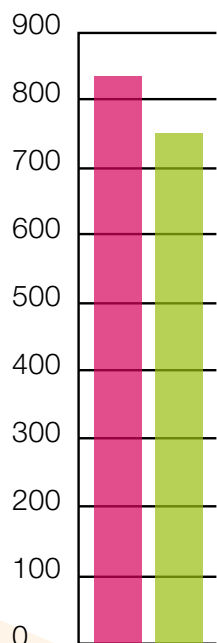
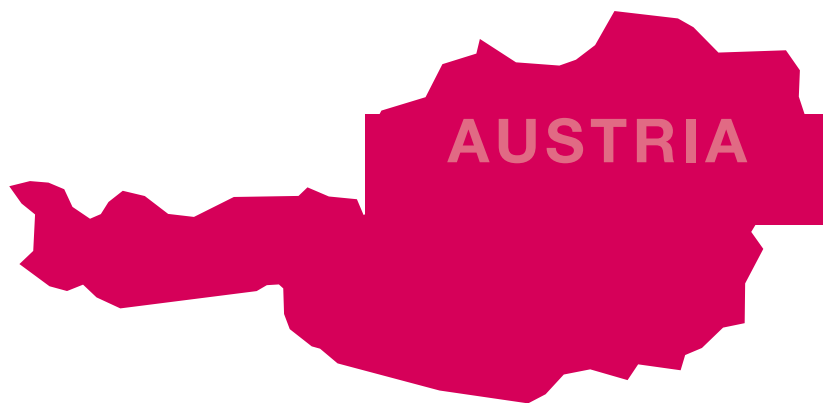
The main language of communication in the shelters is Armenian, but services are also provided in Russian.

The number of MM women accommodated by women's shelters is rather low and does not amount to more than one or two cases per year.

Endnotes

- ¹ The information was, unless stated otherwise, provided by the WAVE focal point Women's Rights Centre
- ² United Nations Demographic Yearbook 2008
- ³ Zaruhi Petrosyan was beaten to death by her husband and mother-in-law over attempts to extort money from her and her family. Her family appealed to law enforcement two times, even with a written notice stating that if the beatings continued, it would result in criminal action, but they said nothing was done. A video interview with her mother and sister recounting the excruciating tale of violence Zaruhi experienced in the months and years before her death can be seen on internet: <http://globalvoicesonline.org/2010/10/11/armenia-domestic-violence-claims-a-life/>, 15th January 2011
- ⁴ Amnesty International (2008): No Pride in Silence. Domestic and Sexual Violence against Women in Armenia, Index: EUR 54/005/2008, London Download: <http://www.amnesty.org/en/library/asset/EUR54/005/2008/en/a5ca859c-a04a-11dd-81c4-792550e655ec/eur540052008en.pdf>, 15th January 2011, p.1
- ⁵ Armenia for 70 years used to be a part of Soviet Union, where Russian was state language. Therefore, the WRC Crisis Centres are able to provide services both in Armenian and in Russian (if there is such a need).
- ⁶ Amnesty Report, footnote 2
- ⁷ Council of Europe/Directorate general of Human Rights and Legal Affairs (2010): Protecting women against violence. Analytical study of the results of the third round of monitoring the implementation of Recommendations Rec (2002), prepared by Carol Hagemann-White, University of Osnabrück, Strasbourg, p.20
- ⁸ Council of Europe (2008): Council of Europe Task Force to Combat Violence against Women, including Domestic Violence (EG-TFV)- Final Activity Report, Gender Equality, and Anti-Trafficking Division/Directorate General of Human Rights and Legal Affairs, Strasbourg http://www.coe.int/t/dg2/equality/domesticviolencecampaign/Source/Final_Activity_Report.pdf, 15th December 2010
- ⁹ To support the "Armenia Must Pass Domestic Violence Legislation" Petition campaign" go to: <http://www.thepetitionsite.com/1/armenia-must-pass-domestic-abuse-law/>, 15th March 2011
- ¹⁰ Minority Rights Group International-World Directory on Minorities and Indigenous People, website <http://www.minorityrights.org/1919/armenia/kurdkurdmanzh.html>, 29th December 2010
- ¹¹ ibid
- ¹² International Organisation of Migration (IOM) (2010): World Migration Report 2010. The Future of Migration: Building Capacities for Change, Geneva, p. 191

AUSTRIA



No. of Shelters:	30
Rec. No. of Shelter Places:	830
No. of Shelter Places:	750

General Country Information

Population: 8,340,667

Female inhabitants:

4,277,716² women = 51.34% of total population

CEDAW ratified: 1982

Optional Protocol of CEDAW ratified: 2000

Member of Council of Europe: 1956

Member of European Union: 1995

Facts and Figures

Latest number of femicides: In 2009, there were 138 murders and murder attempts, 96 cases of which occurred in a familial environment. Victims were predominantly women and children.³

Latest number of DV cases reported by police: In 2010, 6,759 cases were reported.⁴

Latest number of DV cases reported by women's shelters: In 2010, 3,448 cases were reported of which 1,733 involved women and 1,715 involved children.⁵

Prevalence of DV: There is no prevalence study in Austria, but approximately every fifth woman is likely to experience domestic violence.

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

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

Currently, six regional helplines for sexual violence provide their service on the regional level. These helplines are run by counselling centres. They have different opening times. Only one of the helplines, the 24-Stunden Frauennotruf der Stadt Wien, is free of charge and offers 24 hour service to clients. Depending on the qualifications of the employees, the helplines may provide counselling in different languages. All of the helplines receive state funding on regional level but are not fully funded by the state, except for the Viennese Women's Helpline, which is 100 per cent financed by the City of Vienna.

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	1	1	1	1	100%
Regional	6	1	1	partial	5=90%, 1=100%

Women's Shelters

The first Austrian women's shelter was established in 1978 in Vienna. Since then, the number of women's shelters has steadily increased in Austria. While in 2002, 23 shelters provided 432 shelter places for women and children survivors of violence.⁶ Currently, there are 30 women's shelters for women survivors of violence in Austria offering a total number of 750 shelter places. Four of the shelters are located in Vienna. Additionally, the City of Vienna fully funds the operation of approximately 41 safe transition apartments for women survivors of violence and their children including special counselling services. As a result, Austria fulfils the recommendations of the European Parliament regarding the number of shelter spaces needed. By the end of 2010, the number of safe transition apartments will be increased to 50, providing a total number of 72 places. With a total amount of 166 women's shelter places and 72 transition apartments, the City of Vienna will also fulfil the recommendations of the Council of Europe (1997), which recommends one safe family place per 7,500 inhabitants.

In 1988, the AÖF was founded, consisting of 10 shelters. Recently, 26 women's shelters joined the AÖF providing 694 shelter places for women and their children affected by violence. These women's shelters are run by independent NGOs and are funded by regional governments. In some regions such as Upper Austria, Burgenland and Carinthia, the state funding for women's shelters is required by law (Sozialhilfegesetz, Mindestsicherungsgesetz). The women's shelters in Vienna are fully funded by the City of Vienna, which is guaranteed through a permanent contract. In other Austrian regions, women's shelters are 90 per cent subsidised by state funding (local and national level). Remaining operating costs are mainly covered through donations. Those are still waiting for secured funding cooperation.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
30	750	830	80	30	30

Further Services for women survivors of violence

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

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

In Austria, several Ministries such as Federal Ministry of Women's Affairs, Federal Ministry of Health, the Family and Youth and the Federal Ministry of Justice have assigned special funds to combat violence against women.

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

All Viennese women's and migrants' organisations, such as the Information Centre against Violence and Women Against Violence Europe (WAVE), are funded partly by the City of Vienna which is long-term guaranteed through a three year contract. Besides regular participation in the 16 Days of Activism against Gender Violence, the City of Vienna respects the experience of the NGO and actively supports a good cooperation with NGOs working in the field of violence against women. Regular joint fixed meetings are organised by the City of Vienna with representatives of NGOs, intervention centres, police and other organisations focused on victim protection. Together further aims and new strategies are developed to increase the support for women survivors of violence and their children. In addition, the City of Vienna has developed and begun initiatives aimed at combating forced marriage, genital mutilation and stalking, and also initiated the development of legal measures against stalking.

National Action Plan

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

Additional Issues

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

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

In some Austrian regions such as Lower Austria, Styria and Vienna violence against women training programmes are offered to health professionals. The education is provided by NGO experts working in the field of domestic violence against women and the costs are covered by state funding.⁷ Additionally, a 2008 survey on violence against women was published in 2010 by the Ministry of Economy, Family and Youth.

Situation of MM women survivors of violence in Austria⁸

1. Access of MM women to women's shelters and other services

The average percentage of migrant women accommodated in women's shelters in 2008 was 54 per cent and in 2009 it was 56 per cent. Most women come from Turkey, the former Yugoslavia and Eastern European countries. The average percentage of asylum seeking women ranges from one to two per cent.

The statistics of the Austrian women's shelters show that in 60 per cent of the cases, the perpetrator was born in Austria. This statistics contradict the stereotype that migrant men commit domestic violence more often than Austrian born men. Additionally, approximately eight per cent of the women accessing the help-services were Turkish born and about 8 per cent were Serbian.⁹

Most women's shelters provide multilingual services in Turkish, Bosnian, Croatian and Serbian. If necessary, there are interpreters available especially when legal advice is needed.

In Austria, there are 30 women's shelters and women's organisations, but the financial situation has worsened in recent years. Women's shelters are largely affected by economic cuts and currently, the closing of a women's shelter in the state of Salzburg could not be prevented. Thereby, the number of places has been reduced and less women can be accommodated.

There are no specialised services for migrant and minority women in Austria, however, there is only one institution providing accommodation to asylum seeking women. In addition, the institution offers special treatment in case the women become victims of sexual or domestic violence and/or conflict based rape. This women's shelter is based in Hollabrunn, in Lower Austria.

In Austria's 30 women's shelters, women of all ages, ethnic origin or religion can find shelter. Also, asylum seeking women can access women's shelters and will be accommodated, although it is becoming more and more difficult for women's shelters to accommodate asylum seeking women. For instance there are new contracts by the funding bodies that prohibit the accommodation of asylum seeking women or allowing a maximum stay of two to three weeks only, as is the case in Lower Austria.

Generally women's shelters do not accommodate boys over the age of 14. This can be a significant problem for migrant women, if the child has no other place to go and lacks family support.

The funding of the women's shelters is almost exclusively provided by the federal state government. However, the financing of the women's shelters varies from state to state. There are only a few states such as Upper Austria and Burgenland that have lawfully prescribed the sufficient financing of women's shelters. In Vienna the existing women's shelters and the affiliated counselling centre has an indefinite contract with the city.

The services provided in the women's shelters for women and their children are most often free of charge. If possible, the women are asked to pay a certain amount for their accommodation but this is only in case they are able to make the contribution. This amount varies from shelter to shelter. Women without income are supported in order to apply for social benefits. Moreover, women's shelters assist women in receiving legal aid. Women without resources receive financial assistance, especially in the case of migrant women, who most often cannot afford housing and/or do not have a sufficient job.

2. Right of residence

The percentage of migrant women accommodated in Austrian women's shelters has increased a lot. This is not because violence in families with a background of migration has risen but because for many migrant women women's shelters have become the only option. Migrant women are less likely to contact the police and thus do not get a restraining order. The reasons for not contacting the police are numerous including fear of further violence, the fear of being murdered and also the fear of being deported.

According to the 2009 statistics of the Austrian women's shelter, there are several problems and several measures that need to be taken.

First, migrant women need residency permit that is independent from the immigration status of their husbands. For instance, when the husband dies the woman is at risk of deportation.

The requirement for an income level for a residency permit to be at least EUR 772.40 needs to be reduced since single mothers are more likely to be at high risk of poverty and labor conditions are more likely to be bad. They also tend to be employed part time, which worsens their financial situation.

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With regard to residency permit and right of settlement laws it can be said that these laws have been tightened and have become more and more restrictive in recent years. Migrant and asylum seeking women often face barriers and obstacles in order to be granted permanent residence status, which is not dependent on that of their husbands'.

Migrant women who come to Austria for family reunification do not have permanent residency permits. Their residency permits are dependent on the immigration status of their husbands, which makes it that much more difficult to escape a violent relationship. Additionally, when the women lack an independent source of income, their situation becomes even more difficult.

According to the right of settlement and permanent residence (c.f. § 2 right of settlement and permanent residence), in case a migrant woman does not have her own income of sufficient level, she is placed in a status of dependency on her husband for five years. However, there is an exemption clause for survivors of violence, but the requirements are very strict and it is difficult to qualify under this clause. The exemption requires that women have to prove that the police have issued a restraining order because of domestic violence. According to Rosa Logar, the chance of getting an interim injunction is likely when a restraining order has already been issued by the police. However, most women do not go to the police in the first place and rather escape to relatives or access women's shelters. This action is what decreases the chance of getting interim injunction. Logar also claims that in order to get an independent residence permit, women have to face other barriers as well. As they should not become a burden to the state, they cannot access social benefits. In addition, they have to demonstrate that they have proper accommodation and a minimum income of EUR 772,40. Since most migrant women do not have a job or work in the low-pay sector it is very difficult to confirm an income level. Additionally, the necessity to look after the children is ignored and migrant women are asked to attest the income of at least EUR 772,40 no matter what age the children are.¹⁰

3. Access of MM women to public funds and services

The access to social benefits needs to be made easier such as family allowance, child care subsidy and also the access to housing in every state. Moreover, the situation concerning the access to the labour market has worsened. There are several barriers to entry due to the success of the right wing parties in Austria, the economic crisis and a xenophobic attitude towards immigrants. The labour market needs to be accessible to all women. This is extremely important since currently the employer has to submit an application for a work permit, which automatically decreases the chances of migrant women to be given consideration by employers and hence causing migrant women to remain dependent on their husbands or partners for financial support.

4. Policy measures and statistics

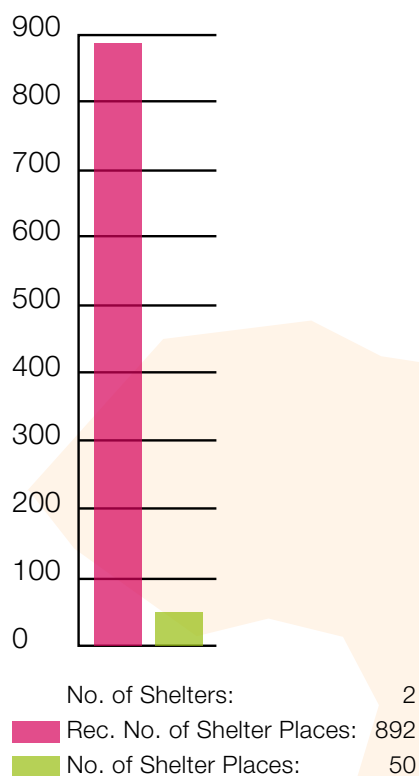
In summary, structural changes need to be implemented in order to ensure that women and migrant women live a life without violence. The structural violence which is dominant right now is a barrier for migrant women seeking help. They lack information about their rights, are socially isolated and are not aware of the help services available to them. In case a migrant woman manages to escape her violent relationship, she is in danger of being deported. These issues need to be considered in upcoming policy making in order to help migrant women more effectively.¹¹

Migrant women are at high risk to become victims of violence and it is highly difficult for them to escape these situations. Migrant women have to face double discrimination, on one hand they are discriminated against for being female or a mother, and on the other hand they are discriminated against because of their immigrant status. Asylum seeking women do not have access to the labour market and thus no access to social benefits. Since laws have been tightened in Austria in order to prevent marriage solely for the purpose of gaining residency permit, asylum seeking women cannot apply for permanent residence despite being married to an Austrian man. They have to go to their country of origin and apply for a residence title. This is almost impossible for women, as they are not economically independent and face difficulties when it comes to mobility.

Endnotes

- ¹ Statistik Austria: Bevölkerung am 31.03.2008 nach Politischen Bezirken, Alter und Geschlecht: http://www.statistik.at/web_de/suchergebnisse/index.html, 10.12.2008
- ² Statistik Austria: Bevölkerung am 1.1.2008 nach Politischen Bezirken, Alter und Geschlecht: http://www.statistik.at/web_de/suchergebnisse/index.html, 10.12.2008
- ³ Bundeskriminalamt: <http://www.bmi.gv.at/kriminalpolizei/>, 2009
- ⁴ Bundeskriminalamt: <http://www.bmi.gv.at/kriminalpolizei/>, 2011
- ⁵ AÖF – Verein Autonome Österreichische Frauenhäuser: Statistik der Autonomen Österreichischen Frauenhäuser 2010, Wien
- ⁶ European Information Centre Against violence Against Women / WAVE Co-ordination Office: More than a roof over your head, Vienna. 2002
- ⁷ Gesundheitliche Versorgung gewaltbetroffener Frauen. Ein Leitfaden für Krankenhaus und medizinische Praxis, 2010
- ⁸ The information is provided, unless quoted otherwise, by the WAVE Focal point Austrian Shelter Network, <http://www.aeof.at>
- ⁹ C.f. C.f. <http://www.aeof.at/aktuell/AOFStatistik2009.pdf>
- ¹⁰ C.f. <http://www.aeof.at/aktuell/AOFStatistik2008.pdf>
- ¹¹ C.f. Logar, Rosa: Violence against Women: still a political problem throughout Europe, unveröffentlichter Artikel, 2009

AZERBAIJAN



General Country Information

Population: 4,563,300 = 51% of total population

Female inhabitants: No data available.

CEDAW ratified: 1995

Optional Protocol of CEDAW ratified: 2001

Member of Council of Europe: 2001

Member of European Union: no

Facts and Figures

Number of femicides: According to a monitoring report in the first quarter of the year 2010, 32 women were murdered in Azerbaijan.

Latest number of DV cases reported by police:

No data available.

Latest number of DV cases reported by women's shelters:

321 women survivors of violence and their children were hosted and supported in the Clean World Women's Shelter since 2002.

Prevalence of DV: There is no prevalence data on violence against women available in Azerbaijan. 26 women experienced attempted murder, 3 women were abused, 20 women committed suicide, 7 attempted suicide and 23 women were raped in the first quarter of 2010. Given that the population of Azerbaijan is about 8 million, these numbers indicate that the prevalence of violence against women is high.


SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

In the Republic of Azerbaijan there is one national helpline for women victims of family violence and human trafficking, which was established in 2005. The helpline is operated by the WAVE focal point Clean World - Social Union Aid to Women. Service is provided 24 hours a day and operates all year round. Phone calls are free of charge and multilingual counselling is provided in Azerbaijani, Turkish and Russian. The helpline does not receive any state funding. The Clean World - Social Union Aid to Women also runs a second telephone line for women working in prostitution who are exposed to violence.

There is also a helpline within the Ministry of Internal Affairs for victims of trafficking. Counselling is provided in Russian, English and Azerbaijani.

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service
National	1	1	1	1
Regional	0	/	/	/

Women's Shelters

The first shelter in Azerbaijan was established in 2003. Currently there is still just one shelter available for women who are exposed to different forms of violence, the shelter operated by the WAVE focal point Clean World called the Clean World's Special Shelter. It offers 17 shelter places to women and children without any age discrimination. The shelter offers 24 hour service throughout the year and provides multilingual counselling in Azerbaijani, English, Turkish and Russian. Clean World - Social Union Aid to Women does not receive any state funding and is solely financed through international donations. Additionally there is a state shelter for victims of trafficking funded by the Ministry of Internal Affairs since 2006.

The women's shelter needs to be enlarged urgently, since the existing places are simply not enough. Adequate and sustainable funding is urgently needed.

According to NGO information, the two shelters in Azerbaijan provide about 50 places for victims of trafficking and for women victims of other forms of violence. According to government information, five shelters exist, providing 47 places.²

The minimum standard set by the Council of Europe Task Force to combat violence against women³ requires governments to provide at least one place per 10,000 inhabitants and thus approximately 892 shelter places are needed in Azerbaijan. Therefore, 842 places are missing and Azerbaijan does not even provide one tenth of the minimum number of shelter places that would be needed. This is very concerning and the number of women's shelters need to be increased urgently.

AZERBAIJAN

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
2	50	892	842	1	1

National Action Plan

Azerbaijan has an action plan prepared by the Family, Child and Woman Committee. According to information by the government, it includes measures on domestic violence, sexual violence, sexual harassment, forced marriage and killings in the "name of honour".⁴ Regrettably, NGOs were not involved in the preparation of this plan.

Situation of MM Women survivors of violence in Azerbaijan⁵

The percentage of immigrants amounts to three per cent of the total population in Azerbaijan and women represent 57.1 per cent of the total immigrant population. Azerbaijan is faced with high migration flows within the country from rural areas to cities as well as from abroad. Many people leave the country in search of employment opportunities. According to official information, 57,600 labour migrants left the country in 2008. 52 per cent of these migrants were women. At the same time immigrants come to Azerbaijan in search of labour and the country is also a transition country for migrants from Central Asia and the Middle East.

There is a large group of internally displaced people from the Nagorno-Karabakh region. With the exit of Azerbaijan from the Soviet Union, a conflict with the majority Armenian population in Nagorno-Karabakh emerged that is still not solved. As a consequence of the conflict, an estimated 750,000 internally displaced people and refugees from Armenia are living in Azerbaijan, accounting for approximately nine per cent of the total population.⁶

According to the 1999 Census, the main minority ethnic groups included Lezgins (approx. 2.2% of total population), Russians (1.8%), Armenians (1.5%) Taly (1.0%) and Avars (0.6%).⁷ There is also a large number of smaller minorities in Azerbaijan, each comprising less than one per cent of the total population.

Some protection for minority ethnic groups was first legally granted in 1992, however, there is still no national law on minority rights.⁸

Statistics on migration in Azerbaijan in 2000-2007 show that the emigration from Azerbaijan in 2005 was equal among genders in the age categories of 0-14 years and 30 years and over, while in the ages 15-29 years, the emigration of women is approximately twice that of men.⁹

Trafficking of women and girls for sexual exploitation and slavery from and through Azerbaijan remains a major problem. Azerbaijan serves as a transit country for victims from Uzbekistan, Kyrgyzstan, Kazakhstan and Moldova.¹⁰

Domestic violence against women, including such violence against MM women, is a serious problem in Azerbaijan and not all forms of violence are recognised by law. Marriages of girls at an early age are common in rural areas.

Major problems of MM women survivors of violence in Azerbaijan are problems concerning housing, unwillingness of in-laws to support women when they are violated and the stigma women survivors of violence are facing.

1. Access of MM women to women's shelters and other services

As stated before, two shelters exist in Azerbaijan. One is a shelter for victims of human trafficking operating under the auspices of the Ministry of Internal Affairs. This shelter only accommodates women victims of trafficking,

but not victims of other forms of violence such as domestic violence. The shelter employs four social workers and accommodates 50 persons. There are special facilities for children, such as a study room, play room and a dining room. Girls and boys up to the age of 18 are admitted in principle. There is also an Aid Center for victims of trafficking within the Ministry of Labour and People's Social Protection. It provides training courses and physiological aid for women.

Apart from the trafficking shelter, there are no special shelters for MM women in Azerbaijan. The Clean World women's shelter is also open to MM women survivors of domestic violence. However, the shelter does not have sufficient number of spaces.

Information material in different languages is mainly provided within the framework of the services. The women's shelter provides information materials in English, Russian and Turkish. Women's NGOs have difficulties in advertising their service because of lack of funding.

The department on Combating Human Trafficking within the Ministry of Internal Affairs carried out a campaign against trafficking including a TV spot and posters. However, according to NGOs, the effectiveness is questionable since women were not provided with information about how to get help.

2. Right of residence

Cohabitation with a man from Azerbaijan provides a MM woman with the right to obtain an independent residence permit but only for a brief period. A same sex partnership/cohabitation does not give this right. Migrant women with HIV infection are prohibited from receiving a residence permit.

3. Access of MM women to public funds and services

Housing programmes

A major problem, that also affects MM women, is housing. There are no housing programmes and divorced couples often remain living together. This is very dangerous for women experiencing violence by an ex-partner. Also, women survivors of domestic violence who have no place to live become very vulnerable to traffickers.

4. Legal protection of MM women from violence

In 2010, with the support of the OSCE, a domestic violence law was finally passed in Azerbaijan. The law provides some important remedies for protection for women, such as a protection order or the provision of shelter, but it has still to be seen if it will be implemented and if it will be effective in protecting, supporting and empowering women survivors of violence and their children.¹¹

In Azerbaijan, traditionally, only specific forms of violence such as forced marriage, so called "honour related crimes", female genital mutilation or trafficking in women are considered to be crimes, whereas other forms of violence such as threats, physical and sexual violence against women and girls in the family are not considered to be criminal. The police response in Azerbaijan has also been unsatisfactory until now. Family conflicts are registered by the police, but there is no mechanism to intervene and to protect women.

The new law provides important provisions to change this and it remains to be seen if it will.

There are very few women police officers in Azerbaijan and the response of the police differs from region to region. In some areas women refrain from reporting violence to the police, because the police often blame women for "disturbing the family". This attitude needs to be challenged and changed urgently in order to guarantee effective implementation of the new legal provisions.

The justice system needs also to be sensitised. At the moment, if women survivors of violence are not legally represented in court (which is often the case), judges tend to make decisions that benefit the perpetrators.

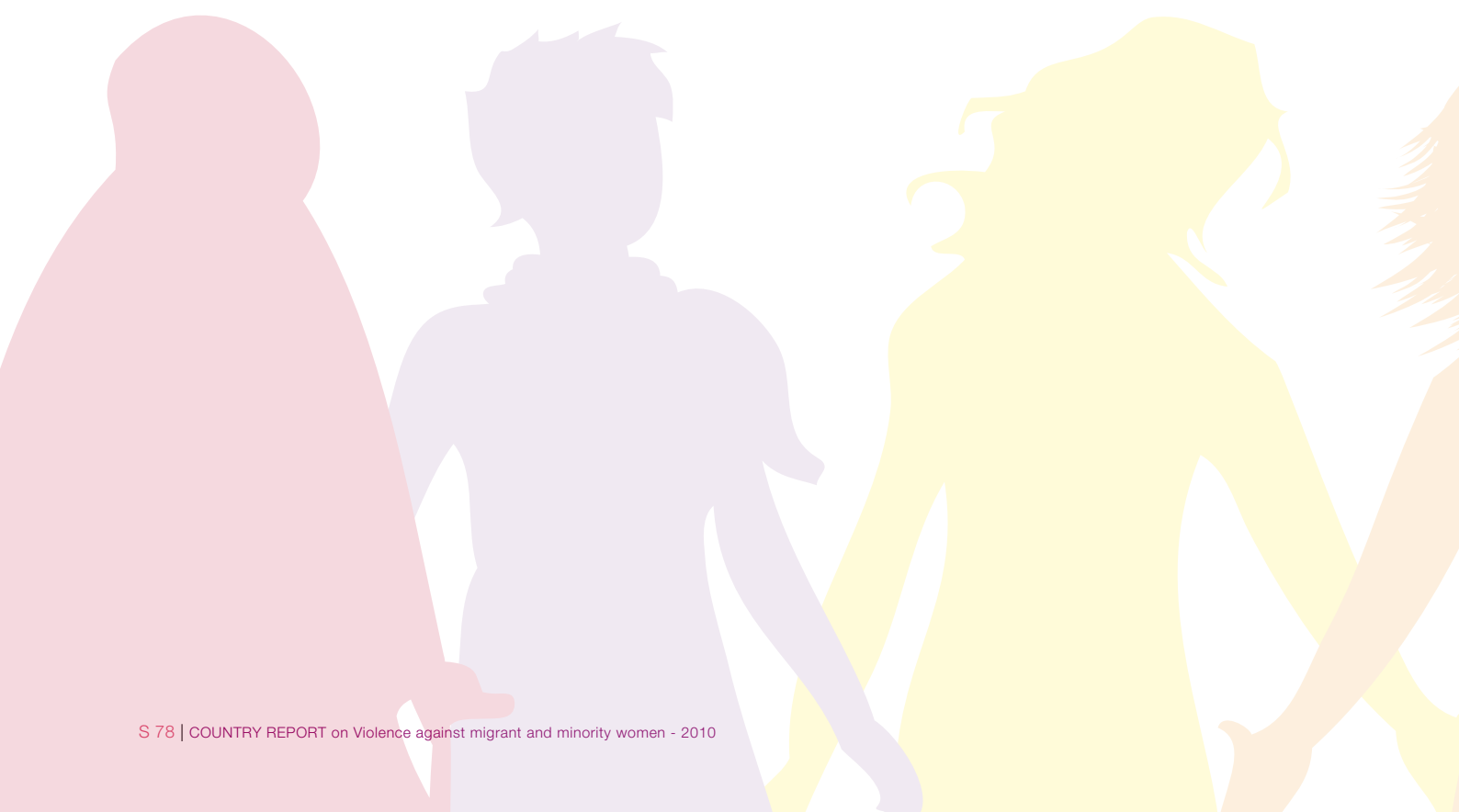
AZERBAIJAN

Legal aid

There is no free legal aid provided by the state. Labor migrants are provided legal support and counseling from the International Organisation for Migration and refugees and asylum seekers receive support from the UNHCR. Some NGOs also provide legal aid for migrants. However, many migrants and shelters do not know where to get legal support and they often face deportation.

5. Policy measures and statistics

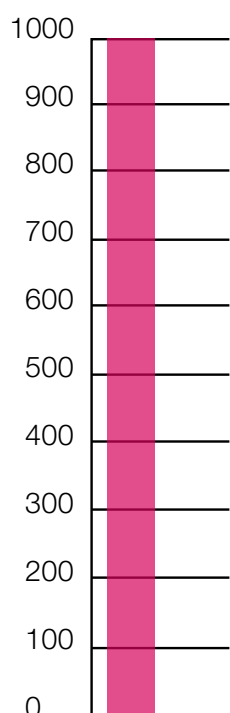
There is no general policy on the protection and support of MM women victim of violence but only a policy addressing trafficking. In 2004, after years of denying the problem of trafficking, Azerbaijan adopted the National Action Plan for the Suppression of Human Trafficking. Consequently, several laws and regulations against trafficking were adopted which criminalised it as an offence. Despite many efforts, state policy to combat trafficking is still not very effective. There continues to be a failure to recognise the scale of the problem and to address its root causes. In addition, there is a lack of training and corruption among low level law enforcement officers and the judiciary which significantly impedes efforts to combat trafficking.¹²



Endnotes

- ¹ Women's NGO "Clean World Social Union Aid to Women"
- ² Council of Europe/Directorate general of Human Rights and Legal Affairs (2010): Protecting women against violence. Analytical study of the results of the third round of monitoring the implementation of Recommendations Rec (2002), prepared by Carol Hagemann-White, University of Osnabrück, Strasbourg, p.20
- ³ Council of Europe (2008): Council of Europe Task Force to Combat Violence against Women, including Domestic Violence (EG-TFV)- Final Activity Report, Gender Equality, and Anti-Trafficking Division/Directorate General of Human Rights and Legal Affairs, Strasbourg
http://www.coe.int/t/dg2/equality/domesticviolencecampaign/Source/Final_Activity_Report.pdf, 15th December 2010
- ⁴ Council of Europe 2010, p. 33
- ⁵ The information is provided, unless quoted otherwise, by the women's NGO and WAVE focal point "Clean World" Social Union
- ⁶ Minority Rights Group International: World Directory of Minorities and Indigenous Peoples, website Information on Azerbaijan:
<http://www.minorityrights.org>, 23rd December 2010
- ⁷ World Directory of Minorities and Indigenous Peoples, website Information on Azerbaijan, see footnote 4
- ⁸ *ibid*
- ⁹ State Committee on Statistics, source: <http://www.azstat.org/statinfo/demographic/az/051.shtml#s3>, 15th December 2010
- ¹⁰ US Department of State. Trafficking in Persons Report 2008. Source: <http://www.state.gov/g/tip/rls/tiprpt/2008/105387.htm>, 15th December 2010
- ¹¹ Organisation for Security and Cooperation in Europe, <http://www.osce.org/baku/51655>, 15th December 2010
- ¹² Human Rights Center of Azerbaijan (2009): Alternative Report on the Compliance of the Azerbaijan Republic with the Convention on the Elimination of All Forms of Discrimination Against Women, Submitted to the 44th session of the Committee on Elimination of All Forms of Discrimination Against Women (20 July 7 August 2009)

BELARUS



General Country Information¹

Population²: 10,045,237

Female inhabitants:

5,327,616= 53% of total population

CEDAW ratified: 1981

Optional Protocol of CEDAW ratified: 2004

Member of Council of Europe: no³

Member of European Union: no

BELARUS

Facts and Figures

Latest number of femicides: 272 murders in family conflicts were committed according to Ministry of Internal Affairs statistics. Unofficial murder statistics are slightly higher. Gender disaggregated data is not available. It is therefore not possible to obtain an accurate figure of the many women who were murdered by their husbands, partners or former husbands/partners in Belarus.

Latest number of DV cases reported by police:

2,115 cases of domestic violence against women were reported by the police (2007). In fact, there is still no accurate recording of domestic violence cases. According to some surveys, the number of domestic violence victims is 30 times higher (6,345 women) than official figures suggest due to under reporting. Violence against women is still a taboo in Belarus and survivors often do not seek help.

Latest number of DV cases reported by women's shelters: No data available.

Prevalence of DV: It is estimated that every third woman in Belarus suffers from physical abuse in the family. Considering other forms of violence such as psychological, economic, sexual, the number is even higher. According to a study conducted by the Belarus State University in 2008, four out of five women in Belarus between the age of 18-60 experience psychological violence; one in four reported physical violence, and 13.1 per cent experience sexual abuse by their partners.⁴

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE


Women's Helplines

According to the WAVE focal point Law Initiative-Commission on Women's Rights, there is no national helpline for women and children survivors of domestic violence in Belarus; there are, however, two national helplines providing support to victims of trafficking. These national helplines are available to all citizens and not just women. Women affected by domestic violence can also use this service, which is also offered in Russian, 24 hours a day. The phone call is not free of charge but is the price of a standard phone call.

Regional emergency hotlines, operated by regional counselling centres, which also provide outpatient treatment to all citizens, can also be used by women survivors of violence. These telephone services are not available 24 hours a day.

but only during working hours and are charged at standard phone call rates. Counselling is also available in Russian but is not necessarily specialised for women affected by domestic violence.

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	0	0	0	0	0
Regional	no data	–	–	no data	no data

Women's Shelters

Since 2006, there was an attempt to set up a women's shelter in Mogilev supported by international organisations such as SOS Children's Village and Volkshilfe Österreich. WAVE representatives were invited to share their expertise in establishing a women's shelter that meets international quality standards. In Belarus, NGOs are strictly controlled by government and still most institutions are organised by the government. Currently, Belarus still does not have a single women's shelter; the recommended number of shelter places thus equals the places missing.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
0	0	1,005	1,005	–	–

Further Services for women survivors of violence

There are no intervention centres or multiagency cooperation between professionals dealing with cases of domestic violence in Belarus to date. However, a special control system was implemented recently by the Ministry of Internal Affairs, which registers and takes preventive measures against family abusers. In September 2007, a special regulation was accepted proposing to provide separate departments for social adaptation and rehabilitation to the whole population; these are called "crisis centres/rooms" which run under the Centres of Social Service. They offer temporary housing. A ministerial resolution adopted in 2000 proposed that the crisis centres set up temporary shelters (for a period of up to two months) for women survivors of violence, including trafficking. Since there is no statutory requirement for the establishment of such shelters, crisis centres, which offer specific assistance for women, only exist in four towns.⁵

National Action Plan

The latest action plan on domestic violence in Belarus dates back to the period of 2001-2005. Currently, the national action plan is in the ratification process in the Council of Ministers of the Republic of Belarus. NGOs such as the WAVE focal point Law Initiative – Commission on Women's Rights were involved in developing the document and provided suggestions and recommendations for the National Action Plan (2006-2010).

BELARUS

Additional Issues

According to the 2010 Shadow Report to the United Nations CEDAW Committee, reporting of violence against women, more precisely domestic violence, is very low in Belarus. Several factors are responsible for this: a lack of public awareness and information, lack of support services and insufficient training on domestic violence/violence against women of police and other professionals. For example, it is not part of basic police training, only voluntary courses are available. Furthermore, there is a lack of female police officers working on domestic violence cases. Many women are thought to remain in violent relationships because of fear of reprisal from the perpetrator, lack of support and alternatives, particularly lack of housing provision. On the other hand Belarus has a high divorce rate: in the past decade every second marriage resulted in divorced.

A further severe problem in Belarus is the economic situation of (women's) NGOs. NGOs rely heavily on foreign donors for financial support and many organisations are run by volunteers. The government does not support their work, and recently introduced new legislation that has restricted their activities. As a result, many NGOs, including women's organisations, have had to stop or limit their (public) activities.⁶

Situation of MM Women Survivors of violence in Belarus⁷

According to the census of 1999, Belarus has several minority groups: Russians (11.4%), Poles (3.9%), Ukrainians (2.4%), Jews 28,000 (0.2%) and Roma. There is no census numbers available on the Roma minority; the organisation Minority Rights International states that there are about 70,000 Roma living in Belarus. Low education and very high unemployment rates characterise their situation. Stereotyping and discrimination of the Roma is very common in Belarusian institutions, media reports and society at large.

As regards migration, due to its geopolitical location, Belarus is a popular transit route for migrants moving towards the European Union. As in other Eastern European countries trafficking in women is a major problem in Belarus. The questionnaire on the situation of MM women in Belarus thus mostly provides information on women trafficked via/from Belarus (frequently to the Russian Federation, the Middle East, and EU countries).⁸

1. Access of MM women to women's shelters and other services

Precise data on the number of migrants is not available. According to UNHCR there are 819 refugees in Belarus whose status is officially recognised by the state and whose status is provided, including minors; most of them are from Afghanistan. In 2009 about 5,000 migrants came to Belarus for work and have been officially registered. Estimates of undocumented migrants vary from 1,000 to 5,000 persons. Gender disaggregated data is not available.

The biggest problem of MM women survivors of violence in Belarus is the problem of determining the status of migrant women who are survivors of violence in the country as documented and undocumented. The actual access of these women to services and rights depends on their status in Belarus, although legislation declares that people of other nationalities have equal access and rights (except for voting) if they have residence permit in the country: healthcare, legal, registration to administration authorities and housing. Theoretically, documented migrant women are entitled to use state social services. Undocumented migrants can be assisted if there is a threat to their lives. VAW is not considered as such unless it has resulted in severe harm and a criminal case is started. Theoretically, asylum seekers and refugees can access women's shelters, but NGO housing services are provided mainly for Belarus nationals.

Among Muslim refugees (Afghanistan, Tajikistan, Iran), cultural barriers are said to be a problem in speaking about VAW and requesting assistance from outside. The minority communities are very closed with men in leading roles. Moreover, social workers (state, NGOs and international) are not trained to talk about VAW with refugees and the provided services are specific.

There is no funding available for accommodating MM women suffering from gender based violence. Moreover, women's NGOs do not even lobby for MM women's access to shelters and other services.

For asylum seekers and refugees, culturally sensitive services are provided by UNHCR and its partners: legal counselling, socialisation, financial and humanitarian assistance and support to the refugee community such as cultural events. Interpreters are also available.

La Strada Belarus runs a shelter for trafficked women and their children (4 places). IOM Minsk runs a rehabilitation centre for trafficked men, women and their children (6 places). The La Strada shelter can accommodate trafficked women regardless of their legal status. There is no obligatory medical check-up, and providing testimonies about the trafficking case is not a requirement.

There is no national helpline for women survivors of violence in Belarus.

2. Right of residence

Persons can claim Belarus citizenship after seven years of legal residence in the country. For a migrant spouse of a Belarusian citizen it is less, decisions are made individually. Approval of the residence permit does not depend on marital status, exceptions are made only for minors born in the Soviet Union – they can get citizenship earlier.

Neither partnership/cohabitation nor same sex partnership/cohabitation provides a woman with the right to a residence permit. There are no exceptions to getting a residence permit for MM women if they experience violence.

3. Access of MM women to public funds and services

Social benefits

Asylum seekers/refugees and minority ethnic groups have access to social benefits in Belarus.

Housing programmes

In Belarus social housing is a basic level apartment or a house provided by the state free-of-charge (inherited from the soviet system) or with low interest loan. The process of getting social housing free-of-charge includes a long waiting period (up to 10 years) and requires proof of need (disability, age). Only citizens of the Republic of Belarus have rights to access social housing.

Education/training programmes

Asylum seekers and minority ethnic groups have access to education/training programmes in Belarus.

Roma women who are Belarusian citizens also have access to these programmes.

Labour market

Asylum seekers and minority ethnic groups have access to the labour market in Belarus.

Other MM women work in the informal economy which involves many risks, such as high level of dependency on the employer. According to the law, trafficked migrant women with a temporary (1 year) residence permit are allowed to work.

4. Legal protection of MM women from violence

Police take several measures to protect women from violence like punishing perpetrators with administrative fines, arrest, or criminal imprisonment. There is no law on VAW/DV in Belarus and no specific provisions in the criminal and other codes.

No protection orders for women are available - either in criminal or in civil law. Protection measures such as protection orders were outlined in a draft law on the prevention and elimination of domestic violence. The law was drafted in 2002, debated in Parliament and approved by the Ministry of Internal Affairs. However, due to lack of political support the law has still not been adopted by the Parliament.⁹

BELARUS

The Criminal Procedural Code gives the prosecutor the right to start a criminal case for certain crimes without the victim's request, when those crimes concern state interests or are committed against a person who is professionally or socially dependent on the perpetrator. In some cases this provision can be applied to situations of domestic violence, but this rarely happens in practice. Women face the risk of reprisals and pressure from the perpetrators and, as a consequence, often withdraw their reports of violence.

There is a provision for rape in the Criminal Code, which does not exclude the possibility of marital rape. However, there is no information available to indicate that there have been any prosecutions for rape in marriage or an intimate relationship.¹⁰

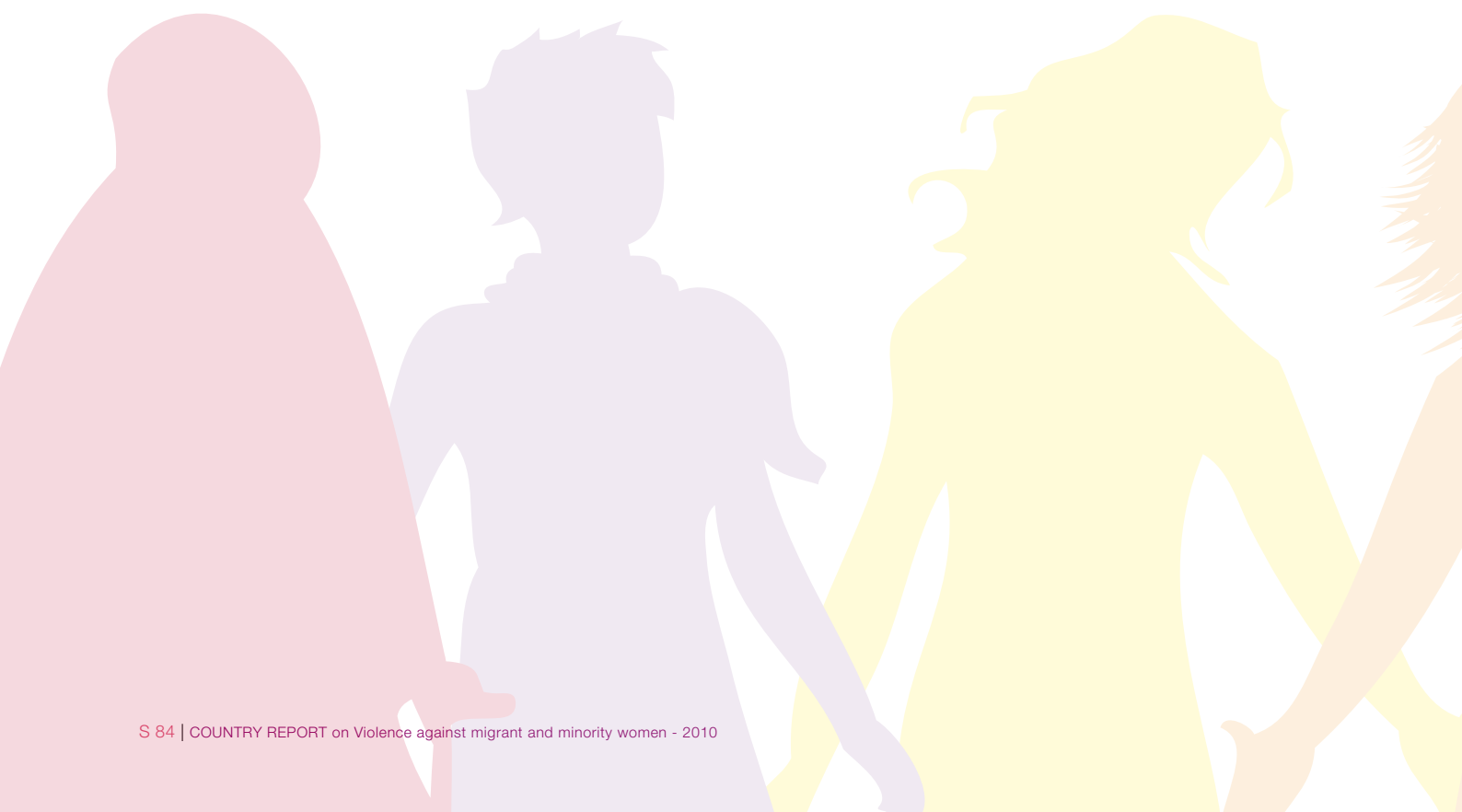
Legal aid

Trafficked migrant women with a residence permit can receive free legal counselling in the state social centres. NGOs and IOM can provide such services regardless of the legal status of MM women in the country. Further, UNHCR provides legal assistance for asylum seekers and refugees.

5. Policy measures and statistics

Belarus has a National Action Plan on Gender Equality for 2008-2010 which has a chapter on violence against women. The Law On Basics of the Crimes Prevention was entered into force in February 2009 and for the first time it provides a definition of domestic violence.

Belarusian government does not have a specific policy on particular forms of violence such as forced marriage, so called "honour related crimes", or female genital mutilation. There is a policy on trafficking in women. It has been addressed by Decree of the President of the Republic of Belarus No. 3 on Certain Measures Aimed to Combat Trafficking in Persons¹¹ and Edict of the President of the Republic of Belarus No. 352 on Measures to Protect Victims of Trafficking.¹²

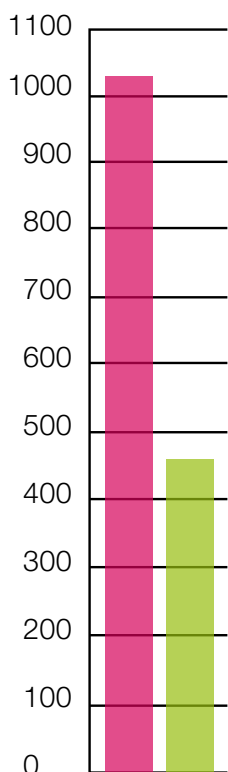
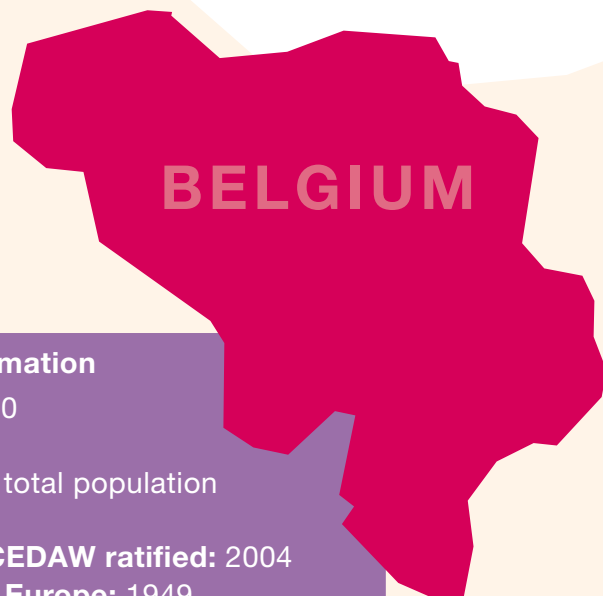


Endnotes

- ¹ The Country Information of Belarus is as of 2008 and was not updated in 2010.
- ² United Nations Demographic Yearbook 2008 <http://unstats.un.org/unsd/demographic/products/dyb/dybssets/2008%20DYB.pdf>
- ³ Therefore, there is also no information available on Belarus from the Monitoring of the implementation of Recommendation Rec (2002) 5 on the protection of women against violence.
- ⁴ US Department of State: Belarus, 2009 Country Reports on Human Rights Practices, March 11, 2010, <http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136021.htm>
- ⁵ Shadow Report on the Implementation of the Convention on the Elimination of All Forms of Discrimination against Women. The Republic of Belarus, 2010. Author: Public Association Women's Independent Democratic Movement. See: http://www.ecoi.net/file_upload/470_1283343160_pawidm-belarus48.pdf
- ⁶ *ibid*
- ⁷ The information in this section has unless quoted otherwise been provided by La Strada Belarus, <http://www.lastrada.by/en/>
- ⁸ <http://www.iom.int/jahia/Jahia/belarus>
- ⁹ <http://www.lastrada.by/en/>
- ¹⁰ Cf. Shadow report on the Implementation of the Convention on the Elimination of All Forms of Discrimination against Women. The Republic of Belarus, 2010. See footnote 4
- ¹¹ Report of Amnesty International "Belarus. Domestic Violence. More than a private scandal". 2006
- ¹² Approved on March 9, 2005
- ¹³ Approved on August 8, 2005

BELGIUM

(KINGDOM OF BELGIUM)



No. of Shelters: 26

Rec. No. of Shelter Places: 1,030

No. of Shelter Places: 460

General Country Information

Population¹: 10,296,350

Female inhabitants:

5,260,904 = 51.09% of total population

CEDAW ratified: 1985

Optional Protocol of CEDAW ratified: 2004

Member of Council of Europe: 1949

Member of European Union: 1957

Facts and Figures

Latest number of femicides: No data available.

Latest number of DV cases reported by police:

In 2009, the federal police reported 10,460 cases of physical violence between partners during the first half of the year.²

Latest number of DV cases reported by women's shelters:

Approximately 5,000 cases were reported in Flanders (Northern region of Belgium).

Prevalence of DV: Numbers on domestic violence are also available on the website of the Belgian Institute of Equality of Women and Men.³

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

According to WAVE focal point Province of Antwerp, Departement of Health and Welfare, Violence Victims and Policy Coordination, there is no national women's helpline operating 24 hours a day in Belgium. There are three general helplines - one in Flemish (106), one in French (107) and one in German (108), which are available for anyone in trouble but not especially for women survivors of violence. Their telephone service is available free of charge, 24 hours a day. Limited English language support is also available. They are financed thorough state funding and donations.

A national website for survivors of domestic violence was started in 2009.

Moreover, there is a helpline supporting women suffering from AIDS, another one provides support on human rights issues, and two helplines offer support for survivors of human trafficking.

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

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	0	0	0	0	-
Regional	5	5	no data	5	100%

Women's Shelters

The four first Belgian women's shelters were set up in 1977; in 1980, 10 more women's shelters were established. Currently, 26 women's shelters provide a safe place and counselling service in Dutch and French for women survivors of violence in Belgium: 22 of them are in Flanders, three in Wallonia and one in Brussels. The shelters in Flanders have a capacity of 350 beds for women and children survivors of violence whereas the shelters in Wallonia and Brussels offer 110 shelter places.⁴ The WAVE focal point Collectif Contre les Violences Familiales et l'Exclusion (CVFE) reported that the Walloon government has encouraged the creation of at least four additional shelters (specialised in other services) in Wallonia to increase their capacity to care for survivors of domestic violence. The necessary specialised training was given to these shelters by CVFE. All shelters have secret locations and a specialised team of social workers and are mainly funded by the state but also through projects. However, the Belgian Government is still far from reaching the recommendation of the European Parliament which indicates the need for 1,030 shelter places in Belgium.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
26	460 places (in Flanders 350 in Wallonia 110)	1,030	570	Some	26

Further Services for women survivors of violence

In Flanders, every region has one multi-service institution – Centrum for Social Care (CAWs) providing different but specialized services to survivors of domestic violence such as helplines, shelters, and counselling. Every region has a multi-agency network, which facilitates the cooperation between police, justice, social care, shelters, victim aid, child care, mental health, in cases of domestic violence.

In Wallonia, there are two regional pools of intervention functioning as regional multi-agency networks, coordinating the cooperation between shelters and other professionals involved in domestic violence cases. They also offer perpetrator programmes. Every region (every CAW) has a victims' service, a team working on domestic violence against women.

National Action Plan

In 2001, Belgium produced its first national action plan to eliminate intimate partner violence with a special focus on gender-based violence. In 2005, the Institute of Gender Equality developed a national action plan focusing

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also on the elimination of intimate partner violence. An evaluation of these action plans was conducted in 2007. Subsequently, the next National Action Plan on Partner Abuse for 2008-2009 was prepared. The National Action Plan on Domestic Violence (2010-2014) was ratified in 2010.⁵

Additional Issues

Currently, Belgium is implementing a multidisciplinary approach to tackling domestic violence at the regional level, which aims to improve the cooperation between police, justice, women's aid, social care, mental health, childcare, and the medical sector. Attention is given to specific target groups such as children witnessing and experiencing family violence, and abuse of elderly women. Furthermore, in some regions, perpetrators' programmes are included in the multidisciplinary context.

Situation of MM Women Survivors of violence in Belgium⁶

Belgium consists of two main linguistic groups: the majority are the Flemings (6 million, 57.2%) followed by the Walloons (3.4 million, 32.4%). Additionally, there are German-speaking Belgians, Italians, French, Dutch, Moroccans, Turks and several other groups living in Belgium.

Most foreigners live in Wallonia, but the highest proportion of migrant population lives in Brussels (28.5%).⁷

1. Access of MM women to shelters and specialised services

In Belgium, there are three shelters specialised in women victims of trafficking set up in 1995. They are funded by the Federal Government and the federated entities (Communities and Regions). The shelters have between 10 and 15 beds and have secret locations. The centres are run by multidisciplinary teams (educators, social workers, criminologists), who provide various types of care and support to victims of trafficking:

- psychosocial care
- administrative care
- medical care
- legal aid

2. Right of residence

Since 1985, citizenship is granted to children of foreign parents born in Belgium automatically, if the parents had also been born in Belgium. Children of those foreign nationals who have been residents in the country continuously for 10 years can also get Belgian citizenship. Foreign nationals who have lived in Belgium for five years can become naturalised Belgian citizens but must renounce their former nationality.⁸

In July 2009, the federal government issued an instruction on regularisation proceedings for irregular migrants; the introduction of this measure was preceded by numerous public protests of irregular migrants.⁹

3. Access of MM Women to public funds and services

Healthcare services

Undocumented migrants have the legal right to urgent medical care, which can be both preventive and/or curative. Thus, urgent medical care refers to a variety of care provisions such as operations, childbirth, examinations, physiotherapy. Another law stipulates Emergency Medical Assistance, that is, immediate medical assistance in cases of accident or illness; it applies to everyone living in Belgium.¹⁰

Social benefits

Persons without legal residence (undocumented migrants) do not have the right to social assistance in Belgium.

Rejected asylum seekers who are waiting for a decision on their appeal to Belgium's highest administrative court, have the right to food and housing assistance.¹¹

Housing programmes

The housing conditions of asylum seekers in Belgium have been subject to criticism at various times. The governmental agency responsible for receiving asylum seekers was condemned by the administrative court for its failure to provide them with housing. An NGO estimated that in October 2009 around 200 asylum seekers, including families had no accommodation. There is thus an obvious lack of housing places for asylum seekers in Belgium. The Office of the Federal Ombudsperson after an investigation was further concerned about the living conditions inside detention centres for asylum seekers.¹²

Education/training programmes

Based upon an official agreement, all children or minors living in Belgium have the right to education up to the age of 18. This includes undocumented minors. This agreement does not apply to adults; undocumented adult migrants cannot attend training/education courses that the government is (co-)funding; they can attend language courses only if they are not (co-)funded by the government.¹³

4. Legal protection of MM women from violence

Legislation on forced marriage

In 2007, forced marriage was criminalised in Belgian law; further, the means of annulations were expanded. The newly introduced article 146 of the Civil Code provides that: "Likewise, no marriage is valid when it is contracted without the free consent of the two spouses and when the consent of at least one of the spouses was obtained through violence or threat." The new provision permits the civil registrar to refuse to conduct the marriage ceremony if it is a forced marriage. Forced marriage can be annulled, which may be invoked by the Public Prosecutor's Office, the spouses themselves or any interested parties. A criminal penalty is also established. A term of imprisonment of one to two years or a fine of EUR 100 to EUR 500 shall be imposed on any person who, through violence or threat, coerces someone into contracting a marriage. Any attempt to do so is also punishable. Before the introduction of this article, forced marriage was actually already punishable in Belgian law.

Legislation on human trafficking

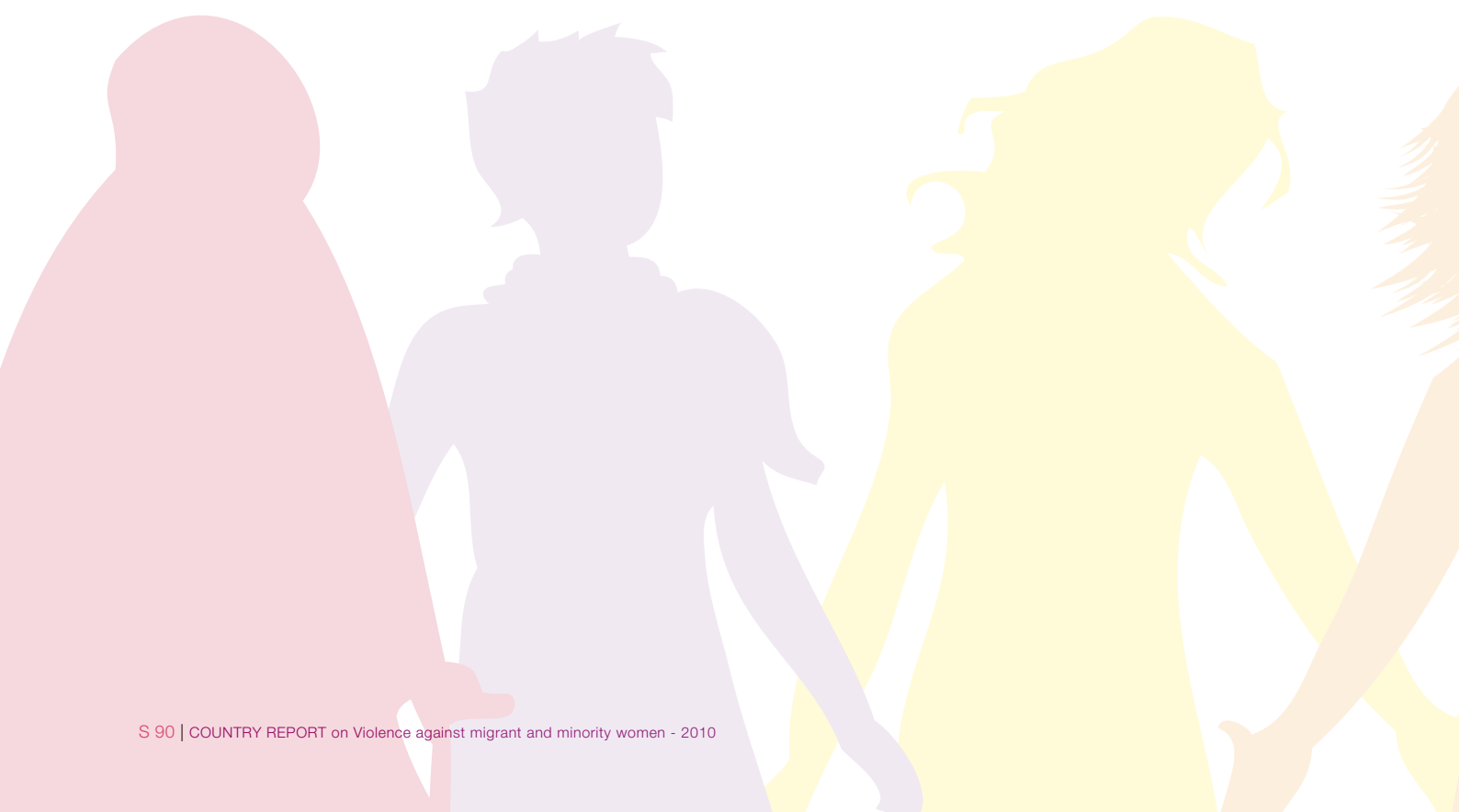
To combat trafficking in human beings an amendment was introduced into the law in 2005 which makes a clear distinction between trafficking in human beings and illegal transporting of migrants. The new charge of trafficking in human beings has been substantially modified. In addition to transnational trafficking (implicating the removal of the victim from her country of origin to a country of destination), the charge now covers national trafficking, which is committed within the territory of Belgium. The charge of trafficking in human beings places the emphasis not only on the notion of the abuse of the victim, as covered by the law of 13 April 1995, but also on exploitation. Another innovation of the new law is in stipulating the aim of exploitation. Several forms of exploitation are therefore enumerated: sexual exploitation (exploitation of prostitution and child pornography), exploitation through begging, exploitation through work (work under conditions that are contrary to human dignity), illegal trafficking in organs, and the commission of crimes. For the crime of trafficking in human beings to be committed, the exploitation does not have to be realised, though it is necessary to prove that one of the forms of exploitation discussed above was intended.

5. Policy measures and statistics

In 2008, Belgium held a conference at which a special focus was devoted to migrant women. Following this conference, information materials were translated into several languages. The 2008 National Action Plan on Intimate Partner Violence also addressed female genital mutilation, racism and forced marriage. Furthermore, the government adopted a National Action Plan on Combating Human Trafficking in 2008. These national action plans draw attention to the complexity of gender based violence and especially violence against migrant and minority ethnic women.

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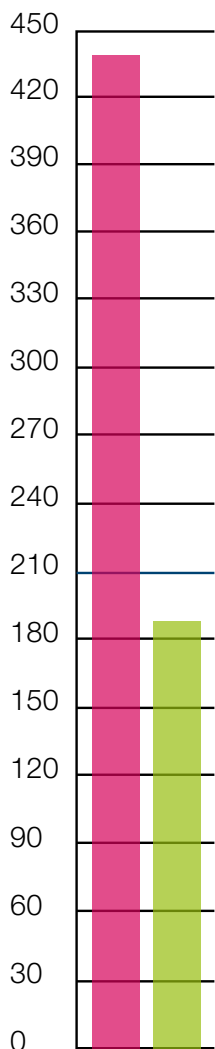
In its Concluding Observations of the last periodic report from Belgium, the UN Committee on the Elimination of Discrimination against Women (CEDAW) expressed its concern with the lack of information on convictions and penalties in cases of violence against women. The Committee requested that Belgium, in its next periodic report, include the number and nature of reported cases of domestic violence against women, including convictions, types of sanctions imposed and assistance given to victims. Furthermore, the CEDAW Committee urged Belgium to take effective measures and implement policies for the elimination of discrimination against immigrant, refugee and minority women, including conducting research on all forms of violence against these groups of women.¹⁴



Endnotes

- ¹ United Nations Demographic Yearbook 2008 <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2008%20DYB.pdf>
- ² US Department of State: „Country Report on Human Rights Practices 2009 - Human Rights Report: Belgium“, <http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136022.htm>
- ³ <http://igvm-iefn.belgium.be/en/>
- ⁴ This information is provided by the WAVE focal point “Collectif contre les Violences Familiales et l'Exclusion” (CVFE) in October 2010. <http://www.refuge.be>
- ⁵ For further information, see: European Parliament, DG for Internal Policies, Policy Department Citizens' Rights and Constitutional Affairs: “The policy on gender equality in Belgium”, 2010, <http://www.europarl.europa.eu/activities/committees/studies/download.do?language=en&file=32855>
- ⁶ The information in this section has unless quoted otherwise been provided by the Province of Antwerp-Department of Health and Welfare, Violence Victims and Policy Coordination, <http://provant.be>
- ⁷ <http://www.minorityrights.org/1507/belgium/belgium-overview.html>
- ⁸ <http://www.minorityrights.org/1507/belgium/belgium-overview.html>
- ⁹ AI - Amnesty International: Amnesty International Report 2010, http://www.ecoi.net/local_link/143064/257840_de.html
- ¹⁰ <http://www.picum.org/article/basic-social-rights-belgium>
- ¹¹ ibid
- ¹² See Footnote 6
- ¹³ <http://www.picum.org/article/basic-social-rights-belgium>
- ¹⁴ Committee on the Elimination of Discrimination against Women, Forty-second session, 20 October-7 November 2008. Concluding observations of the Committee on the Elimination of Discrimination against Women: Belgium, http://www.iwraw-ap.org/committee/pdf/42_concluding_observations/belgium.pdf

BOSNIA AND HERZEGOVINA



No. of Shelters: 9

Rec. No. of Shelter Places: 438

No. of Shelter Places: 183

**BOSNIA
AND
HERZEGOVINA**

General Country Information

Population¹: 4,377,033

Female inhabitants:

2,193,238 = 50% of total population

CEDAW ratified: 1993

Optional Protocol of CEDAW ratified: 2002

Member of Council of Europe: 2002

Member of European Union: no

Facts and Figures

Latest number of femicides: No data available.

Latest number of DV cases reported by police:

Number of DV cases: 1,384 in 2006, 1,093 in 2007, 2,272 in 2008, and 1,631 in 2009. 6,380 in total.

The statistics on domestic violence cases reported by the cantonal ministries of interior in the Federation of Bosnia and Herzegovina (FBiH).

Latest number of DV reported by women's shelters:

Data on the number of survivors of domestic violence accommodated in six shelters in FBiH: 265 in 2007, 244 in 2008 and 317 in 2009. 826 in total.

Prevalence of DV: No data available.

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

In late 2008, with the adoption of the Strategic Plan for Prevention of Domestic Violence in the Federation of Bosnia and Herzegovina (FBiH) for 2009-2010, a unified SOS helpline was established for the Federation. The number of the hotline is 1265. In the Republic of Srpska (Republika Srpska/RS), the SOS helpline was established in 2005. The number of the hotline is 1264. Calls to those helplines are free of charge and the SOS helpline is available 24 hours a day, seven days a week.

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State Funding per %
National	0	–	–	–	0%
Regional	2	2	2	no data	0%

Women's Shelters

There are currently nine safe houses in BiH, with a total of 183 shelter places.² In these houses, in addition to accommodation, food and hygienic supplies, survivors of violence also receive direct physical protection, psycho-social support, counselling and therapy treatment, legal assistance and advice.

In the Republic of Srpska, in 2008, amendments to the Law on Protection from Domestic Violence were introduced, which required the entity and local communities to provide funds for temporary housing and care for survivors of domestic violence in safe houses. However, since the introduction of this legal obligation, the safe houses in the Republic of Srpska have not received regular funding from the entity budget.

In the Federation of Bosnia Herzegovina, public funding for safe houses is not provided for in the Law on Protection from Domestic Violence. The safe houses located in the territory of FBiH are almost exclusively funded through donations from international organisations.³ Currently a draft law on minimal requirements for shelters is in the process of approval, as is the assessment of the number of necessary shelters in the FBiH and in the whole territory of BiH.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
9	183	438	255	9	9

Further Services for women survivors of violence

The WAVE focal point Medica Zenica advocates for the multidisciplinary mixed model of combating violence in the family. For this purpose Medica Zenica has signed protocols with several organisations and institutions. The protocols were signed with the aim of achieving a more rational and effective use of existing resources within Medica Zenica and other relevant institutions and organisations. Since 2007, Medica Zenica has been advocating for integration of

BOSNIA AND HERZEGOVINA

its services, aimed at women and children survivors of domestic violence, into the existing psychosocial and health system in the community.

In 2010, Medica Zenica implemented the project Institutionalised Response to Gender Based Violence in Family and Community in Zenica Municipality, within a wider UNDP programme called Reinforcement of Local Democracy.

The law on social protection in Zenica Dobož Canton does not recognise victims/survivors as beneficiaries of social welfare. In conclusion, Medica Zenica has initiated an institutionalised response for survivors of violence, and at the same time initiated the process of making changes to the law on social protection in Zenica Dobož Canton.

National Action Plan

In 2008, the Strategy for Prevention of Domestic Violence was developed within the Action Plan for the Federation BiH.⁴ The Gender Centre of the Federation of Bosnia and Herzegovina, in cooperation with governmental institutions and NGOs, is responsible for the Strategy. The following NGOs representing women's associations are included in the implementation of activities: the WAVE focal point Medica Zenica, the Local Democracy Foundation (Sarajevo) and the association Vive Žene (Tuzla).

Additional Issues

Medica Zenica is currently working on securing systematic financial support for the safe house.⁵ In order to find a permanent solution to the issue of financial support for the safe house, Medica Zenica proposed a financial model. The model is based on the idea of shared financial responsibility for accommodation and care for victims, with funds provided as a percentage of the total cost of accommodation for victims. Taking into consideration the current economic situation and global recession, based on a needs analysis, Medica Zenica recommended the following financial plan for continuous support: 40 per cent of funds provided by federal budget and other donors, 30 per cent by cantonal budget, and 30 per cent of the cost provided out of the budgets of all 12 municipalities of Zenica Dobož Canton.

Situation of MM Women Survivors of violence in Bosnia and Herzegovina⁶

The population of Bosnia and Herzegovina consists of three so-called 'constituent' peoples: the Bosniaks, Croats and Serbs. In addition, there are minority groups with Roma being the largest national minority. The main languages spoken in BiH are Bosnian, Serbian, Croatian and Romany. The major religions are Islam (Bosniaks), Christian Orthodoxy (Serbs) and Roman Catholicism (Croats).

The division of Bosnia and Herzegovina into two entities reflects the ethnically divided post-war society: in the Republika Srpska, Serbs form the numerical majority, while the Croats and Bosniaks mainly live in the Federation of Bosnia and Herzegovina. FBiH is further divided into cantons where generally either Bosnians or Croats form the majority population. Therefore, people from all ethnic groups in BiH in some parts of the country belong to a minority, a status often resulting in discrimination.

The situation in BiH is particularly bad for Roma people, where discrimination is high and the standard of living low (many lack personal documents and have no or low access to education, health care, and other social services).⁶

Despite an Action Plan addressing the problems the Roma face in the areas of employment, housing and healthcare (2008), the situation of Roma in BiH remains very insecure.

Especially of concern is the situation of Roma girls and women: many of them do not finish primary schooling, and thus have very limited opportunities to enter the labour market, which in turn increases their dependency on their husbands, families and communities. Many Romani girls and women marry at a very early age.

In a field survey conducted in 2010 by the NGO Rights for All, 609 Roma women were interviewed. The study revealed that Roma women are frequently exposed to different forms of violence. Out of 527 women, 44 per cent were married before the age of 18, mostly between the age of 14 and 16 and 33 per cent of the women interviewed reported that they were abused repeatedly by their partners (compared to 24% of non-Roma women).

Roma women in BiH face multiple forms of discrimination and violence. Their vulnerability is increased by widespread stereotypes that violence is part of their culture; such beliefs also influence the behavior of the police and other state institutions when Roma women are affected. Thus, as a result of their limited access to education and information as well as lack of trust in institutions and their economic dependency, Roma women often do not report domestic violence.

At the policy level it is worrying that action plans and strategies are formulated in gender-neutral terms or do not take into consideration the specific situation of Roma girls and women. Additionally, state policies and legislation on combating domestic violence fail to include the situation of Roma women. There are only a few Roma women's organisations in BiH, but apparently, several Roma women activists have started to work in the NGO sector in the last few years.⁷

(Young) Roma women also often become victims of trafficking. As reported in the Alternative Report to CEDAW in 2010, the "mode of action" of trafficking in BiH has changed. The victims are often young girls who are citizens of BiH, among them many Roma girls. This is also reflected in the information provided by the WAVE focal point: in 2009, Medica Zenica provided accommodation to five Roma women, three of which were victims of trafficking.

According to statistics of the State Office of the National Coordinator for Anti-Trafficking and Illegal Migration there have been few foreign victims of trafficking since 2007.

The protection of and assistance to victims of trafficking on the state level is described as low, while there are several NGOs working in support of the affected girls and women.

1. Access of MM women to women's shelters and other services

There are no specialised women's shelters for migrant and minority women.

MM women usually have access to the existing safe houses in BiH. With regard to the Medica Zenica safe house, there are restrictions for persons with mental disabilities and women suffering from a contagious sexually transmitted disease (STD), which is also a restriction in other safe houses.

The rate of MM women accommodated in women's shelters is up to 25 per cent of the total population of women staying at the shelters. There was no information on negative consequences occurring when shelters accommodate MM women. Undocumented women who do not have identification papers are reported to have been allowed to stay in shelters.

However, in cooperation with the relevant Ministry they are provided with information on further steps that should be taken in accordance with domestic legislation.

In the case of Medica Zenica, children (including boys up to the age of 12) can be accommodated in the safe house together with their mothers. In cases where boys are older, alternative solutions are sought in cooperation with the relevant authorities.

Procedure for treatment of foreign victims of trafficking and their children in BiH is determined by the provisions of the Law on Movement and Stay of Aliens and Asylum and the Regulations on Protection of Foreign Victims of Trafficking. According to these acts, any MM woman, whether she is a victim of trafficking or not, is entitled to have an interpreter when using services like counselling or legal aid.

BOSNIA AND HERZEGOVINA

At the moment, there are no MM women working in Medica Zenica, there were however, staff working in its safe house (a nurse and a therapist who worked with beneficiaries in the safe house). Medica Zenica reported that they do not have enough information on the situation in other safe houses in BiH.

Common to all safe houses in BiH, however, is their insecure financial situation due to a lack of ongoing financial support. Thus, safe houses are struggling first and foremost to maintain their established structures.

In terms of other services for women and children survivors of domestic violence and other forms of violence, there are, as stated above, two SOS helplines in BiH. These telephone numbers are available to MM women as well. As far as it is known, the SOS helplines offer services in the local languages Bosnian/Serbian/Croatian.

MM women can also approach Medica Zenica's counselling centre in Zenica, where therapists are also employed.

2. Right of residence

According to the Law on Citizenship of BiH, citizenship may be acquired by the foreign spouse of a citizen of BiH under the following conditions:

1. The marriage has lasted for at least five years before submitting the request and that it still lasts when the request is submitted.
2. The person renounces or otherwise loses his or her former citizenship upon acquisition of the BiH citizenship unless a bilateral agreement as referred to in Article 14 provides otherwise; the renunciation or loss of the former citizenship is not required if this is not permitted or cannot be reasonably required.
3. The person has been permanently a resident for at least three years on the territory of BiH.

According to Article 56 of the Law on Movement and Stay of Aliens and Asylum- dealing with the Protection of Victims of Human Trafficking, there are exceptions to getting residence permits for victims of trafficking.

The Act enables foreign victims to receive a permit for temporary stay for humanitarian reasons. More information regarding residence permits are available within the Law on Movement and Stay of Aliens and Asylum.⁸

3. Access of MM women to public funds and services

Healthcare services

All citizens of BiH, who have a health insurance, have access to health care.

In the Federation of BiH, a new basic health care plan was set up, which includes a list of basic health care rights provided to persons without compulsory medical insurance. This health care plan was adopted in April 2009.

Roma who do not have health insurance, and migrant women/foreigners placed in the safe house of Medica Zenica receive free medical care through cooperation between the NGO and the Cantonal Hospital.

Social benefits

According to the Law on Principles of Social Protection, Protection of Civil Victims of War, and Protection of Families with Children¹¹ of the Federation of BiH, survivors of violence are entitled to social benefits; the cantonal governments have to decide whether they address this issue in their cantonal legislation. Only Sarajevo and Tuzla cantonal governments have done this so far. Medica Zenica advocates for changes in the cantonal legislation to provide social protection for survivors of violence.

Education/training programmes

MM women have access to language courses, if they can afford to pay for them and if the courses are offered in the community where they live. MM women in safe houses which offer language courses are offered these services free of charge.

In the NGO Medica Zenica, all beneficiaries - including MM women, can enrol in various six-month courses which are free of charge: sewing/tailoring, upholstery and hairdressing courses. These courses are organised to provide economic empowerment and depend on the interests of beneficiaries. Courses are also offered as part of occupational therapy.

Childcare facilities

If the MM women can afford to pay for childcare facilities (kindergartens or day care institutions) in their communities, children of MM women have access to such facilities. When accommodated in Medica Zenica's safe house, children can stay in Medica's day care centre free of charge.

Labour market

People without a residence permit or documents do not have access to the labor market in BiH. The unemployment rate in BiH is very high and there are few opportunities for finding work even for those with residence status.

More information is available within the Law on Movement and Stay of Aliens and Asylum⁹ and in the report of the International Organisation for Migration (IOM): Establishing Policies of Labour Migration in Countries of Origin and Destination and International Cooperation between Countries of Western Balkans (2009).¹⁰

4. Legal protection of MM women from violence

There is no data available on measures taken by the police to protect women from violence and the number of protection orders issued by the police in 2009.

There is a Law on Protection from Domestic Violence for the Federation of Bosnia and Herzegovina adopted in 2005 (Official Gazette of the Federation BiH no 22/05 and 51/06) and a Law on Protection from Domestic Violence for the Republic of Srpska (Official Gazette of the RS 118/05 and 17/08).

The strategic plan for the prevention of domestic violence in FBiH 2009-2010 states that every act of domestic violence, whether physical, psychological, emotional or economic, is defined by the Criminal Code of the Federation as a criminal act. Protection measures are prescribed by another law and serve the purpose of temporary protection of survivors of domestic violence and are issued according to a specific procedure.

Protection measures include: eviction of the perpetrator from the residence and issuance of a restraining order, provision of security to the victim, anti-harassment order, mandatory psycho-social treatment for the perpetrator, and mandatory additional treatment for the perpetrator.

However, very few of these measures are actually implemented due to lack of enforcement and/or funding, among others.

The BiH Criminal Code, the entity Criminal Codes and the Criminal Code of Brcko District all cover the prosecution of traffickers in human beings. The criminal act of trafficking is defined by the provisions of Article 186 of the Criminal Code of BiH, while the Criminal Codes of the entities and Brcko District cover other criminal acts closely related to trafficking in human beings (e.g. trafficking in human beings for the purpose of sexual exploitation and inducing prostitution). The criminal offence of trafficking is under the jurisdiction of the State Court of BiH.¹² Provisions of the law treating trafficking and smuggling in human beings are in accordance with the provisions of the United Nations Convention against Transnational Organized Crime and its two Protocols.

A recent report by the OSCE Mission in BiH, which among other functions, monitors court trials and reports on cases concerning trafficking, stated that: "Prosecutions rely largely on victim testimony yet securing convictions is difficult as victims and witnesses are reluctant to report trafficking due to fear, intimidation and shame. (...) A further obstacle to securing prosecutions is that victims may be repatriated before testifying, or may not be available at the trial."¹³

Medica Zenica has no information available on statistics for the entire BiH regarding the number of reported acts of violence in 2009. Medica Zenica accommodated 61 persons (women and children) who survived violence in 2009. Among them were five MM women and six children, including two underage girls.

BOSNIA AND HERZEGOVINA

In terms of prosecution and convictions, for MM women who stayed in Medica Zenica safe house during 2009, there have been two convictions:

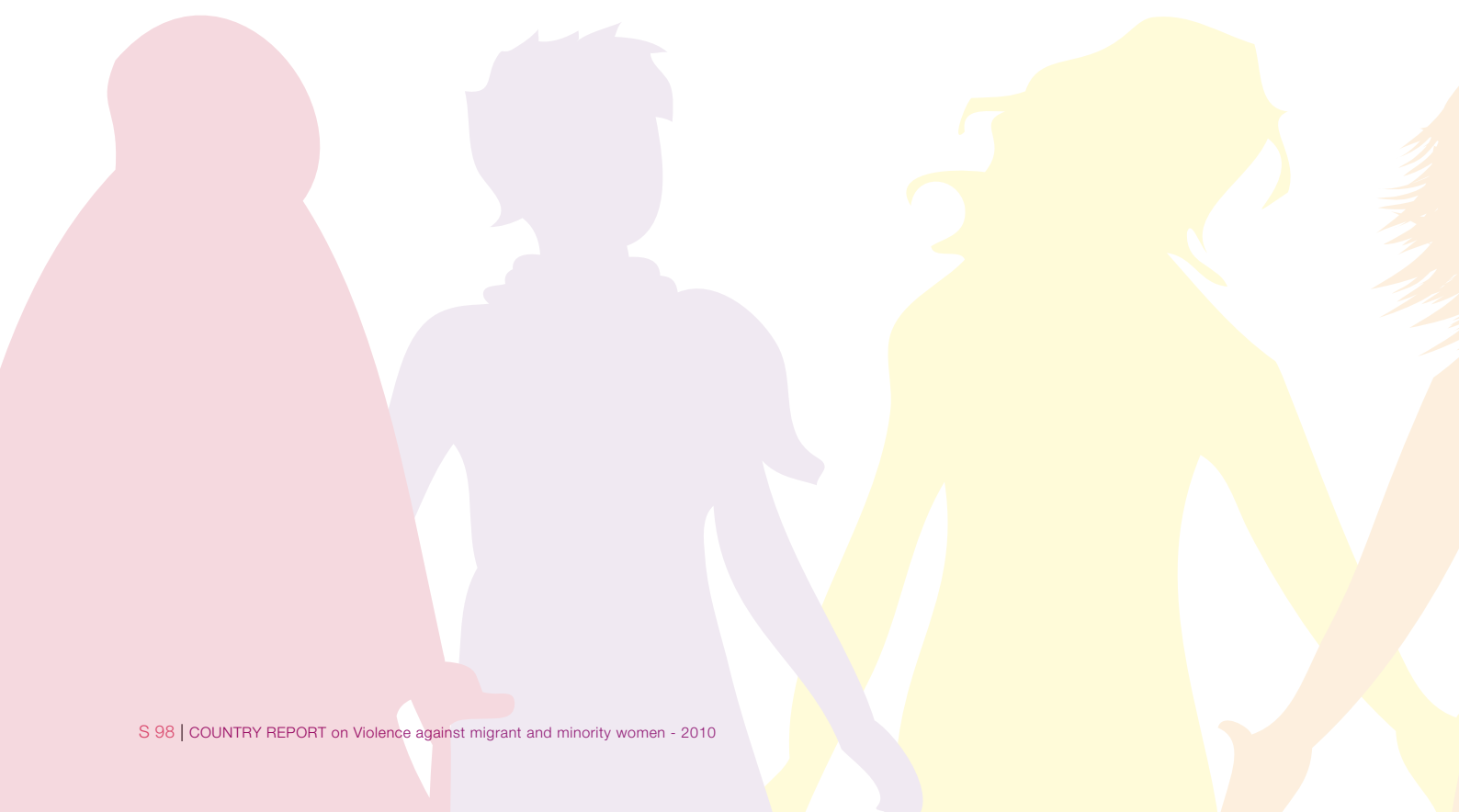
1. Perpetrators of violence against a Roma girl were convicted and sentenced to imprisonment.
2. A mother of an underage girl was denied custody of her daughter.

Legal aid

The Ministry of Security of BiH and the NGO Vasa Prava signed an agreement on provision of free legal aid to victims of trafficking. Those services are provided free of charge for MM women and according to the relevant law, they are entitled to have an interpreter.

5. Policy measures and statistics

Bosnia and Herzegovina has a Gender Action Plan issued in 2006. With the aim of implementing gender awareness in all aspects of public and private life as effectively as possible, the Agency for Gender Equality BiH has, in cooperation with each entity's gender centre, started developing the Bosnia and Herzegovina Gender Action Plan, the single most important strategic document for the direct integration of gender equality in all spheres of public and private life. The action plan is composed of fifteen areas which also include a chapter on violence and human trafficking and a section on the role of men. BiH has further developed a specific state action plan on combating trafficking in women.¹⁴



Endnotes

- ¹ United Nations Demographic Yearbook 2008 <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2008%20DYB.pdf>
- ² See: "Protecting women against violence. Analytical study of the results of the third round of monitoring the implementation of Recommendation Rec(2002)5 on the protection of women against violence in Council of Europe member states", prepared by Prof. Dr. Carol Hagemann-White, University of Osnabrück, Germany. CoE, Directorate General of Human Rights and Legal Affairs, CDEG (2010) 12, Strasbourg, 2010. http://www.coe.int/t/dghl/standardsetting/equality/03themes/violence-against-women/cdeg_2010_12en.pdf
- ³ "Violence against Women and Trafficking in Women", by Natalija Petri (with recommendations for Trafficking in Women by Mara Radovanovi) in: Alternative Report on the Implementation of CEDAW and Women's Human Rights in Bosnia and Herzegovina, October 2010. Report coordinated by: "Rights for All", Sarajevo and "Helsinki Citizens' Assembly", Banja Luka. <http://humanrightshouse.org/noop/file.php?id=15610>
- ⁴ <http://www.fgenderc.com.ba>, (2010)
- ⁵ "Our experience and research in budget planning for shelters in BiH has shown that cantonal and local governments do not allocate funds in the budget plans for this purpose."
- ⁶ The questionnaire on the situation of MM women has been completed by Medica Zenica from Zenica (in FBiH).
- ⁷ <http://www.minorityrights.org/2471/bosnia-and-hercegovina/bosnia-and-hercegovina-overview.html>
- ⁸ "Violence against Women and Trafficking in Women", by Natalija Petri (with recommendations for Trafficking in Women by Mara Radovanovi) in: Alternative Report on the Implementation of CEDAW and Women's Human Rights in Bosnia and Herzegovina, October 2010. Report coordinated by: "Rights for All", Sarajevo and "Helsinki Citizens' Assembly", Banja Luka. <http://humanrightshouse.org/noop/file.php?id=15610>
- ⁹ http://www.unhcr.ba/index.php?option=com_content&view=article&id=251:law-on-movement-and-stay-of-alien-and-asylum-bih-official-gazette-3608-dated-6-may-2008&catid=115:asylum&Itemid=129
- ¹⁰ http://www.unhcr.ba/index.php?option=com_content&view=article&id=251:law-on-movement-and-stay-of-alien-and-asylum-bih-official-gazette-3608-dated-6-may-2008&catid=115:asylum&Itemid=129
- ¹¹ http://www.migrantcentre.org/userfile/labour_migration_patterns_policies_migration_propensity.pdf, accessed on 20 May, 2010
- ¹² available at: <http://www.unhcr.org/refworld/docid/4d302262.html>, accessed on 14 January, 2011
- ¹³ <http://www.sudbih.gov.ba>
- ¹⁴ http://www.oscebih.org/human_rights/cro/antitrafficking.asp accessed in May 2010
- ¹⁵ For further information see http://www.oscebih.org/human_rights/antitrafficking.asp#TraffickinginBosniaandHerzegovina, accessed January 14, 2011

BULGARIA

(REPUBLIC OF BULGARIA)

BULGARIA

General Country Information

Population¹: 7,928,901

Female inhabitants:

4,066,436= 51.29% of total population

CEDAW ratified: 1982

Optional Protocol of CEDAW ratified: 2006

Member of Council of Europe: 1992

Member of European Union: 2007

Facts and Figures

Latest number of femicides: No data available.

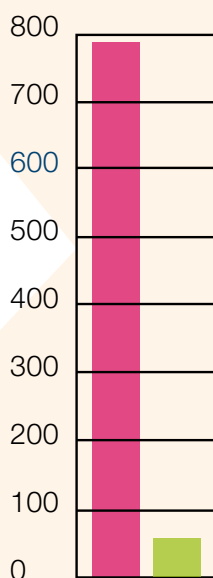
Latest number of DV cases reported by police:

No data available.

Latest number of DV cases reported by women's shelters:

No data available.

Prevalence of DV: In 2008-2009, a national survey on the prevalence of violence against women was conducted;² one in four Bulgarian women are affected by domestic violence.³



No. of Shelters: 5

Rec. No. of Shelter Places: 793

No. of Shelter Places: 60 approx.

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

In Bulgaria, there are two national helplines, one for women and children, and one for children. However, there are no specified helplines for gender based violence. A counselling service is available 24 hours a day only in Bulgarian. The phone call is free of charge. The helplines are financed with state funding. Besides the national helplines, six regional helplines offer support for women survivors of violence but these helplines are not free of charge and do not operate 24/7.

Table of Women's HELPLINES:

	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	2	2	2	0	100%
Regional	6	0	0	0	no data

Women's Shelters

As reported by the Bulgarian WAVE focal points Bulgarian Gender Research Foundation (BGRF)⁴ and Nadja Centre⁵ currently five shelters are available for women survivors of violence in Bulgaria with a capacity of 60 family places. In relation to the recommendation of the European Parliament, 733 family places are still missing. All shelters are financed by donors and partially with state funding (municipality, government). Not all of the shelters focus on gender based violence. Officially, shelters provide eight hours of service during the day, but women survivors of violence are accepted at night as well. They can only stay in a shelter for a few weeks. This is far too short a period of time to overcome the traumatising experience of violence and start a new life.⁶

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
5	60 approx.	793	733	0	no data

National Action Plan

Domestic violence and trafficking were included in the National Action Plan for Gender Equality. Furthermore, a Programme for Prevention and Protection against Domestic Violence was adopted in October 2006, and a National Action Plan on Domestic Violence was prepared for 2007-2009. NGOs such as the WAVE focal point Bulgarian Gender Research Foundation were partly involved in conceptualising the framework, providing data and recommendations. In July 2008, the government adopted a gender equality statement for women and men which refers to domestic violence against women.

Additional Issues

According to a report on the implementation of the Bulgarian Law on the Protection against Domestic Violence from 2008⁷, one of the major problems of NGOs working in the field of violence against women is significant underfunding. Government funding is very scarce and irregular, and NGOs rely on international organisations, donors and in-kind donations. As a result, organisations can provide only limited financial assistance to women survivors of violence, and rely on volunteers to carry out the work.

Another issue mentioned in the report is the risk women survivors of violence face of losing custody rights of their children. This is caused by inappropriate intervention of state authorities who lack knowledge (and training) on the dynamics of domestic violence. While the Department for Social Assistance (DSA)⁸ has the authority to file applications on behalf of victims, interviews indicate it is not doing so in cases where their intervention is most needed.

Situation of MM Women Survivors of violence in Bulgaria⁹

In Bulgaria, MM population is less than one per cent of the total population. Minorities including migrants comprise 16.1 per cent of the total population. The biggest minority group in Bulgaria are Turks (9.4% according to the last census in 2001), followed by Roma (4.6%), and the Pomaks – a Bulgarian speaking Muslim minority. The number of Roma people in Bulgaria however is estimated to be much higher than recorded by the census; as many Roma people did not identify as Roma, but primarily as Bulgarian or Turk.

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There are a number of other minorities such as Russians, Armenians, Vlachs, Macedonians, among others in Bulgaria.¹⁰

The most discriminated minority group in Bulgaria is the Romani community, which faces multiple forms of discrimination in areas such as education, housing and health care. Forced evictions of Roma from informal settlements are reported to be frequent. Authorities even demolished houses that have been illegally built on municipal or private land, thus leaving almost 200 people without accommodations.¹¹

According to our respondents, the most significant problems MM women survivors of violence in Bulgaria face are:

- Language barriers
- Lack of permission to work and/or study
- Lack of knowledge of the possibility to apply to civil courts
- Lack of access to specialised lawyers and courts
- Difficulty of accessing specialised institutions and experts who could provide support
- Isolation
- Dependence on the perpetrator and families and their control over them

It is necessary for MM women to acquire education and improve their language skills. They also need to have better access to resources and be well informed about their legal rights and legal condition in order to better integrate into society.

1. Access of MM women to shelters and other services

MM women have access to shelters in Bulgaria if they know about the availability of shelters and the NGOs who run them. Some minority women receive information about shelters from their own organisations, NGOs, community institutions or from the authorities (like police, municipal authorities, hot lines) if they seek help information, if shelters are available in the region.

The funding of women's shelters is a problem as a whole.

There are five shelters for women survivors of violence in Bulgaria. There are no specialised shelters in Bulgaria; according to our respondents, all women have access to the existing shelters and no groups of women are excluded.

Children are accepted with their mothers and usually counselled together with their mothers. Though it is not very common, culturally specific services are sometimes provided in partnership with other institutions, usually with NGOs. Native language counselling for MM women is not available in Bulgarian women's shelters. Mostly, interpreters are provided to facilitate communication, depending on the language the woman speaks. There is no data available on the number of MM women accommodated by women's shelters in Bulgaria and there are no MM women employed in women's shelters.

2. Right of residence

MM women have to stay in a marriage for at least five years in order to get an independent residence permit. Neither heterosexual partnership/cohabitation nor same sex partnership/cohabitation give women the right to get an independent residence permit. Violence is not recognised as a sufficient reason for MM women to get permanent residence permits and it only falls under the scope of so called "humanitarian reasons".

MM women need legal regulations which ensure their right to protection from gender based violence.

3. Access of MM Women to public funds and services

Healthcare services

According to our respondents, all women have access to health care services in Bulgaria. Women without documents or a residence permit have access to some free health care in cases of emergency and immediate danger to life. In all other cases treatment has to be paid for by patients, if they do not have a valid health insurance.

Housing programmes

Migrant women, asylum seekers and minority women have access to existing housing programmes. They can rely on temporary accommodation within the institutions while they have a residence permit in the country. To obtain housing support, the applicant must present documents to prove the need to house the whole family; there is then an evaluation of the social status of the whole family.

Education/ training programmes

Access to training/education programmes depends on whether a woman is in contact with institutions or not; MM women are informed about training programmes in the migrant centres. Language courses however are not free of charge. Being a victim of violence does not give priority access to these courses.

Labour market

MM women have access to the labour market only if they have a valid residence permit or after they have applied for asylum. There are no restrictions for minority ethnic women as long as they have relevant documents and permits.

4. Legal protection of MM women from violence

The police has no specific functions concerning VAW and has no special approach towards victims of (any kind of) violence against women particularly as a form of gender based violence. There is a Law on Protection against Domestic Violence, which includes protection orders and immediate protection orders (the former refers to a protection order issued within 24 hours by the judge).

There are no data of types of protection from violence provided by the police. The orders are only issued by the civil courts, not by the police. The police are involved in the immediate emergency protection upon being called, and also in the submitting of the application to the court. In some cases, the police are responsible for the forcible execution of the orders, if the respondent refuses to obey.

The police do not play a very effective role in the protection of women from violence. There is no special training for the police on violence against women and no special attention is devoted to this issue. Police need to establish specialised units and develop more sustainable rules of procedure.

The protection order available only for women survivors of domestic violence is used by the courts frequently.

There are no statistics available on the number of reported acts of violence (provided by the police and courts in 2009), as these crimes are not included in police reporting forms. There is also no research or data available regarding the reported cases ending with a conviction.

Legal aid

There is specialised legal aid in Bulgaria. The free of charge legal aid is only available pending judicial procedures, under very strict conditions and only in Bulgarian. The translation is always paid and is not part of the legal aid. Legal aid is/ could be found in different languages but this is not free of charge and the translation is separately paid for. Migrant and minority ethnic women have access to free legal aid on the same grounds as Bulgarian citizens. In penal cases, legal aid is provided when it is obligatory according to the law, whereas in civil cases legal aid is provided only if victims are eligible for it under the Law on Legal aid.

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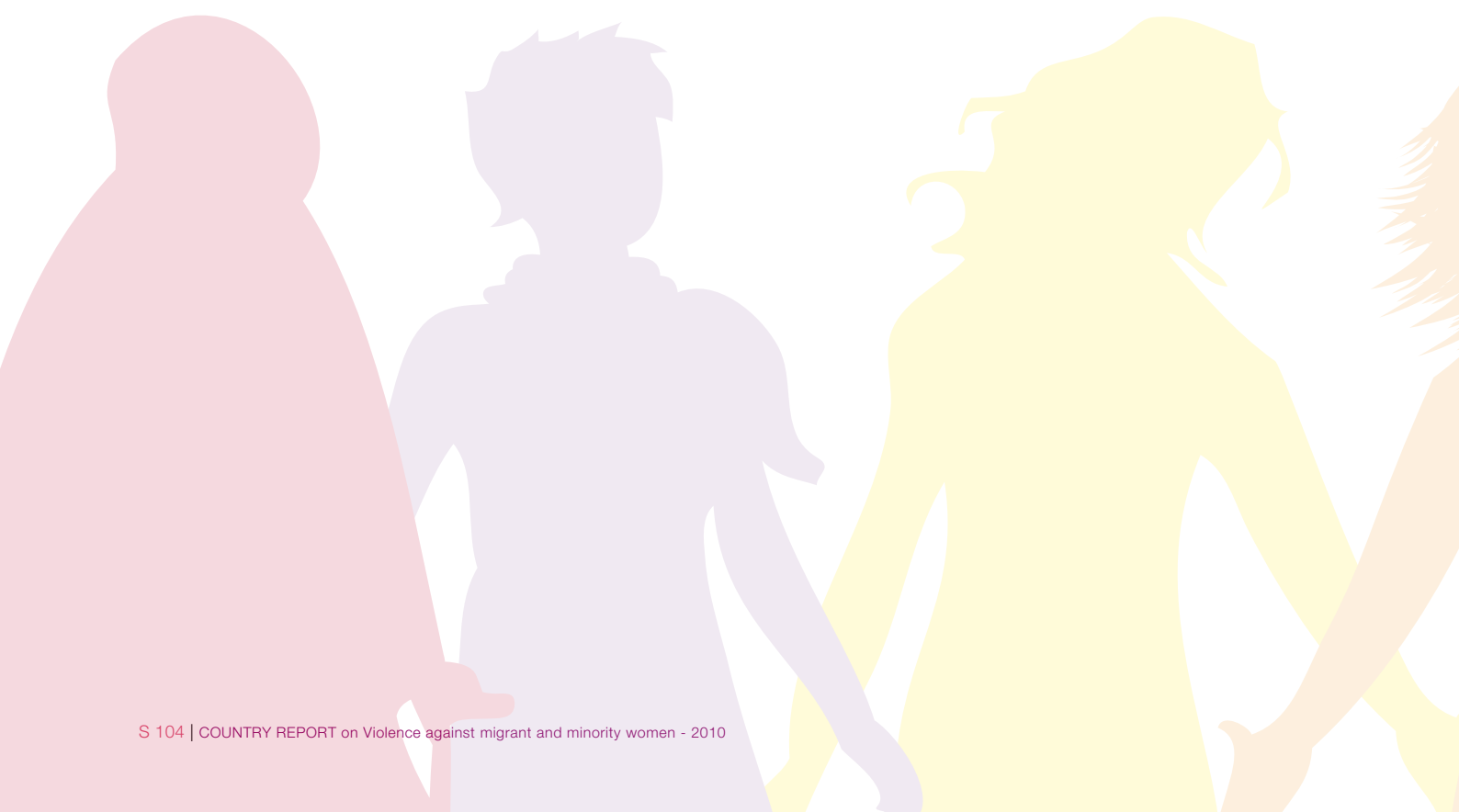
5. Policy measures and statistics

The Bulgarian government has adopted a National Action Plan on Domestic Violence which covers only domestic violence and not other forms of violence against women. The National Programme for Prevention and Protection against domestic violence was issued in 2008.

There are also recently adopted Rules on the Implementation of the Law on Protection Against domestic violence which require the state to take measures for protection and to provide more social, medical and psychological aid for women survivors of domestic violence. However, the implementation remains to be seen. The government does not have a policy on specific forms of violence such as forced marriage, honour related crimes, female genital mutilation or trafficking in women.

There are no statistics, reports, surveys, or position papers available on MM women and violence in Bulgaria; there is a need for research on these issues in order to gather information and develop effective recommendations. The WAVE focal point Bulgarian Gender Research Foundation is currently taking part in the EU DAPHNE project R.A.P.Vi.T.E. The project deals with gender-based violence in immigrant communities. There, trafficking, so called “crimes of honour” and forced marriages will be investigated.¹²

The 2011 census in Bulgaria shall give an up-to-date picture of the ethnic composition of the population. Since the previous census, there have been significant changes in the country such as EU accession and Bulgaria becoming an external border of the EU, as well as the world financial crisis which has significantly altered the demographic picture.



Endnotes

- ¹ United Nations Demographic Yearbook 2008 <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2008%20DYB.pdf>
- ² "Protecting women against violence. Analytical study of the results of the third round of monitoring the implementation of Recommendation Rec (2002)5 on the protection of women against violence in Council of Europe member states", prepared by Prof. Dr. Carol Hagemann-White, University of Osnabrück, Germany. CoE, Directorate General of Human Rights and Legal Affairs, CDEG (2010) 12, Strasbourg, 2010.
http://www.coe.int/t/dghl/standardsetting/equality/03themes/violence-against-women/cdeg_2010_12en.pdf
- ⁴ http://stopvaw.org/Domestic_Violence_Still_Proves_to_be_Very_Common.html
- ⁴ <http://www.bgrf.org/en/> (2010)
- ⁵ <http://www.centrenadja.hit.bg>
- ⁶ The Bulgarian government by contrast stated in 2010, that there are eight shelters in Bulgaria with a total of 45 places – cf. footnote 1 - "Protecting women against violence. Analytical study of the results of the third round of monitoring the implementation of Recommendation Rec (2002)5 on the protection of women against violence in Council of Europe member states" (2010).
- ⁷ See: The Advocates for Human Rights / The Bulgarian Gender Research Foundation: "Implementation of the Bulgarian Law on Protection against Domestic Violence. A Human Rights Report", 2008. http://stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/FINAL_REPORT.pdf
- ⁸ Every municipality has Departments for Social, which have many other responsibilities. Within the structure of this Department for Social Assistance there is a Child's Protection smaller structure which is also represented by the same Director of the DSA. Not all DSA have a Child's Protection office - where in the DSA there is such an office, these offices serve for several municipalities - and thus they cover several municipal territories.
- ⁹ The questionnaire has been completed by the Bulgarian Gender Research Foundation (BGRF) in Bulgaria.
- ¹⁰ <http://www.minorityrights.org/?lid=2426>
- ¹¹ Amnesty International Report 2010 - The State of the World's Human Rights, See: http://www.ecoi.net/local_link/143069/257850_de.html
- ¹² See website of BGRF for more information on the project: <http://bgrf.org/en/?projects&no=66%20%96%20project%20DV%20immigrants>

CROATIA

(REPUBLIC OF CROATIA)

General Country Information

Population¹: 4,437,460

Female inhabitants:

2,301,560= 51.87% of total population

CEDAW ratified: 1992

Optional Protocol of CEDAW ratified: 2001

Member of Council of Europe: 1996

Member of European Union: no

Facts and Figures

Latest number of femicides:

21 in 2009, 20 in first 8 months of 2010.

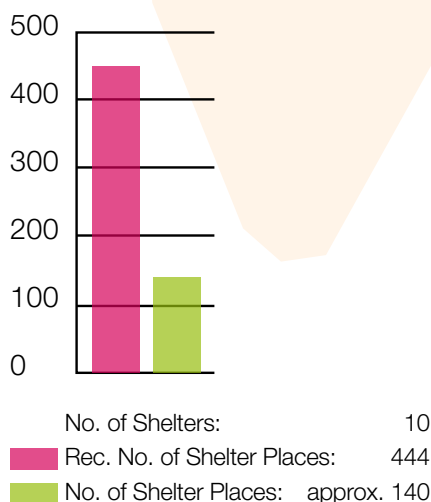
Latest number of DV cases reported by police:

18,951 interventions, 16,496 perpetrators reported for misdemeanour acts of family violence, 482 perpetrators of criminal acts of family violence.

Latest number of DV cases reported by women's shelters:

No data available.

Prevalence of DV: The survey on the prevalence of partner violence was carried out in 2003 by the WAVE focal point The Autonomous Women's House Zagreb², with a representative sample of 976 women. It revealed that 21 per cent of women experience physical violence committed by their current or former male partner. Threats of physical violence while they were with their former partners were reported by 61 per cent of divorced or separated women, and 27 per cent said that they were threatened by their current partners. Forced sex was reported by 34 per cent of the respondents.



SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

In Croatia, the first women's helpline was established at the end of the 1980's. Although there is no national women's helpline available for women affected by violence so far, 23 regional women's helplines provide service for female survivors of violence and victims of trafficking.

These helplines are financed in a variety of ways. Many receive funding from the ministries and local community. In instances where the organisation also has a shelter, they are co-financed by the state; many are also co-financed by the local community.

Table of Women's HELPLINES:

	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	0	—	—	—	0%
Regional	23	8	1	0	Varies between 0 and 100% (only if state run)

Women's Shelters

In 1990, the first autonomous women's shelter in ex-Yugoslavia opened in Zagreb. Since then, 17 more shelters and government run homes for adult victims of family violence have been established, but only 10 are focused on gender based violence and provide approximately 140 places, meaning that approximately 304 more places are needed.

Each of the 17 shelters provides anywhere between nine to 19 beds for women survivors of violence which means approximately 220 shelter places are available for survivors of domestic violence in total, which is far away from the 444 family places recommended by the European Parliament.

Only five shelters are completely autonomous. Five shelters have connections with the Ministry for Health and Social Welfare and are governed according to their rules. In addition, there are five government run homes for adult and children victims of family violence (these also provide accommodation to men). There are additional two Caritas homes for victims of family violence.

In 2008, the Autonomous Women's House in Zagreb organised a campaign entitled SAY YES. This campaign aimed at raising awareness about the political responsibility of the state and city governments to provide good quality services and efficient support for women survivors of domestic violence.

The specific goal of the campaign was to ensure funding for all five women's autonomous shelters in Croatia from the state, the cities and the counties by creating a separate budget line with the national and the local budgets. The campaign was very successful, as all five autonomous women's shelters in Croatia signed an agreement on financing with the Ministry for Family, Veterans and Intergenerational solidarity on 25th of November 2008. This was a significant step forward in 2010, the support for the shelters was reduced because of the recession.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service	State Funding per %
10	approx. 140	444	304	7	In most shelters there is English speaking staff	5 state homes 100%, 10 autonomous and with contracts with the Ministry 20-30%

Further Services for women survivors of violence

So far, there have been several national campaigns addressing victims of trafficking and the wider public in order to inform and raise awareness about the issue. All of the campaigns were supported by the Government's Office for Human Rights and the National Committee for Suppression of Trafficking founded in 2002. Since 2005, the Croatian government has adopted two national action plans and several operational plans for the prevention of trafficking. One of the aims of the National Action Plan for the Prevention of Trafficking (2009 - 2012) is to raise public awareness about trafficking.

The Petra NGO Network is included in most of the activities directed towards the prevention and elimination of trafficking. It was founded in 2002 by the Centre for Women Victims of War (Rosa). The Rosa centre established a helpline for victims of trafficking in 2002, with the toll free telephone number 0800 77 99.

The Rosa centre organised its first campaign in 2002. The campaign was directed at young women as an especially vulnerable group. The second national campaign took place in 2004 - 2005, in cooperation with UNODC. The campaign targeted potential victims of trafficking and the wider public.

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National Action Plan

In 2007, Croatia adopted the National Strategy for Protection against Domestic Violence (2008–2010) which aims to strengthen the legal, educational, social and institutional framework of protection for victims of family violence. The strategy included 40 measures in six areas: education and training for professionals, psychosocial treatment of perpetrators, analysis and implementation, victims support and shelters, improvement of the status of victims in procedures and awareness raising.³ Further, the government issued a Protocol of Procedures in Cases of Family Violence. This document directly refers to the obligation of the state to respond to and take measures to eliminate domestic violence, punish perpetrators and protect victims. It stresses the obligation of all competent bodies (police, centres for social care, judicial bodies, medical and educational institutions) to identify and eliminate violence and provide help and protection to persons experiencing family violence.

A new national strategy was reported to have been prepared for the period of 2011–2016.

Additional Issues

The Decision of the European Court for Human Rights in domestic violence case Branko Tomašić and Others v. Croatia (no. 46598/06)⁴:

In 2009, the European Court for Human Rights issued a ruling in a case of murder following domestic violence that the Croatian WAVE focal point B.a.B.e. together with the relatives of the victims had submitted to the Court.

Three years earlier, a man had murdered his partner and their one year old daughter and then committed suicide. The man committed the crime shortly after being released from prison, where he had been held for making death threats. Originally, he had been ordered to receive compulsory psychiatric treatment. However, the appeal court ordered the treatment to be stopped after the man's release from prison.

The Court found a violation of Article 2 (right to life) concerning the deaths of the mother and the child: the Croatian authorities had not followed the order for continued psychiatric treatment; the government had failed to show that the husband had even received psychiatric treatment in prison. The Republic of Croatia was obliged to pay 40,000 Euro to the family of the deceased. The execution of this judgment was still ongoing in December 2010. The women's organisation B.a.B.e. hopes that the case will increase the willingness of institutions to improve the situation for survivors of violence and other violations of human rights in Croatia.⁵

Situation of MM Women Survivors of violence in Croatia⁶

The ethnic composition of Croatia has changed greatly, however, as a result of the war in the 1990s; it is still an ethnically heterogeneous country. According to the 2001 census, ethnic Croats make up 89.6 per cent of the population. Ethnic Serbs are by far the largest national minority and, along with the Roma community, face the most discrimination and exclusion, for instance with regard to access to employment or participation in public life. According to the 2001 census, Serbs make up 4.5 per cent of the population (20,631). These numbers may not be fully reflective as many refugees returned to Croatia after the census, and some did not declare their ethnicity.

The number of Roma living in Croatia is also estimated to be higher than recorded in the census (9,463 in 2001).

Other minority groups in Croatia are Italians (approx. 20,000 in 2001), Hungarians (approx. 16,600), Albanians, Bosniaks, Czechs and Slovenes (approx. 10,000 for each ethnic group).

Croatia's Constitution ensures the equality of all persons. It defines Croatia as a state of the Croatian nation along with members of ten listed national minorities and 'others'.

Roma face discrimination and exclusion in all areas of life. Despite the adoption of a National Programme for the Roma in 2003 there were few substantial improvements of the situation of Roma in Croatia.⁷ Particularly the position of Roma women which is very insecure.⁶

There are approximately 35,000 migrants in Croatia but this number is not disaggregated by gender. The most serious problems of MM women (excluding the minorities) survivors of violence is that they face complicated and demanding procedures to realise their rights with little or no consideration and help from the authorities. The conditions in the reception centre for undocumented immigrants in Ježevo are especially very poor, especially that no separate premises for men and women exist.

1. Access of MM women to women's shelters and other services

There are 17 women's shelters in Croatia with 220 shelter places available, but only 10 are focused on gender based violence. According to the new regulations on the financing of women's shelters, the Ministry of Family, Veteran's Affairs and Intergenerational Solidarity provides 30 per cent of funding, the Counties provide 30 per cent, towns or Municipalities another 30 per cent and projects of NGOs, which manage shelters, provide the remaining 10 per cent of the funds for women's shelters. According to the WAVE focal point, the funding situation is same for all women in need of accommodation in shelters.

MM women in general have access to women's shelters. The request for their accommodation, however, is issued by the Social Welfare Centre (SWC). In emergency cases, the women are brought to the shelter by the police. Every woman who enters a shelter has to be reported to the SWC. According to the WAVE focal point B.a.B.e, women missing documents or a residence permit can then be deported to their country of origin. The decision to deport a woman without all the necessary papers is at the discretion of the employees or lawyers at the centre (SWC).

Therefore, women without documents only have the right to accommodation in a shelter in theory. In practice, it is reported that most of the shelters in Croatia accept women without papers without the mediation of the SWC and take all the necessary steps to help her. Once in a shelter, all women have the same rights.

In the case of asylum seeking women, there is a reception centre for asylum seekers in the town of Kutina. Unfortunately, single women and men are not provided separate facilities. Single women share a floor with families and single men stay on the floor below. The police have taken some measures to prevent men from harassing women by installing cameras in the corridors. However, there was a rape attempt in this reception centre which was prevented by the police and the perpetrator was sent to a psychiatric institution for addiction treatment.

Minority ethnic women in Croatia who are Croatian citizens have the same rights as all citizens, including the right to protection from violence.

In Croatian shelters, both boys and girls children of women who are accepted in shelters can stay until the age of 16 (in some cases the shelter can make an exception). After that age, children are usually sent to children's homes or foster families. If the abuser is the father, the woman and her children are taken to a safe house or centre for social welfare by the police; they are not separated.

Women's shelters provide legal counselling, psychological and social counselling for women and help for the children who witnessed violence or were survivors of violence. These services are provided in Croatian. Most of the migrant women in Croatia are refugees from Serbia and Bosnia and Herzegovina and as their languages are very similar to Croatian there is no need for translation. Roma women also speak Croatian and have no communication difficulties. However, the SWC is obliged to provide a translator for the legal counselling of MM women if needed.

There are no women's shelters specialised for migrant and minority women in Croatia but there are two national shelters and three receiving centres for adults and children victims of trafficking. The Ministry of Health and Social Care, Red Cross and the Petra Network for Women Victims of Trafficking manage these shelters. There is no data available on the number of MM women staying in shelters and there are no MM women employed in Croatian shelters.

Women victims of trafficking are provided services based on their individual wishes and status in their own language. They are offered legal, psychological and social support and work therapy. Among the victims of trafficking, Croatian citizens are offered reintegration through education and retraining, whereas foreign persons are offered language courses in Croatian.

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Foreign victims of trafficking are granted temporary residence permit on humanitarian grounds and have the right to stay in Croatia for one year (maximum) before they are deported to their country of origin. The victims of trafficking do not have to testify in order to receive the residence permit in Croatia. Children of asylum seekers and victims of trafficking are also provided counselling in their own language.

There is a 24/7 national helpline for victims of trafficking (0800 77 99). It is led by three organisations from the Petra network (Organisation for Integrity and Prosperity, ROSA – Centre for Women Victims of War and Organisation of Women - Vukovar). The Petra Network, together with the Ministry of Internal Affairs, the Ministry of Health and Social Care, the Government Office for Human Rights and Red Cross Croatia provide services to victims of trafficking according to the National Plan for Suppression of Trafficking for the period 2009-2011. All of the services for victims of trafficking are provided in the languages of the beneficiaries.

There are 23 helplines in Croatia. They are not state run, but some of the funds are provided by the state. All these helplines can be reached from any part of Croatia and their telephone numbers are easily found on the internet. Additionally, there are brochures, leaflets, and information services among others. These helplines do not provide multilingual counselling unless the answering staff knows a foreign language.

2. Right of residence

Women have the right to their own residence permit after four years, and the right to apply for Croatian citizenship after five years. If a woman applies for a residence permit for the purpose of family reunification, application can be granted even if the person with whom the applicant requested reunification has died, or if the marriage resulted in divorce, provided that it lasted at least three years in Croatia (Law on Foreigners, Article 61). In Croatian law, partnership/cohabitation which lasts at least three years (or less in the case of the birth of a child) is legally equivalent with marriage regarding rights, obligations and property rights of the partners.

Croatia adopted a Law on Same Sex Relationships in 2003, but residence permits are not regulated by that Law. However, Article 21 of this Law forbids direct or indirect discrimination on the basis of same sex relations or sexual orientation. This Article could be the basis for the submission of a formal complaint in the case of the denial of the right to residence permit to same sex couples.

The request for a residence permit can be approved by the authorities in the case of “humanitarian reasons” (Law on Foreigners, Article 51). However, there is no clear definition of the concept “humanitarian reasons”; it is therefore subject to various interpretations.

The temporary residence permit based on humanitarian reasons will be granted for:

- 1) persons with the status of victim of trafficking,
- 2) abandoned minor, minor without parental care and victim of organised crime,
- 3) or in “other justified reasons of humanitarian nature” (Law on Foreigners, Article 68).

B.a.B.e claims that violence should be grounds enough for getting a residence permit for a MM woman, however, there have been no such cases in Croatia yet.

3. Access of MM women to public funds and services

Foreigners identified as survivors of violence who are granted residence permit on the grounds of humanitarian reasons have, among others, the right to health care services. Other rights granted to them under the Law on Foreigners, Article 72 are: the right to safe housing, financial help, education and employment.

Asylum seekers have the following rights in Croatia (Law on Asylum Article 29):

- Residency in the Republic of Croatia
- Guarantee of basic living conditions and accommodation

- Health care system
- Elementary and high school education
- Financial help
- Free legal help
- Humanitarian help
- Freedom to express their religion and the right to religious education
- Work

Healthcare services

The health care provided to asylum seekers covers only urgent medical help and necessary treatment of diseases. Further, asylum seekers who were exposed to torture, rape or other severe forms of violence have the right to treatment.

Ethnic minorities, by law, have unconditional access to health care services, as do all Croatian citizens.

Social benefits

One of the conditions for a person to receive temporary residence permit in Croatia is to “have sufficient funds of support, secured housing, health insurance, (the Law on Foreigners, Article 52). Asylum seekers are entitled to 20 per cent of the amount of the benefits of Croatian citizen which makes 100 Croatian Kunas per month (approximately 15 Euros), until their status is resolved. Minority ethnic persons have the same right to social benefits as any other Croatian citizen.

Housing programmes

One of the aims of the National Strategy for Protection against Domestic Violence is to improve the status of survivors of domestic violence by the provision of housing programmes. The institutions responsible for the implementation of these measures are the Ministry of Health and Social Security, the Ministry of Family, Veteran’s Affairs and Intergenerational Solidarity and local government. Although there is legislation that facilitates access to housing programmes for women survivors of violence, the waiting lists for social housing are often lengthy so the measures are not sufficient.

Only minority ethnic persons, as Croatian citizens, currently have access to housing programmes.

Childcare facilities

Children of asylum seekers can be registered in a kindergarten if they speak Croatian. There is a playroom in the reception centre Kutina managed by the Red Cross, but it is opened to children only two hours a day. There is another non-profit organisation “Challenge” in the town of Kutina (organisation for promotion of rights and socialisation of HIV positive children) that includes children from the reception centre in all of its activities. Minority ethnic persons have regular access to childcare facilities as do all Croatian citizens. Furthermore, children whose parents have a (temporary) residence permit have access to childcare facilities.

Access to the labour market

Conditions for accessing the labour market for minority ethnic persons are the same as for all Croatian citizens. According to the National Plan for Employment (2009-2010), the state is co-funding the employment of the long-term unemployed, people with disabilities, survivors of domestic violence, single parents, recovering addicts, war veterans and members of the Roma minority, among others. However, both beneficiaries and employers are not very well informed about the benefits of these regulations. Employers are also sceptical and have prejudices towards women survivors of violence and the Roma. Another obstacle is that the procedure for realisation of this right is very complicated and it takes a long time.

Asylum seekers have the right of accessing the labour market one year after applying for asylum if the request is not resolved. Migrant women with a temporary residence permit can apply for a work permit to the Ministry of Internal Affairs and to the Croatian employment service. Women who are married to Croatian citizens have access to the labour market without requiring a work permit.

Education/training programmes

Migrant women with a residence permit, asylum seekers/refugees and minority ethnic women in principle have the right to access to education/training programmes. Members of the Roma minority have Croatian language classes made available

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in regular schools (as do all other minorities). Welfare centres together with local governments organise additional courses (Croatian) for Roma women who have not finished compulsory education and do not speak Croatian very well.

Asylum seekers have been offered Croatian language courses in the reception centre in Kutina since 2004. The courses are organised by the Centre for Peace Studies which, since 2007, has a formal agreement with the Ministry of Internal Affairs to run these courses. The courses are scheduled at least once a week. The Centre for Peace Studies wanted to organise separate courses for men and women, but was not able to due to lack of funding. According to the experience of the Centre, many of the women in the reception centre from the Republic of Kosovo, Afghanistan, Iraq and Pakistan see no need for learning the language if their husbands are taking the course.

WAVE focal point B.a.B.e was not able to get information about the situation in the reception centre for undocumented migrants in Ježevo.

Reportedly, the Ministry of Science, Education and Sports has been required to organise Croatian language courses for foreigners since 2005, but has not done so.

4. Legal protection of MM women from violence

In 2003, the Croatian Parliament adopted the Act on Protection against Family Violence ("The Official Gazette" No. 116/03). Family violence is defined by the Act as follows:

"Family violence is any use of physical force or psychological pressure against the integrity of a person; any other behaviour of a family member which can cause or potentially cause physical or psychological pain; causing feelings of fear or being personally endangered, offence to dignity; physical attack regardless of whether or not it results in physical injury, verbal assaults, insults, cursing, name-calling and other forms of severe disturbance; sexual harassment; stalking and all other forms of disturbance; illegal isolation or restriction to freedom of movement or communication with third persons; damage or destruction of property or attempts to do so."⁷

Under this law (Article 7), there is civil law protection. According to it, the court can impose the following measures against the perpetrator of family violence:

- a) obligatory psychosocial treatment
- b) restraining order
- c) prohibition of disturbing or stalking of the person exposed to violence
- d) removal of the perpetrator from the house
- e) securing the protection of the persons exposed to violence
- f) mandatory treatment of addiction
- g) removal of objects used in the offence

In 2008, the Croatian Government also passed the Rules of Procedure in Cases of Family Violence.⁸ These Rules prescribe that police, social services, health professionals and educational institutions report any suspected incident of family violence. Further, the Rules of Procedure specify the requirements of all parties involved in the investigation of incidents, including the care of children, detention of perpetrators, protection of victims including protection from secondary victimization.⁹

With regard to the crime of violent behaviour in the family, the police found and reported 482 persons for 1,400 deeds of which 1,485 persons were the victims, 78.1 per cent of them women.

Legal aid

The Law on Free Legal aid was adopted by the Croatian Parliament in 2008; legal services are provided by lawyers, universities and associations authorised by the Ministry of Justice. These associations complain that the law is ambiguously interpreted; the tariff for the provision of legal aids very low and insufficient especially for lawyers of law firms and private lawyers.

According to the Law on Free Legal aid¹⁰, Article 7, the beneficiaries of free legal counselling are: Croatian citizens and foreigners with temporary or permanent residence, asylum seekers and those granted asylum, foreigners under subsidiary

protection and foreigners under temporary protection, who are unable to cover the costs of legal assistance without risk to their livelihood.

The Ministry of Justice is responsible for the cost of translation for legal counselling during the entire statutory procedures for granting asylum (preferably of the same gender) to the asylum seeker if he or she does not speak Croatian (Law on Asylum, Article 24).

However, for reimbursement from the state (i.e. the Ministry of Justice) beneficiaries must complete a referral form. The form is extremely complicated and in order to fill it out correctly the beneficiary must have all the necessary documents and possess at least basic legal knowledge. Many of the CSO's authorised by the Ministry to provide legal help criticised the referral form because beneficiaries of legal aid are often insufficiently informed of their rights and therefore cannot fill it out correctly.

According to an organisation authorised to provide free legal aid, the Law has not fulfilled its purpose. There were 3,913 requests for free legal aid in 2009, of which 2,604 were granted. Another problem with the Law is that according to Article 7.3: Foreigners with temporary residence and foreigners with permanent residence can realise their right of legal aid if they are eligible for legal aid in their country of citizenship. Foreign citizens, such as Serbians (refugees, displaced residents returning) have no right to free legal aid because of this principle of reciprocity: Serbia has no free legal aid law, so as Croatian citizens do not have a right to free legal aid in Serbia neither do Serbians have right to free legal aid in Croatia

5. Policy measures and statistics

In the National Strategy for Protection against Family Violence of Croatia, there are no specific measures for MM women.

According to the Law on Asylum, asylum is granted to a person who is persecuted in the country of origin because of her "religion, race, nationality, membership of a particular social group or political opinion" (Article 4). According to the law, domestic violence is not a reason for granting asylum. Exceptions can be made for women coming from countries where adultery is a punishable offence, but the WAVE focal point is not aware of such a case. In 2008, there was a case of asylum being granted to a woman who was, among other threats, in danger of genital mutilation in her country.

There are no statistics, reports, surveys, position papers specifically on violence against MM women in Croatia. Additionally, there are no statistics on the general implementation of the Act on the Protection against Family Violence (i.e. on number of investigations or sentences in cases of family violence), thus the effectiveness of the policies cannot be evaluated properly.¹²

Endnotes

¹ United Nations Demographic Yearbook 2008 <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2008%20DYB.pdf>

² <http://www.azkz.net/>

³ The UN Secretary-General's database on violence against women: Response of the Government of Croatia to the questionnaire on violence against women (2008), see: <http://webapps01.un.org/vawdatabase/searchDetail.action?measureId=6081&baseHref=country&baseHrefId=388>

⁴ http://www.echr.coe.int/NR/rdonlyres/39C38938-2E29-4151-9280-D5AC063DD02E/0/FICHES_Violence_Against_Women_EN.pdf

⁵ <http://humanrightshouse.org/Articles/9813.html>

⁶ <http://www.minorityrights.org/2647/croatia/croatia-overview.html> (information last updated in 07/2008)

⁷ For further information see, e.g.: Annual Report of the Human Rights Center for 2009, Zagreb (published on April 29, 2010), http://judska-prava.org/humanrights/attachments/519_HRC%20Annual%20Report%202009.doc

⁸ <http://webapps01.un.org/vawdatabase/searchDetail.action?measureId=6015&baseHref=country&baseHrefId=388>

⁹ http://www.dijete.hr/attachments/721_Protokolnasiljeengl%5B1%5D.lektorirano_1.doc

¹⁰ <http://stopvaw.org/Croatia.html>

¹¹ See: <http://www.pravosudje.hr/default.asp?gl=200903230000011> (2010)

¹² See: Comments of the Human Rights Center to the Replies of the Croatian Government to the List of Issues (CCPR/C/HRV/Q/2, August 2009) for the Second Periodic Report for Croatia (CCPR/C/HRV/2), UN Human Rights Committee Zagreb, October 1, 2009, http://www.human-rights.hr/attachments/491_ICCPR%202009%20-%20Human%20Rights%20Center%20comments.doc

CYPRUS

General Country Information

Population¹: 689,565

Female inhabitants:

351,068 = 50.91% of total population

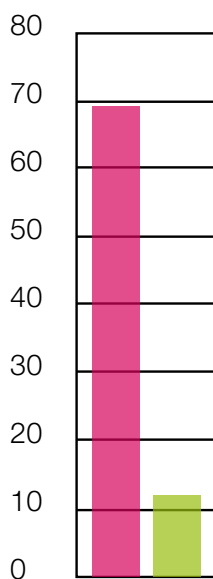
CEDAW ratified: 1985

Optional Protocol of CEDAW ratified: 2002

Member of Council of Europe: 1961

Member of European Union: 2004

CYPRUS



No. of Shelters: 1

Rec. No. of Shelter Places: 69

No. of Shelter Places: 12

Facts and Figures

Latest number of femicides: According to the Office Handling Incidents of Domestic Violence and Minor Abuse of the Cyprus Police there were six homicides classified as domestic in Cyprus in 2009. From those, 85 per cent of perpetrators were men, 15 per cent women, whereas 36 per cent of the victims were male, 64 per cent female.²

Latest number of DV cases reported by police:

There were 202 DV cases reported in 2002, with an increase of 720 cases in 2008.

Latest number of DV cases reported by women's shelters:

There were 316 cases reported by women's shelters in 2004, with an increase of 953 cases in 2009.³

Prevalence of DV: No prevalence studies exist for Cyprus.

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

The Association for the Prevention and Handling of Violence in the Family established in 1990 runs a crisis helpline free 24/7 and shelter for victims of family violence. It is largely funded by the state government. The association cooperates closely with the Social Welfare Services, the police and other institutions. The helpline is staffed by trained psychologists and social workers that provide psychological support, guidance, and information with regard to victims rights. For other needs such as medical services or legal advice, victims are referred to the responsible government department or agency.

In 2002, the police established a special unit for combating domestic violence and it operates a 24-hour helpline for victims which is free of charge. According to a report on the evaluation of inter-departmental procedures, the Police do not have trained personnel in every police station, there is not always a female police officer on site to take statements from the victim (primarily women), and only 16 police officers are trained in taking victim statements electronically. As family violence is broadly defined, helplines provided by the police cannot be included as specific support for women survivors of domestic violence.

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	1	1	1	1	100%
Regional	0	–	–	–	–

Women's Shelters

There are no state operated shelters for victims of family violence. The Cyprus Association for the Prevention and Handling of Violence in the Family is the only NGO in Cyprus that provides services to victims of family violence (and their children). Its objectives include the prevention of domestic violence including sexual violence in the family, the provision of direct help to survivors of violence, including a crisis centre, a 24-hour hotline, and a shelter for victims and their children. The state government uses the same criteria for funding of the shelter as it does to other programmes within the NGO sector.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service	State Funding per %
1	12	69	57	1	1	100%

Further Services for women survivors of violence

State services such as shelters and other specially designed premises for housing and supporting women survivors of violence are inadequate and do not meet minimum standards in terms of number of places offered per population, and those that do exist are limited to the provision of board and lodging.

Furthermore, due to the lack of a gender perspective in all services working on violence in Cyprus, programmes for psychological support and social inclusion/re-integration are not incorporated. The Council of Europe Commissioner for Human Rights, Thomas Hammarberg, after a country visit in 2008 expressed dismay at the inadequate support to survivors of violence in Cyprus. NGOs had reported to him that an estimated number of 80,000 victims receive no support.⁴

National Action Plan

The National Action Plan on Prevention and Combating Violence in the Family (2010-2015) was adopted by the Council of Ministers and thus is implemented. The responsibility for evaluation of the national action plan lies with the Advisory Committee for the Prevention and Combating of Family Violence, which is also the institution responsible for the coordination and implementation of the national action plan. Although the national action plan in its introduction recognises that family violence disproportionately affects women (and children) and is a consequence of unequal power relations between women and men, gender equality does not feature in the 'basic principles' upon which the national action plan is based. Women are referred to as a 'vulnerable group' along with children, persons with disabilities, and migrants. Despite this, there have been efforts to take into account the gender dimension of family violence particularly in the sections on prevention, and sensitization and the training of professionals and the public. Reference is made to actions to empower women, to the eradication of gender stereotypes and the promotion of gender equality, with a special focus on the educational system. However, a gender perspective is lacking completely in the protection of victims of family violence. Furthermore, there are no proposed actions to address the needs of different groups of women, such as migrant women (except in reference to trafficking), women with disabilities, elderly women and other disadvantaged groups.

Situation of MM Women Survivors of violence in Cyprus⁵

The majority population of Cyprus are the Greek Cypriots (80%). Turkish Cypriots, who make up 18 per cent of the population (not including Turkish settlers). Further, there are several Christian minorities in Cyprus, which make up two per cent of the population. Cyprus has also become a country of immigration, thus various immigrant groups form part of the Cypriot society today.⁶

Minority groups, both national and immigrant ones, are faced with discrimination by the authorities and the broader society. Furthermore, many refugees who come to Cyprus find their situation to be even worse. This is partly a consequence of the perception that Cyprus is just a stop on their journey to Europe, which results in missing integration policies.⁷

European Network against Racism (ENAR) in Cyprus and the Nicosia-based human rights group Action for Equality, Support, Antiracism (KISA) have pointed out that racism and xenophobia against migrants and minority groups are increasing.

1. Access of MM women to shelters and other services

The biggest problems of MM women survivors of violence in Cyprus are reported to be unemployment and access to services such as health care.

Cyprus currently has only one shelter for women survivors of domestic violence and their children. As mentioned above, the shelter was set up and is run by the Association for the Prevention and Handling of Violence in the Family.

Access to this shelter however is limited. The association reported that they are forced by law to inform the immigration office about any potential clients who are in Cyprus illegally and who are not married to nor have a child by a Cypriot man.

Access of MM women to the shelters thus depends on their legal status in Cyprus:

- (1) For women without documents, the shelter is required by law to inform the immigration office that they are, or intend to house a woman without documentation. In such cases the woman is informed beforehand.
- (2) Women without residence permit or with insecure/ temporary permits are provided temporary shelter on a case-by-case basis, on condition that the application for residency has been made or is in the process of being accepted.
- (3) Asylum seekers/refugees have no access to the shelter in Cyprus.

The Association for the Prevention and Handling of Violence in the Family further reported that they occasionally refuse shelter to women with addiction and/or mental health problems. This is because the organisation currently cannot provide safe 24 hour care.

Children are allowed to stay in the shelter with their mothers (boys up to the age of 16). The shelter offers counselling in English and Greek; if a woman does not speak either language the staff try to refer her to another organisation that can offer free counselling in her native language. It is easier to find counsellors that speak Russian or Bulgarian but reportedly very difficult to find counsellors that speak other languages.

2. Right of residence

Third country nationals married to Cypriot citizens do not acquire any privileges or rights through marriage. They must apply for registration as aliens, and they must also apply for temporary residence and work permits, although they have free access to the labour market.

Neither heterosexual partnership/cohabitation nor same sex partnership/cohabitation provides a woman with the right to apply for a residence permit.

3. Access of MM women to public funds and services

Healthcare services

Women with a (temporary) residence permit, asylum seeking/refugee women and women from minorities have access to healthcare services in Cyprus's if they have applied for a healthcare card. Emergency treatment is provided to anyone in need of medical care and is often available free of charge or at a reduced rate for low income and/or special groups of the population.

Social benefits

Women with a (temporary) residence permit, asylum seeking/refugee women and women from minorities reportedly have access to social benefits in Cyprus. if they have all the relevant papers. MM women survivors of violence who do not have documentation or residence permits find it difficult to obtain social benefits and support for themselves and their children.

Recently, the NGO KISA criticised a decision of the House of Representatives, which demands that the Social Welfare Services provide monthly details of all third-country nationals, who receive public assistance. Following this decision, approvals of public assistance are reviewed. As KISA points out, this is a discriminatory practice.⁸

Housing programmes

The Welfare Office provides some financial help for housing to migrant women from European Countries or refugees or MM women who have children with Cypriot Citizens.

Childcare facilities

The Welfare Office provides some financial help for childcare services to migrant women from European Countries, refugees or MM women who have children with Cypriot Citizens. Women with a (temporary) residence permit, asylum seeking/refugee women and women from minorities do have access to childcare facilities.

Labour market

With the exception of undocumented women all, MM women have access to the labour market in Cyprus. However, for women who do not speak Greek or English it is very difficult to find a job.

4. Legal protection of MM women from violence

The Law on Violence in the Family from 2000 was amended in 2004. It provides for the implementation of protection orders and entails several measures for survivors of violence during the legal process.⁹

Everyone can apply for legal aid provision and has the right to have a translator in court with them.

5. Policy measures and statistics

As stated above, the National Action Plan on Prevention and Combating Violence in the Family (2010-2015) does not address the needs of different groups of women, such as migrant women. No information campaign on VAW that reaches out to MM women in Cyprus had been conducted to date.

Endnotes

¹ United Nations Demographic Yearbook 2008 <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2008%20DYB.pdf>

² <http://www.domviolence.org.cy/uploads/Domestic%20Homicides.pdf>

³ Cyprus Association for the Prevention and Handling of Violence in the Family <http://www.domviolence.org.cy> (2010)

⁴ The Commissioner urged Cypriot authorities to strengthen their efforts in combating domestic violence and to create sufficient shelter places, See: <https://wcd.coe.int/wcd/ViewDoc.jsp?id=1385749&Site=CM>

⁵ Information in this section has unless quoted otherwise been provided by the Mediterranean Institute of Gender Studies (MIGS), <http://www.medinstgenderstudies.org> (2010)

⁶ <http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136026.htm>

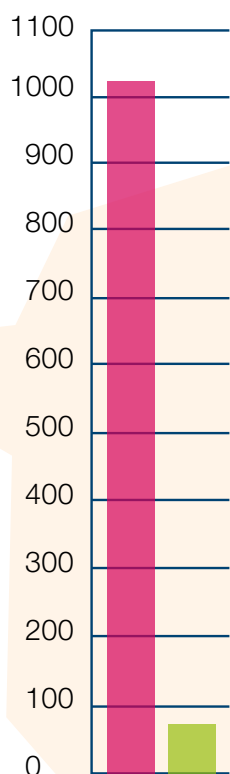
⁷ <http://www.minorityrights.org/1873/cyprus/cyprus-overview.html>

⁸ See Website of the NGO KISA – Action for Equality, Support, Antiracism: <http://www.kisa.org.cy/EN/news/670.html>

⁹ THE VIOLENCE IN THE FAMILY (PREVENTION AND PROTECTION OF VICTIMS) LAWS 2000 AND 2004 (English translation and consolidation), see: UN Secretary-General's database on violence against women, <http://webapps01.un.org/vawdatabase/uploads/Cyprus%20-%20Violence%20in%20the%20Family%20%28Prevention%20and%20Protection%20of%20Victims%29%20Laws%202000%20and%202004%20%28en%29.pdf>

THE CZECH REPUBLIC

THE CZECH REPUBLIC



General Country Information¹

Population²: 10,230,060

Female inhabitants:

5,247,989 = 51.30% of total population

CEDAW ratified: 1993

Optional Protocol of CEDAW ratified: 2001

Member of Council of Europe: 1993

Member of European Union: 2004

Facts and Figures

Latest number of femicides: No data available.

Latest number of DV cases reported by police:

295 cases of domestic violence were investigated under § 215a of the Criminal Code by police from 1st of January 2008 until the 30th of June 2008. While from the 1st of January 2007 until the 30th of June 2007 483 perpetrators have been evicted under Act No. 135/2006 in the Czech Republic, the number of evictions has clearly decreased to 343 within the same period in 2008. For example in Prague out of 1.2 million citizens only 32 cases of expulsion/eviction (under Act No. 135/2006) were executed. This clearly indicates not just a problem in reporting cases of domestic violence, but also suggests incorrect classification of cases.

Latest number of DV cases reported by women's shelters: No data available.

Prevalence of DV: Roughly 38 per cent of Czech women have experienced physical or sexual violence from their partner (current or former husband or boyfriend) and almost the same proportion (37%) from a man other than their partner (2003).³

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines


In 1998, the ROSA helpline was established as the first national helpline available for women in the Czech Republic. It is solely available for women affected by violence and operated by the WAVE focal point ROSA Foundation-Nadace ROSA⁴ a women's only shelter. The helpline can be contacted from Monday-Friday, eight hours a day. Operating costs are financed by state funding, however they do not cover the cost of phone calls, so they are not free of charge for clients. Counselling is only provided in Czech and English.

In 2001, DONA Link,⁵ a second national helpline serving women survivors of domestic violence, their relatives, friends and neighbours was launched by Bily Kruh Bezpeci (BKB-White Circle of Safety) and is financially supported by an international donor and by state funding. Although 94 per cent of the clients contacting the service are women, counselling is also available for men and for professionals working with survivors of domestic violence. Calls related to other crimes or serious personal problems or crises are also taken; however 62 per cent of phone calls are directly related to domestic violence. The DONA helpline is available 24 hours a day but is not free of charge.

There are six regional helplines which can be contacted by women survivors of violence: Acorus (Prague), Magdalenium, Persefona (Brno), and Elpis (Ostrava) provide specialised support for survivors of domestic violence while Spondea (Brno) and Arkáda (Písek) are crisis lines and available for anyone in need or help. Elpis is the only helpline which solely serves women survivors of violence. Most helplines in the Czech Republic are run by NGOs depending on the financial capacity they may or may not be able to offer 24 hour services. Currently two helplines (Acorus, Magdalenium) operate 24 hours a day. There is no helpline that provides multilingual counselling.

Although some services are financially supported by state funding, there are no specific funds allocated at national, regional or local level for measures to tackle violence against women. For example, the national women's helpline ROSA received 100 per cent government funding in 2008, by December 2008 it was still uncertain what, if any government funding it would receive in 2009. This insecure financial condition makes long-term activities almost impossible and puts organisations and their employees in difficult situations. Further, only associations which are registered at the Ministry of Social Affairs have the opportunity to apply for government funding.

Table of Women's HELPLINES:



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

Women's Shelters

The first Czech women's shelter was founded in 1998. According to the official records of Ministry of Work and Social Affairs, there are 57 shelters providing 902 beds for women and their children in the Czech Republic, not specifically for women survivors of domestic violence but for women with a variety of problems. Only one of them meets the international quality standards in supporting women survivors of violence and can therefore be defined as a women's shelter. This shelter is the ROSA shelter with a capacity of 21 shelter places and nine beds in flats at an undisclosed location. Other shelters such as Acorus and Magdalenium with a total capacity of 44 shelter places are open for survivors of domestic violence. However they do not explicitly follow feminist principles nor do they apply a gender based violence approach. In contrast to the official statement of Ministry of Work and Social Affairs, there are not 902 beds but 74 places for women and children survivors of domestic violence available in the Czech Republic. In order to fulfil the recommendation of the European Parliament 949 family places for women survivors of violence are needed.

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

Due to the lack of shelter places, many women survivors of violence are forced to accept accommodation in asylum houses (90 houses with 3,165 beds). In these houses, they do not receive appropriate counselling and services since

THE CZECH REPUBLIC

asylum houses are not set up to support survivors of domestic violence but are open to women and men with a range of problems.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/hour service	Shelters with multi-lingual service
57	74	1,023	949	57	0

Further Services for women survivors of violence

There are 15 intervention centres, one in each region of the Czech Republic; however multiagency cooperation is not yet established in all regions. Additionally, nine counselling centres serve women survivors of domestic violence such as Rosa, Acorus, Magdala, Magdalenium, proFem (only legal counselling), Persefona, and Elpis (three centres). Victims of crime, including women affected by violence find help in one of the seven centres of Kruh Bezpečí.

National Action Plan

In January 2008, the Committee for Prevention of Domestic Violence was established as part of the Government Council for Equal Opportunities for Women and Men. A separate working group consisting of representatives of particular ministries, police and NGOs, such as WAVE focal points ROSA Foundation and proFem-Central European Consulting Centre, was set up in 2008 to prepare a National Action Plan of Prevention of Domestic Violence for 2009 - 2013. Before January 2008, no national action plan against domestic violence had been developed. Also in 2010 there was no national action plan in Czech Republic. Only the Government Resolution No.794 from 2004 contains a provision for the implementation of multiagency teams, linking health institutions, social organisations and police to help in cases of domestic violence. This document has been updated and monitored each year. However the objectives in it are vague. For the need to support women's shelters in the long term was mentioned, but no budget was allocated to do so.

Additional Issues

Besides the preparation of a national action plan and a proposal for a new anti-stalking law, the position of children as witnesses and survivors of domestic violence is still being debated. Significant pressure is put on women survivors of domestic violence from Social Welfare and courts on fathers' rights and contact/visiting rights of violent fathers, even when the children were witnesses of violence and they are with their mothers in shelters with undisclosed addresses.

Situation of MM Women Survivors of violence in the Czech Republic⁷

1.7 per cent of women are migrant women with status other than permanent residence (92,453 women according to Czech Statistical Office), i.e. there are 86,551 migrant women with permanent residence permit.

In general, the most serious problem for migrant women is access to healthcare services (see below). Also, migrant women face multiple discrimination that makes their position in the labour market difficult as well as their access to education and own finances.

Traditional gender roles, stereotypes and myths on domestic violence lead to social and cultural isolation and the financial dependence of women. Language barriers and lack of information on existing services and laws are also important problems for MM women.

Furthermore, women without a permanent residence permit often depend on their partner in order to stay in the country. This has a negative impact on women reporting violence to the police. If women are dependent on the working permit of their partners then they are afraid to disclose violence in order to not risk their right to stay in the country.

1. Access of MM women to shelters and other services

In Czech Republic, there are only three shelters which are run by charities accommodating both men and women and there are no specialised women's shelters for migrant and minority women. There are also shelters which are managed by NGOs for women who are at risk of domestic violence. These shelters are in every region of the Czech Republic, but they have limited capacity and often accept only migrant women that have some access to social benefits. For asylum seekers there are two open refugee camps and two reception centres. Each of these facilities has a "safe" section for women.

Minority ethnic women, mainly Roma, have access to all services, including shelters, like any other citizen. Only migrant women with permanent residence permit, women who are entitled to refugee/asylum status and women from EU countries with residence permit of more than three months have access to shelters. If an eligible woman is accommodated in a shelter then her children have a right to stay with her.

Nevertheless, Czech shelters are not prepared for MM women and there are no culturally sensitive services like multilingual counselling provided for MM women and their children in shelters. Availability of culturally sensitive services depends on the approach and resources of specific shelters.

Currently NGOs do not have access to resources to provide specialised services for MM women. Furthermore, NGOs in Prague have no access to funding from EU funds, which could be used to provide services to MM women. There are organisations specialised to help not only MM women survivors of violence, but migrants in general and MM women can use their services, if needed (IOM⁸, Multicultural Centre Prague⁹, Consulting Centre for Integration¹⁰, La Strada¹¹). OPU is the partner of La Strada in identification of trafficked people among their clients.

2. Right of residence

Since 2008, MM women are required to have been in a relationship/marriage for two years in order to get a residence permit. Prior to 2007 there was no restriction.

Both heterosexual partnership/cohabitation and same sex partnership are valid reasons for applying for residence permit. Regarding the right to a residence permit, the laws are same for marriage and registered partnership for same sex couples. However, one of the partners must be a Czech citizen.

There are no exceptions to getting residence permits for MM women if they are survivors of domestic violence, if they have a long-term visa they can apply for a permanent residence for humanitarian reasons in the territory of the Czech Republic but it is not guaranteed. There are also exceptions to receiving residence permits in the case of trafficked women.

3. Access of MM women to public funds and services

Healthcare services

The state health insurance is only available to women with a permanent residence permit, to those who do not have permanent residence permit but are employed, to asylum seekers, to recognised refugees and to women with subsidiary protection. Other migrant women must have insurance from commercial insurance companies but it is expensive and does not cover chronic illnesses.

People with a temporary right to stay need to either work (then they have access to healthcare system as any Czech citizen) or pay for insurance.

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Social benefits

Every foreigner who is legally in the territory of the Czech Republic for more than one year and has children has a right to apply for social benefits. Asylum seekers have the same right a year after they have left a refugee camp. Even undocumented migrants have a right to apply for a small amount of financial aid for health problems, but it is a one time payment of approximately 70 Euro. However, it is at the discretion of officers of the municipality. Recognised refugees and people with subsidiary protection are entitled to receive the same benefits as the Czech citizens.

Housing programmes

Undocumented migrant women, women without a residence permit or only with a temporary residence permit do not have access to housing programmes whereas the asylum seekers/refugees and minority ethnic groups do.

Asylum seekers can live in refugee camps for free. Recognised refugees can live on their own or apply to the Ministry of Interior for support for the rent (maximum eight years) or wait for insecure flat from the property of towns that can be given anywhere in the Czech Republic. This means there is no guarantee for refugees that they will get such flat if they apply. There is no policy that refugees will get such flat, because of their status. Each town/city has their own policy for these town flats, and also different numbers of flats available. After refugees receive the official status and permission to live in the Czech Republic, they can find their own flat (rent or buy it), or they can apply for a flat from the city.

Education/training programmes and childcare facilities

Migrant women with a temporary residence permit, asylum seekers/refugees and ethnic minority women have access to education/training programmes.

In most regions of the Czech Republic, there are now new government centres where free Czech language courses are offered to foreigners from third countries not applying for asylum. There are no government supported projects for asylum seekers to learn Czech, but some NGOs fund their own. Recognised refugees and people with subsidiary protection have the right to claim financial support for approximately 450 hours of Czech language instruction.

Access to children's facilities is difficult in general as there are not enough pre-schools and nurseries.

Labour market

Every foreigner with a residence permit (migrant women with a temporary residence permit, asylum seekers/refugees and ethnic minority women) in the Czech Republic can work. The majority need to apply to the employment office for a work permit, the labour office usually considers whether a specific job can be done by one of the registered unemployed or not. Asylum seekers require both a work permit and to wait a year after requesting international protection before they are eligible to work. Recognised refugees and people with subsidiary protection can work without any permission under the same conditions as Czech citizens.

4. Informing MM women of their rights and available services

Information materials can be provided by above mentioned specialised NGOs, but it is not coordinated in any way. There are no information materials on protection laws and women's services available to MM women or information campaigns on VAW for MM women.

5. Legal protection of MM women from violence

There is a civil law protection order available to women survivors of violence. In order to protect women, the police issue a protection order against perpetrators to remove them from the house for up to 10 days. This period can be prolonged for up to one year. The exact number of restraining orders issued is not available but it is estimated that around 670 evictions are issued in the Czech Republic each year, which is very low considering the fact that there are 10.2 million inhabitants in the Czech Republic.

The number of MM women among these cases and frequency of reporting acts of violence to the authorities is not known as gender and immigration disaggregated data is not available.

Legal aid

Migrant women can contact four NGOs (www.opu.cz, www.soze.cz, www.p-p-i.cz, www.uprchlici.cz) who employ lawyers specialising in migrant issues and these NGOs provide help voluntarily. However, if they need a lawyer to represent them, then they have to hire one and pay for their services. The same situation applies to citizens of the Czech Republic as free legal aid is not provided.

6. Policy measures and statistics

A governmental action plan on VAW has not been issued yet in the Czech Republic, but it is being developed. The Czech government has a specific policy on trafficking in women, however there are no particular policies regarding forced marriage, so called “honour related crimes” or female genital mutilation.¹²

Endnotes

¹ The Country Information of Czech Republic as is of 2008 and was not updated in 2010.

² United Nations Demography Yearbook 2008: <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2008%20DYB.pdf>

³ Simona Pláková: 2 International Violence Against Women Survey – The Czech Republic/2003, 2004, Sociological Research on Domestic Violence: <http://studie.soc.cas.cz/index.php3?lang=eng&shw=246> (2010).

⁴ ROSA Foundation - Nadace ROSA: <http://www.rosa-os.cz/> (2010).

⁵ DONA link: <http://www.donalinka.cz/index.php> (2010).

⁶ <http://www.profem.cz> (2010)

⁷ Information in this section has unless quoted otherwise been provided by ROSA- Centre for Battered and Lonely Women, <http://www.rosa-os.cz>, and OPU- Organisation for Aid to Refugees Country, <http://www.opu.cz>

⁸ <http://www.iom.cz> (2010)

⁹ <http://www.mkc.cz> (2010)

¹⁰ <http://www.p-p-i.cz> (2010)

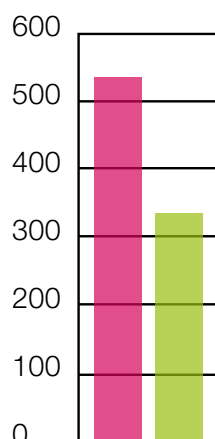
¹¹ <http://www.lastrada.cz> (2010)

¹² This may have more causes - the number of immigrants is not so high, these crimes are not monitored, if they occur, they are perceived as individual, sporadic cases, so there is general feeling that these crimes are not existing in Czech.

As for the national plans, there is no united policy considering VAW which would include „domestic violence“, trafficking and forced marriage, so called „honour related crimes“, Female genital mutilation. As it is stated, there is one policy considering trafficking, than National Action Plan against domestic violence, which still did not pass and there is totally uncovered area of forced marriage, “so-called honour” related crimes and Female genital mutilation.

DENMARK

(KINGDOM OF DENMARK)



No. of Shelters: 41

Rec. No. of Shelter Places: 535

No. of Shelter Places: 332

General Country Information

Population¹: 5,349,212

Female inhabitants:
2,704,893 = 50.57% of total population

CEDAW ratified: 1983

Optional Protocol of CEDAW ratified: 2000

Member of Council of Europe: 1949

Member of European Union: 1973

Facts and Figures

Latest number of femicides: 18 women were killed in 2006, an average 25 women yearly in the period between 1990 and 2006.

Latest number of DV cases reported by police: 5,338 cases.

Latest number of DV cases reported by women's shelters: 1,881 cases in 2009.

Prevalence of DV: 28,000 Danish women are affected by domestic violence every year.


SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

In Denmark there is one national helpline providing specific help to survivors of domestic violence and their relatives. Counselling is available 24 hours a day by phone and e-mail free of charge for all clients. It is generally provided in Danish and English, and interpreters are available for survivors who speak other languages. The national helpline is provided by LOKK (The National Organisation of Women's Shelters in Denmark) and answered by professionals. All costs incurred for operating the national helpline (60,000 EUR) are fully covered by state funding.

In addition, LOKK provides specified national helplines for professionals, young people involved in forced marriages or other intergenerational conflicts, and parents of this target group. Counselling is generally provided in Danish and English and interpreters are available. These helplines are financed by the Ministry of Refugee, Immigration and Integration Affairs.

Table of Women's HELPLINES



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	1	1	1	1	100%
Regional	0	0	0	0	0

Women's Shelters

The 41 shelters in Denmark currently have a total of 332 shelter places for women survivors of violence and their children. They are generally free of charge and open 24 hours a day. They are reachable by phone, some of them 24 hours a day. Many women survivors of violence call shelters directly.

LOKK as an organisation counts a total of 41 women shelters as its members in Denmark, but this is not the total number of shelters. Denmark has a total of 45 women's shelters. There is one specialised shelter for MM women who have been subjected to violence by the family/partner and whose lives are threatened due to their escape from the perpetrators.

The 41 shelters of LOKK are very different in size and organisation. Due to the failure to implement unified quality standards on the operation of women's shelters and their dependence on financial and political support, shelters focus on different aspects and their services are offered in different ways. Shelters usually provide more than a safe place to stay for women affected by violence. Support includes counselling and special care for women and their children and help in contacting other institutions such as health care service, police and local authorities. Social-legal advice is also given to women if needed regarding legal procedures, child custody and residence permits. At some shelters aftercare is provided through network meetings or visits to the women's home.

Most shelters offer open counselling for women victims not accommodated in the shelter.

In Denmark shelters are funded by the state and the local municipalities with a total amount of 19,835,144 EUR yearly. Funding is primarily allocated by the municipal government with 50 per cent state refunding. This does not cover all costs incurred to run women's shelters offering appropriate services to women survivors of violence, so other financing sources of funding, including private donations are required.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
41 approx.	332	535	203	No exact data	40 of 41

Further Services for women survivors of violence

There are no intervention centres in Denmark but shelters offer cooperation with other institutions as described above. At the LOKK Head Office legal assistance and counselling is provided to migrant women, and minority ethnic women involved in serious conflicts with their families.

LOKK also carries out research projects and publishes annual statistical reports on violence against women and children.

National Action Plan

The Danish Government launched a national strategy in June 2010 for specific initiatives to combat violence in intimate relationships. The aim is at preventing the violence from arising, to ensure that fewer women and men experience partner violence, and that fewer children grow up with domestic violence.

The first Danish National Action Plan to Combat Violence Against women (2002 -2004) focused on domestic violence. A national campaign aiming at both general public and cooperation between the professionals was one of the main actions. The second Action Plan to Stop Men's Domestic Violence against Women and Children (2005-2008) focused on MM women, children victims of men's violence and therapy programmes for perpetrators.

DENMARK

Additional Issues

In order to combat domestic violence against women experts focus on helping the family as a whole. Besides supporting women affected by violence to find help in a shelter, special support programmes for children exist both in shelters and outside.²

Situation of MM Women Survivors of violence in Denmark³

In Denmark, MM population constitutes 10 per cent of the total population.

For some MM women there is a risk of social isolation, seclusion and rejection by the family and network, when they leave a violent husband/family. LOKK has therefore initiated a national campaign to enlighten and inform society as well as the target group about violence against women.

1. Access of MM women to shelters and other services

All MM women have access to shelters. In daily practice however, problems arise when women who are in Denmark without residence permit or documents seek help at shelters, as the shelters do not receive funds from the state to help these women and are therefore financially restricted in what support they can offer. 46 per cent of women accommodated by women's shelters are MM women in Denmark. The number of MM women employed in women's shelters is unknown.

Children (under 18 years old) are usually allowed to live in the shelters with their mothers. There are, however, some shelters who do not allow boys over 15.

In terms of culturally sensitive services, women have access to translators funded by the relevant municipality, but access to them is limited.

LOKK provides a special service (counselling, helplines) to MM women and men who are victimised by their families and partners. These services include a special focus on "so called honour" aspect which can occur in these cases. This service in LOKK is financed by the state and works at a national level. There are also some smaller, local services for this target group, provided by other local organisations and private individuals.

LOKK has a helpline, specifically for MM women and men, which can be contacted 24/7. LOKK also provides a national helpline (24/7) which is free of charge to all women who suffer from violence. Both helplines are mainly operating in Danish and English, but translators are provided.

2. Right of residence

Officially, MM women can get a residence permit after seven years of cohabitation with their partner. Women who claim violence for the purpose of obtaining their own residence permit can only do so after at least two years of cohabitation. The independent residence permit may be obtained if the violence has been documented and the women have 'ties' to Denmark, including children, education, jobs or language skills.

In the cases of family reunification, the partners do not need to be officially married; they need to have cohabited prior to the family reunification and need to prove that they are in fact living together.

In Denmark, same sex partnership/cohabitation and marriages are officially recognised, so it is possible for migrant women to apply for a residence permit.

3. Access of MM women to public funds and services

Healthcare services

All women with residence permits (migrant women with insecure or temporary residence permit, asylum seekers/refugees and ethnic minorities) have access to the health care system. Those who do not have residence permits have to pay for medical help or can sometimes get help from doctors who offer their services for free. Asylum seekers have access to medical help through the authorities they deal with depending on their special circumstances.

Social benefits and housing programmes

Similarly, all women with residence permits have access to social benefits and housing programmes, though different provisions apply to Danish nationals. There are no different rules for survivors of violence, although the state pays for their accommodation in shelters.

Asylum seekers are housed in special shelters and can in some circumstances also live in apartments assigned and approved by the state. There are no special regulations for survivors of violence.

Childcare facilities and education/training programmes

All women with residence permits have access to childcare facilities and education/training. Children of asylum seekers have their own special facilities.

Undocumented migrants and those without residence permit do not have access to free education programmes, but can enrol in courses for which they themselves pay. Asylum seekers have access to language courses as do minority ethnic women.

Labour market

Migrant women with insecure or temporary residence permit and ethnic minorities have access to the labour market in Denmark.

As in most countries, undocumented immigrants are not allowed to work. Foreigners with a temporary residence permit are allowed to work and minority ethnic groups are allowed to work too, as long as their residence permit allows it.

There are no special regulations for women survivors of violence in the labour market. LOKK and partners have been campaigning hard to draw the attention of employers to the plight of women survivors of violence.

4. Informing MM women of their rights and available services

No particular official information materials on protection laws and women's services are provided except a letter which emphasises that violence in the family, against the spouse and children, is illegal.

LOKK has recently launched a campaign on VAW with COWI⁴ and the Ministry of Refugees, Immigrants and Integration aimed at MM women to make them aware of their rights and what help is available.

A folder with appropriate materials has been distributed in Danish, English, Farsi, Somali, Arabic, Russian, Thai, Turkish and Urdu, to places frequented by the target group. A hairbrush with LOKK's hotline number has also been distributed to hairdressers frequented by the target group.

There have previously been campaigns with materials in Danish, English, Somali, Turkish, Arabic, Thai, Bosnian, Russian and Farsi, which were distributed widely across Denmark. LOKK also uses the national media to draw attention to the plight of MM women and the help available to them.

5. Legal protection of MM women from violence

The Police have a variety of measures available to protect women survivors of violence. The police often refer women to the shelters of LOKK and often drive women to the shelters. They also help with issuing protection orders, personal alarms in order to protect women from future attacks and general advice and counselling on how to protect one self and how to keep safe.

DENMARK

However according to LOKK the police do not always take women's accusations seriously and sometimes it is very difficult for women to prove and document that they have been victimised.

Legal aid

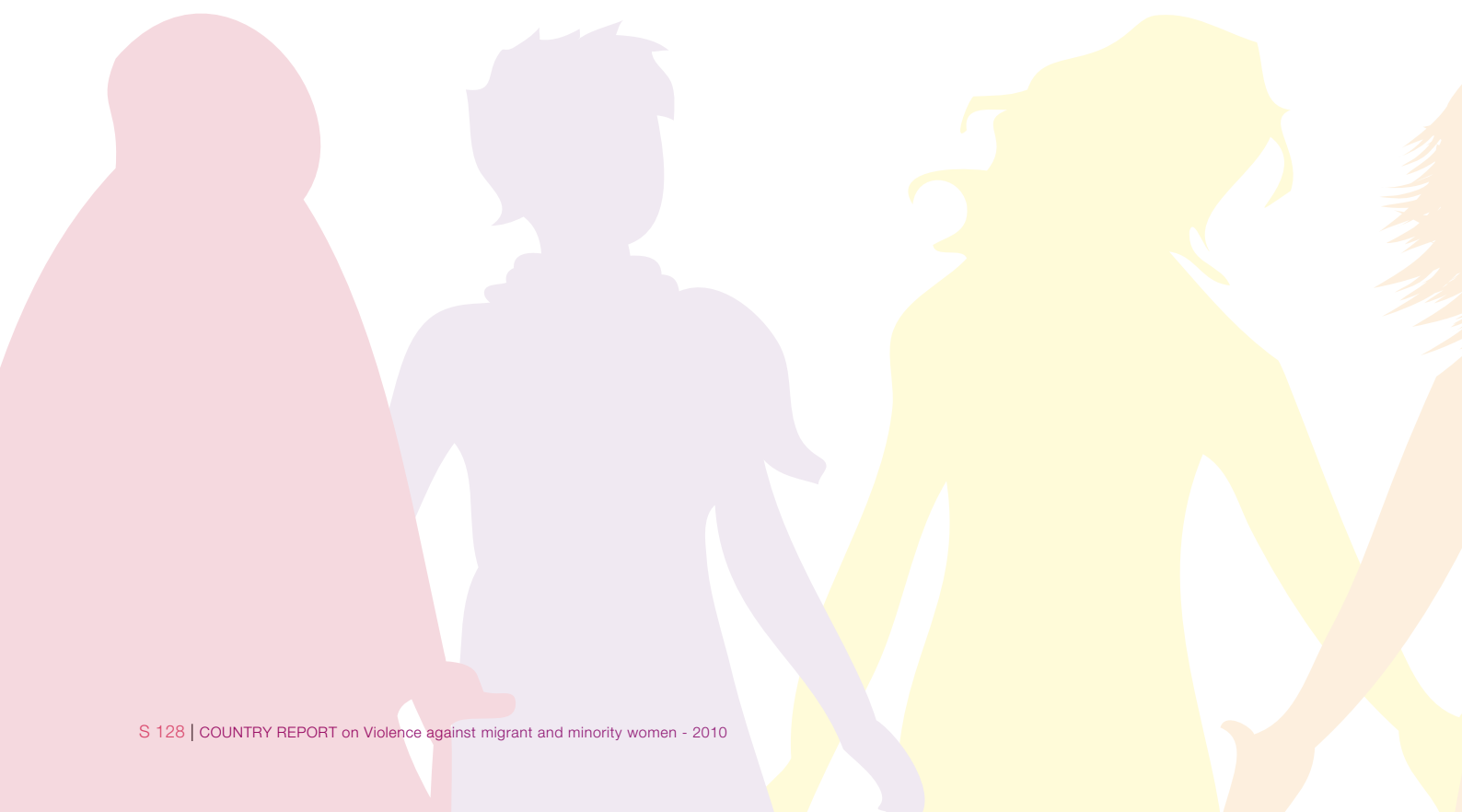
Legal aid is available to women who have a residence permit free of charge. Women without legal documents or residence permit can get legal help, but in principle are not entitled to receive either free legal help or translation services for free. They are required to pay for these services. Asylum seeking women are entitled to legal help accompanied by a translator.

6. Policy measures and statistics

A national strategy on VAW was presented in Denmark in June 2010.

The government has already adopted a specific action plan on trafficking. LOKK expects this plan to be renewed in 2011. Regarding other forms of violence such as forced marriage, so called "honour crimes" and female genital mutilation LOKK provides counselling and mediation. The police have a specific instruction regarding "honour related crimes".

A qualitative survey report about violence against MM women is to be available in 2011.



Endnotes

- ¹ United Nations Demography Yearbook 2008: <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2008%20DYB.pdf>
- ² New structures are needed that enable children to talk about their experience with violence when the violence occurs – which means before staying in a shelter – and also after leaving the shelter. The question is raised: what can be done to keep children outside the circle of violence? In 2007 a book was published which describes methods applied when working with children in Danish shelters.
- ³ Information in this section has unless quoted otherwise been provided by LOKK- National Organisation of Women's Shelters, <http://www.lokk.dk>
- ⁴ Consultancy within Engineering, Environmental Science and Economics, <http://www.cowi.dk>

ESTONIA

ESTONIA

General Country Information

Population¹: 1,370,052

Female inhabitants:

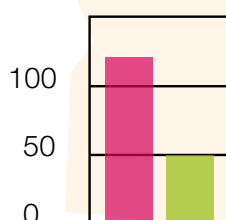
738,201 = 53.88% of total population

CEDAW ratified: 1991

Optional Protocol of CEDAW ratified: no

Member of Council of Europe: 1993

Member of European Union: 2004



No. of Shelters: 9

Rec. No. of Shelter Places: 137

No. of Shelter Places: 45-55

Facts and Figures

Latest number of femicides:

Approximately between 30 to 40 women were killed in 2009.

Latest number of DV cases reported by police:

4,518 cases in 2009.

Latest number of DV cases reported by women's shelters:

No data available.

Prevalence of DV: 41,000 Estonian women were likely to experience domestic violence in 2006.

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

In 2008, the first national helpline offering specified service for women survivors of all forms of violence (including trafficking, domestic violence) was established in Estonia. Counselling is provided in Estonian, Russian and English and the service is available eight hours a day. Clients have to pay the cost of a standard phone call when accessing this service. The national helpline for survivors of domestic violence is 90 per cent financed by state funding from special taxes.

As reported by the WAVE focal point Tartu Child Support Centre,² several shelters and NGOs operate helplines such as the one operated by WAVE focal points Women's Shelter in Tartu³ and the Tallinn Crisis Centre for Women.⁴ Every shelter provides domestic violence counselling by phone.

Table of Women's HELPLINES:

	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	1	0	0	1	90% approx.
Regional	0	–	–	–	0%

Women's Shelters

The first Estonian women's shelter was established in 2002. Since then, another eight shelters have been set up offering approximately 45 to 55 places for women survivors of violence. The women can come to any shelters with their children. In order to fulfil the recommendation of the European Parliament about 90 more family places are needed in Estonia. At least six out of nine women's shelters offer 24 hours service and all of them provide psychological and legal counselling in Estonian, Russian and English. Many Russian women seek help in Estonian women's shelters (mostly in Tallinn and Ida-Virumaa). Women's shelters are safe and their resources support women in starting a new life without violence. Estonian shelters are funded by both national (70%) and local (30%) governments.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
9	45-55	137	82-92	6	9

Further Services for women survivors of violence

In Estonia, there are no intervention centres for women survivors of violence, however, police, victim support specialists, social workers, psychologists and therapists receive appropriate and specific training on dealing with violence against women, prevention and intervention.

National Action Plan

The Estonian government has not yet developed a national action plan to combat violence against women. No specific funds are allocated at the national, regional or local level of government for activities to address the issue of violence against women.

Situation of MM Women Survivors of violence in Estonia⁵

The number of migrants is very low in Estonia as the country is not very attractive for migrants.

In recent years, many Estonians have returned from other countries as new migrants. They left Estonia after the Soviet Union occupation ended in 1991. However, most migrants are non-Estonians who do not speak Estonian and have no citizenship status, but have been living in Estonia for years. About half of MM women are able to speak Estonian and the other half are not. The language barrier is the most serious problem of MM women.

One of the main problems for women in Estonia is domestic violence. Even many Estonian women do not know what to do when faced with domestic violence, the situation is even worse for MM women. The Estonian society has still a long way to go to understand the danger of violence in the home.

There are nine women's shelters in Estonia, however, none of them are specialised in issues facing MM women. The first shelter opened in Tartu in 2002, and the shelter in Tallinn was opened in 2005. Later another seven were established. None of the women's shelters receive specific funding to accommodate MM women.

In Estonia, there are reception centres (run by the state) that organise the provision of necessary services (health care, language courses, housing, monetary support, information) to asylum seekers during asylum proceedings.

ESTONIA

1. Access of MM women to shelters and other services

The shelters are open for any woman who experiences domestic violence. All MM women have access to shelters without having to worry about any negative consequences like the shelter contacting police to report undocumented migrant women. Usually women do not pay for their stay in the shelters. MM women are included under social care and they get support from women's shelters like all Estonian citizens.

Children are also allowed to stay with their mothers in women's shelters. There is no fixed rule for the age at which boys can stay in women's shelters but usually boys older than 14 do not stay in these shelters. In such cases, women's shelters cooperate with children's shelters where older children can stay, if necessary.

In Estonian shelters, counselling is in Estonian and Russian. There have been only a few cases requiring counselling in English and most shelters can provide basic English counselling.

Annually, in the women's shelters, three per cent of the women living there are migrant women. However, there are no MM women employed in women's shelters. There is a refugee camp, but no information is available on what kind of services it provides.

2. Right of residence

The issue of residence permits for the third country nationals and persons with undetermined citizenship is regulated by the Aliens Act.

Residence permits may be temporary (up to five years) or long-term.

Temporary residence permits may be issued to an alien:

- married to a person with permanent residence in Estonia,
- settling down with a close relative, who is permanently residing in Estonia,
- for the purpose of employment,
- for studies at an Estonian educational institution,
- for conducting business in Estonia,
- whose permanent legal income ensures his/her subsistence in Estonia,
- whose application for residence permit is based on an international agreement.

Immediately after marrying an Estonian man, a MM woman can receive a temporary residence permit for five years, after that she can apply for a long-term residence permit. Non-marital partnership/cohabitation does not provide a woman with the automatic right to get a residence permit. There are no exceptions made for MM women in cases of domestic violence and that makes receiving specific help problematic.

3. Access of MM women to public funds and services

Healthcare services

Health care services are granted free of charge for everybody in emergency cases. People with temporary or long-term residence permits who work and pay taxes receive health care on the same basis as all Estonian citizens.

Social benefits and housing programmes

MM women have the right to apply for social benefits (monetary support) while they are waiting for their residency permit. Once they have a temporary or long-term residence permit and are on a low income, MM women can apply for municipality housing on the same grounds as Estonian citizens with low incomes.

Childcare facilities and education/training programmes

All children can theoretically attend a school in Estonia. Persons with no Estonian citizenship can get free courses in Estonian law and culture. They can attend language courses, to which they will be sent by social service (if they have permission to live in Estonia).

Labour market

Ethnicity does not have an impact on entry into the labour market if a person has residence permit or citizenship, although language

does. A residence permit is required for entry to the labour market. In many cases, however, lack of knowledge of the Estonian language is a common limiting factor.

4. Informing MM women of their rights and available services

Proceedings for granting asylum are not public and the Police and Border Guard Board (PBGB) keep information on proceedings strictly confidential. In case of need, restricted information may be obtained by making inquiries (related to a specific proceeding only) to the authorities. In order to secure the safety of the applicant and his/her relatives residing in the homeland, the authorities engaged in the proceeding are forbidden to contact the authorities of the applicant's country of origin.

There have been no VAW campaigns directed specifically at MM women. Usually the first agency that MM women arriving to Estonia get into contact with is an immigration office or asylum centre that is obliged to provide them with information about their rights and ways to access various services.

5. Legal protection of MM women

Violence against women is not defined in the legislation of Estonia. If there is a threat to someone's life or health, the police are obliged to intervene. This includes the right to detain a person, without a court order, for up to 48 hours. Further detention is under court jurisdiction. There is a civil law restraining order available to women survivors of violence. When a criminal investigation has started, a prosecutor can claim a temporary restraining order to protect the victim. It is also possible to get a long term restraining order from the civil court, but the police do not have the authority to issue such restraining orders. Judicial help is expensive and unavailable for many women. Often, trials take a long time, ranging from a couple of months to a year.

The restraining order was legalised in 2006, however, it has not been issued very often. In 2008, five restraining orders and in 2009 (January to September) four restraining orders were issued by the civil court. From July 2006 to September 2009 only 17 restraining orders were issued by the courts in Estonia. It is not possible to obtain data on the number of MM women among these cases.

A woman victim of domestic violence can report domestic violence to the police and if there is enough evidence, the perpetrators will be punished. In their work, the police follow the legislation in force that differentiates neither gender-specific violence nor violence against MM women. Unfortunately these women must gather all evidence themselves which makes the likelihood of punishment small.

Legal aid

All financially insecure persons have the right to free legal aid from the state but the implementation of this is relatively complex and the quality of free legal aid can be poor.

Lawyers are not interested in providing free legal aid to these people, because the hourly wages paid by the state are low. Everybody who applies for permit of residence or asylum has the right to be informed about their rights by the authorities of the immigration offices or asylum centres.

6. Policy measures and statistics

There is no specific action plan on VAW in Estonia. There exists a Strategic Plan to Reduce Violence (2010-2014). The purpose of this strategic plan is "to prevent and reduce domestic violence including violence against women." In this strategic plan, there are no separate measures for MM women. The Estonian government does not have a specific policy on specific forms of violence such as forced marriage, so called "honour related crimes", female genital mutilation and trafficking in women.

Endnotes

¹ United Nations Demography Yearbook 2008: <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2008%20DYB.pdf>

² <http://www.tugikeskus.org.ee/> (2010)

³ <http://www.naistetugi.ee/> (2010)

⁴ <http://www.naisteabi.ee/index.php> (2010)

⁵ Information in this section has unless quoted otherwise been provided by Women's Shelter of Tartu, <http://www.naistetugi.ee>, and Tallinn Crisis Center for Women, <http://www.naisteabi.ee>

FINLAND

(REPUBLIC OF FINLAND)

General Country Information

Population¹: 5,181,115

Female inhabitants:

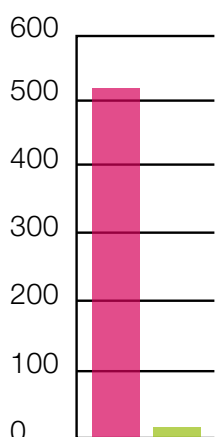
2,651,774 = 51.18% of total population

CEDAW ratified: 1986

Optional Protocol of CEDAW ratified: 2000

Member of Council of Europe: 1989

Member of European Union: 1995



No. of Shelters: 2

Rec. No. of Shelter Places: 518

No. of Shelter Places: 16

Facts and Figures

Latest number of femicides: In the period of 2000 to 2004, 38 murders by partners and 23 murders resulting from domestic violence were committed.

Latest number of DV cases reported by police:

According to the Helsinki Police, violent crime was reported 38,821 times in 2009. In 3.4 per cent of these cases, the person who initiated the complaint was a migrant woman. The classification of "victim" was used in 233 reports. The police do not have a classification for ethnicity or race. In the police

statistics there are migrant victims from 49 countries and most of the crimes include different forms of assault. The police do not keep statistics about how many of these reported cases ended with a conviction in 2009. In addition to the normal measures, the police can use restraining orders to protect women against violence. Police used restraining orders 15 times in 2009. A typical situation in which a restraining order was used includes harassment of a former spouse or cohabitant by means of contacting the victim or trying to visit her.

Latest number of DV cases reported by women's shelters: No data available.

Prevalence of DV: No data available.

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

In Finland, there is currently one national helpline for all women survivors of violence. The WAVE focal point Women's Line (0800 02400) is free of charge but not available seven days per week. Women's Line offers additional services in English, Swedish and Russian. The costs of running the services are covered by state funding.

MONIKA-Multicultural Association (Monika-Naiset liitto) has also a 24 hour helpline that offers multilingual services and can provide access to MONA Home shelter at any time of the day or night. Clients have to pay the cost of a standard phone call. It is a regional phone line accessible from all over the country. The most used languages are Finnish, Russian, English, Somali, Arabic and Thai. Furthermore, it is possible to quickly find staff members or volunteers with other languages if required.

Another helpline, Rape Crisis Centre Tukinainen, offers services for all survivors of violence, including men and boys, free of charge but they do not operate 24 hours on seven days per week day. The costs of running this service are covered by state funding.

Additionally, the Federation of Mother and Child Homes and Shelters (Ensi ja turvakotien liitto) has 14 centres around the country for women and their children who find themselves in a difficult social situation and many of them offer services 24 hours a day and provide access to shelters also during the night. All regional helplines receive state funding mostly allocated by municipalities.

Table of Women's HELPLINES:

	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	1	1	0	1	no data
Regional	16	1	some	1	no data

Women's Shelters

According to a report about the situation of shelters in Finland,² there are currently 21 family shelters with an estimated 375 beds (123 family places) available for survivors of violence. But those shelters are no longer "women only" as some of them had to change their policies due to demands from their financial donors. All of them have to accept men survivors of violence now. In fact, since the WAVE Country Reports 2008 and 2009 were issued, there are now only two shelters left which accommodate only women: MONA home run by the only NGO specialised in MM women survivors of violence MONIKA - Multicultural Women's Association and WAVE focal point Women's Aid in Espoo. This affects the number of shelter places available cited by official data³ which shows that Finland has 0.24 family places in shelters per 10,000 inhabitants, while the EU recommends one family place per 10,000 inhabitants. That means that the number of 16 family places reserved for women and their children is clearly insufficient.

Moreover, the number of shelters needed is difficult to estimate as there are no unified quality standards for shelters. Most of them provide 24 hour service but only one offers multilingual counselling, MONIKA – Multicultural Women's Association. Some shelters receive state funding allocated to them by the municipalities. Based on the recommendation of the European Parliament, Finland still needs 502 more family shelter places. Since Finland has a large geographic area with a small population, it also has to be considered that shelters should also be established in the less inhabited southern and northern areas.

The biggest problem of this system of shelters is that it lacks stability as funding is reliant upon the number of clients each shelter has. This makes it impossible to invest in the shelter's development and improvement of its services and to ensure sustainability. The funding for the work is not adequate. Shelters need to receive long term or permanent funding from the state, not short term project funding or a client-based payment. Long term or permanent funding would allow the shelter to hire specialised staff for specific areas such as work with children, providing legal aid or mental health counselling.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
2	16	518	502	2	1

FINLAND

National Action Plan

Finland had a national action plan called Prevention of Intimate Partner and Domestic Violence (2004 – 2007). NGOs including the WAVE focal point Women's Line were involved in the preparation of this document. It aimed to develop a country wide network of primary and specialised services for women survivors of domestic violence and perpetrators, to increase prevention work and support children and young people witnessing and experience domestic violence, and to offer training for professionals in different fields dealing with violence against women.

There is an Action Plan for Gender Equality (2008-2011),⁴ which does not contain specific measures for MM women.

Finland also has a National Plan of Action against Trafficking of Human Beings issued in 2005 and revised in 2008. This plan aims to protect victims of human trafficking and clearly states that "the Border Guard and police will pay special attention to the uncovering of human trafficking offences and to victim identification."⁵

Additional Issues

There is currently a working group on human trafficking issues comprised of members of NGOs and the government, which is trying to develop and improve the services offered to the victims. MONIKA, which focuses on offering help to migrant women survivors of violence, permanently runs awareness raising campaigns to inform the public, the media and the authorities on the issue.

Situation of MM women survivors of violence in Finland⁶

In Finland, MM women constitute approximately 1.9 per cent of the total population.

The most significant problems in Finland of MM women survivors of violence are:

- Dependency on spouses for visas and residency permits.
- Language skills.
- Lack of knowledge of social system, laws and services.
- Limited services for low income individuals.

According to a police survey, women with migrant backgrounds face three times more domestic violence than the Finnish population. Due to domestic violence, approximately 27 women die annually. There are approximately 18,000 women with migrant backgrounds who have experienced or are experiencing violence and need help. However, it is extremely difficult for MM women to seek help and thus, only a fraction of the violence against women is reflected in statistics.

1. Access of MM women to shelters and other services

MM women have access to women's shelters. 33 per cent of women living in women's shelters are MM women. In the case of MONA Home the figure is 100 per cent. Migrant women with insecure or temporary residence permits, asylum seekers/refugees and minority ethnic groups do not have specific problems in accessing the shelters, but they are affected by the limited number of spaces available. As the financing of the shelter is based on payment from social services for each client, it is very difficult for shelters to accommodate women without documents or residence permits. Apart from the negative financial consequence, shelters also risk facing legal sanctions for "hiding" undocumented clients.

The children are also allowed to stay in women's shelters with their mothers if there is enough space in the shelter. There are no restrictions for boys because women with children are given their own rooms.

MONIKA – the Multicultural Women's Association in Finland is the only NGO specialised in MM women survivors of violence.

Culturally sensitive services are offered in different ways including counselling in native languages through a multicultural staff member or a translator. MONA Home can offer counselling in 25 languages. When the resources of MONA Home are not enough, it is possible to use interpreters who are financed by the social services. Unfortunately there are in general far fewer services available for children and this is one of the main areas which needs to be developed and will require more funding and cooperation from the social services. There are also several other organisations which provide different services, mainly helplines, support groups and social activities for MM women and their children. However, these services are not provided in many languages, mainly in Finnish, English and Russian.

70 per cent of the staff of MONA Home are MM women.

2. Right of residence

Once a marriage of a migrant woman becomes valid, the woman will get a one year residence permit. The woman can get a four year residence permit after four years of marriage. Only after that, can she get an independent residence permit. If divorce occurs before the four year period, the case will be evaluated individually. There is always the risk that a woman will lose her residence permit if she leaves her violent husband when the permit is based on her marriage, especially when there is no physical proof of the violence.

In heterosexual relationships, marriage is required to obtain a residence permit whereas a registered same sex relationship can give a woman a residence permit and the same social benefits as any other citizen in her situation.

3. Access of MM women to public funds and services

Healthcare services

Each case of MM women without documents or residence permit is investigated individually. For example, victims of human trafficking who are identified as such have access to the health care system. In most cases, the lack of documents or a residence permit means lack of access to healthcare services unless it is a hospital emergency.

By law, many professionals in Finland (health care professionals, teachers) have to make a report to the police or child protective services, when they suspect a case of domestic violence against children. This is not the same with adults. Language barriers make it even more difficult to identify such cases, especially when the aggressor, generally the husband, is the person accompanying the victim or even translating during the medical interview.

Social benefits and housing programmes

The social services offered in Finland are considered one of the best in Europe and migrant women with insecure or temporary residence permit, asylum seekers/refugees and minority ethnic groups have access to them.

Each case of MM women without documents or residence permit is analysed individually to establish whether they have a right to support. For example, victims of human trafficking who are identified as such can have access to social benefits and housing programmes. In most of the cases, lack of documents or residence permits means lack of access to social benefits.

The main problem is that the demand for housing places is much bigger than the places available. But social services help women in many occasions to pay their rent once they have left a violent situation.

Childcare facilities

Victims of human trafficking who are identified as such can have access to childcare facilities. In most other cases, lack of documents or residence permit means lack of access to childcare facilities.

Finland has a good system in which the cost of childcare service is dependent on income, so it can be free for persons with a low income. Child Protection services offer different services to women with children who are going through difficult times.

FINLAND

However there are few international kindergartens or schools and long waiting lists for places. There are also long waiting lists for access to the Finnish speaking kindergartens in some areas but this is a problem also for locals, not just for MM women.

Education/training programmes

Finland has an integration plan which provides, for instance, language classes for migrants. Victims of human trafficking can have access to language courses, in the majority of other cases the lack of documents or residence permit prevents access to language classes.

Women survivors of violence are not given special preference for language courses, primarily because the demand for courses is significantly higher than the number of places available.

When teaching Finnish, usually a support language is needed, and many teachers use English for this purpose. This is a problem when working with multilingual groups, since many MM women do not speak English. Organising Finnish courses using another support language like Russian, Somali or Spanish would be more appropriate than English, however this does not happen very often.

Labour market

For migrant women with insecure or temporary residence permit, finding a job is difficult but possible. Asylum seekers do not have access to the labour market whereas refugees do. For minority ethnic groups in principle it is possible to find a job, but sometimes attitudes from both the employer and the person belonging to the minority group make it challenging. Women survivors of violence are not prioritised in the regulations for accessing the labour market. The main problem is that it is very difficult to find a job in Finland without speaking Finnish, plus many MM women do not know about services available that might help them to find a job.

4. Informing MM women of their rights and available services

A majority of MM women do not receive any information materials on protection laws and women's services when they arrive in the country. Some material is available in schools, social service offices, language courses and other organisations. These materials are usually left in places often visited by MM women, however many of these women are not allowed to move freely without the presence of the violent partner or family member. As a result, many MM women live for many years in the country without having any knowledge of the Finnish law on domestic violence or where to look for help.

The material of MONIKA is specifically addressed to MM women. There are different types of brochures in 25 different languages. Other organisations and the social services also provide information especially for the biggest language groups including Somali, Russian, English, Thai and Arabic.

There is an integration plan for migrants in Finland. In line with this plan, integration assistance is provided for immigrants, which benefits many MM women. For example, unemployed immigrants are paid a labour market subsidy in the form of Integration Assistance for the first three years of their residence in Finland.

To receive Integration Assistance, immigrants must have a personal integration plan, to which they are entitled as soon as they register as an unemployed job seeker with the employment office or apply to the social welfare office for income support. An integration plan must be drawn up within five months of the immigrant registering as unemployed or receiving income support. It is drawn up in collaboration between the employment office, the local government authorities and the immigrant herself. The integration plan may provide for such measures as education and on-the-job training.

The amount of Integration Assistance is determined by the same criteria that apply to the ordinary Labour Market Subsidy. In practice, this means that many MM women can study Finnish and get the labour market subsidy during the first three years that they are in the country. This is very important to promote their integration in the Finnish society

and it is considered as a good example for other countries to follow. However, many MM women who suffer from violence can stay many years in the country before getting appropriate help, and by then, they are often not eligible anymore for the Integration Assistance (if it has been over three years).⁷

5. Legal protection of MM women from violence

A restraining order is the main measure to protect women from violence. An application for a restraining order can be submitted to the police or directly to a district court. It can also apply to persons living permanently in the same residence.⁸

In most cases, police assistance has been effective and professional when their assistance requested from specialised organisations like MONIKA. In terms of MM women seeking help from the police, one of the main problems is language. Sometimes in such cases, the police ask for support of an interpreter, but other times they do not and these women are sent back home to the perpetrator. Many MM women have had bad experiences with the police in their own countries and they assume it will be the same in Finland.

Courts can issue restraining orders against violent partners, spouses or family members.

Restraining orders, however, do not always guarantee the safety of the women and their children.

Legal aid

It is provided free of charge for MM women who have low incomes. The services of interpreters are included if needed.

6. Policy measures and statistics

There is a National Programme for Reduction of Violence in Finland (2007-2008).⁹ There are specific recommendations addressing immigrant women in it, such as: "To map out possibilities to deal with residence permit applications of women who have experienced violence in their relationship so that the fear of losing a residence permit would not prevent the intervention into violence and women would not be punished with exile."

Nevertheless, there is no specific legislation on forced marriages or so called "honour crimes", but these are included in the existing law.

The majority of services for women who have suffered violence are communal services. The quality of these services varies a lot. Therefore, there is a pressing need for a coordinated unit. Furthermore, the main provider of these services is often the third sector and its service network may be less extensive. Government do not always oversee the task of providing these services and to ensure their continuation and the issues facing migrant women are not always addressed in planning for women survivors of violence.

Endnotes

¹ United Nations Demography Yearbook 2008: <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2008%20DYB.pdf>

² Based on the report "Refuge services for victims of intimate partner and domestic violence" published in January 2010 by the Finnish Ministry of Social Affairs and Health and prepared by Terhi Laine, Diaconia University of Applied Sciences, http://www.stm.fi/c/document_library/get_file?folderId=1082856&name=DLFE-10958.pdf

³ For example: Prof. Dr. Carol Hagemann-White, "Protecting women against violence. Analytical study of the results of the third round of monitoring the implementation of Recommendation Rec (2002) 5 on the protection of women against violence in Council of Europe member states" published by Council of Europe, 2010, http://www.coe.int/t/dg2/equality/domesticviolencecampaign/Source/CDEG%20%282008%29%20rev_en.pdf

⁴ <http://webapps01.un.org/vawdatabase/searchDetail.action?measureId=25383&baseHref=country&baseHrefId=514>

⁵ <http://webapps01.un.org/vawdatabase/searchDetail.action?measureId=25383&baseHref=country&baseHrefId=514>

⁶ Information in this section has unless quoted otherwise been provided by MONIKA – Multicultural Women's Association, <http://www.monikanaiset.fi>

⁷ <http://www.kela.fi/in/internet/english.nsf/NET/090702120403EH?OpenDocument> (2010)

⁸ Detailed information: <http://www.oikeus.fi/16077.htm> (2010)

⁹ [http://www.poliisi.fi/poliisi/home.nsf/ExternalFiles/restrainingorder_2009/\\$file/restrainingorder_2009.pdf](http://www.poliisi.fi/poliisi/home.nsf/ExternalFiles/restrainingorder_2009/$file/restrainingorder_2009.pdf) (2010)

⁹ <http://webapps01.un.org/vawdatabase/searchDetail.action?measureId=25418&baseHref=country&baseHrefId=514>

FRANCE

(FRENCH REPUBLIC)

General Country Information

Population¹: 61,399,541

Female inhabitants:

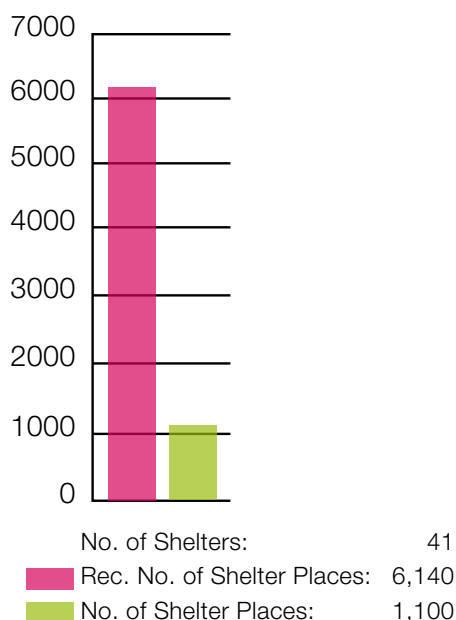
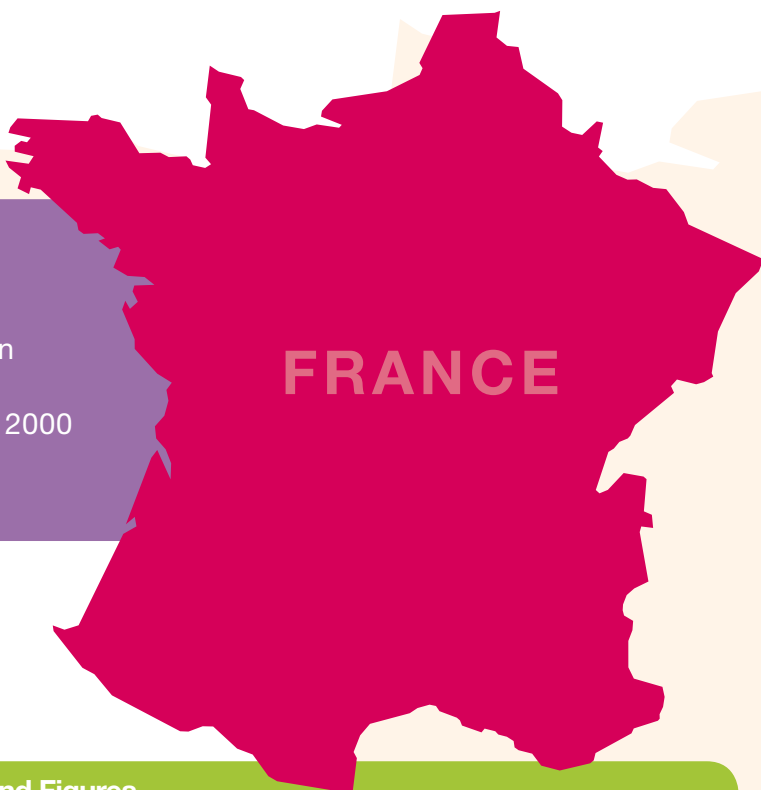
31,685,002 = 51.60% of total population

CEDAW ratified: 1983

Optional Protocol of CEDAW ratified: 2000

Member of Council of Europe: 1949

Member of European Union: 1957



Facts and Figures

Latest number of femicides:

140 (1 woman is killed every 2-3 days)

Latest number of DV cases reported by police:

No data available.

Latest number of DV cases reported by women's shelters:

WAVE focal point Fédération National Solidarité Femmes collected information on 30,000 cases.

Prevalence of DV: A study carried out in 2006 by Ernestine Ronai focused on violence against young women aged 11–25 and shows that young women have the highest risk of experiencing violence within the family: 30 per cent of young women have experienced physical violence, 5 per cent sexual aggression in the last 12 months, a 23 per cent life prevalence for physical violence was shown and a 30 per cent life prevalence for sexual violence.

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

In France there is one national helpline specified to provide service for female and male victims of domestic violence as well as for professionals working with women affected by violence. The first French national helpline for women survivors of violence was established in 1992. In 2007, the number has changed from a 10 digit to a four digit number: 3919; simultaneously, the name of the organisation was changed to 3919. The organisation 3919 is run by the WAVE focal point Fédération National Solidarité Femmes -FNSF.² Counselling is offered in French, Spanish, English, Arabic and African languages, but not 24 hours a day (from 8 am to 10 pm). In 2009, 19,274 incoming women's calls were answered. Clients pay the cost of a standard phone call when accessing this service. 74 per cent of the costs for operating the helplines are covered by the state.

Further, about 66 regional helplines are available for women survivors of violence in France. These telephone services are provided by different associations' members of the FNSF.

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	1	0	0	1	74 per cent
Regional	66	0	1	no data	no data

Women's Shelters

The FNSF-Network consists of 65 feminist organisations; 41 of them are women's shelters providing specified services for women survivors of violence. Further, there are several more non-specialised shelters offering help to women survivors of violence. Most of them are state shelters. Some of these shelters have adopted similar standards and working strategies as applied by shelters of the FNSF-Network. Since there is no nationwide network of women's organisations/women's shelters in France, no data is available about the exact number of shelters providing standardised services for women and children affected by domestic violence. There is a need for resources and structures to enable coherent data collection concerning services for women survivors of violence.

Approximately 2,350 women and 2,600 children were accommodated by the 41 shelters of the network and 30,000 women were welcomed by the 65 organisations.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
41	1,100	6,140	5,040	no data	no data

National Action Plan

In cooperation with NGOs such as the WAVE focal point FNSF, the second National Action Plan Triennal pour Combattre les Violences Faites aux Femmes³ (2008-2010) was developed and put into force in 2007.

Additional Issues

Experts combating domestic violence against women argue that a specific law on domestic violence addressing the structural causes of such violence, including discrimination and patriarchy, which meets the needs of female victims and addresses this complex phenomenon in all its different forms is needed.⁴ Following numerous national campaigns, more women are reporting violence. However there is a general lack of awareness of the issue, further propagated by the media's failure to address it.

NGOs are concerned with the situation of children experiencing violence directed towards their mothers and are calling for a new domestic violence law which would provide for specific protection for children, who are also victims. Under current French legislation, fathers found to have been violent towards their wives can retain contact with their children.

In 2010, a new law has been voted Law No. 769 for the specifics: violence against women, for domestic violence and their consequences on children.

FRANCE

Situation of MM women survivors of violence in France⁵

Four per cent of the migrant population mostly originating from Arab countries and the Maghreb (Algeria, Morocco, Tunisia), Turkey and other European countries⁶ are women.

1. Access of MM women to shelters and other services

There are 41 shelters members of the FNSF Federation Nationale Solidarité Femmes in France. Each shelter of the federation receives MM women but none is specialised. They work on this issue with La Cimade which is a counselling center for MM women and l'ADFEM (Action et droits des femmes exilées et migrantes), a group of NGOs.

MM women, especially women without documents do not have any right to work or to access social benefits, therefore, they must live in a shelter until they are able to obtain a residence permit. Such an extended stay can be costly for the accommodating shelter. In general, some women's shelters refuse boys after the age of 14 and direct them to a regular shelter.

There are plans to translate the public information about FNSF shelters into other languages because up to 25 per cent of the women accommodated in women's shelters are MM women.

La Cimade⁷ has 60 counselling services in France.

2. Right of residence

The biggest problem for MM women survivors of violence in France is obtaining a residence permit.

A MM woman married to a French man can obtain a temporary residence permit after six months, this permit can be renewed four times every year and become a definitive permit. If the husband is also an immigrant with a permit, the wife has to wait five years.

Neither heterosexual partnership/cohabitation nor same sex partnership/cohabitation gives a woman the right to apply for an independent residence permit.

In case of violence, women can obtain an independent residence permit at the discretion of the chief administrator of the French department. However, it is difficult to obtain as it usually requires the case to have gone to trial and resulted in a conviction. Similarly a divorce would need to be granted as a result of the violence. The challenge for MM women is that they usually do not know their rights, because of the language barrier and the lack of information.

3. Access of MM women to public funds and services

Social benefits and housing programmes

The migrant women with insecure or temporary residence permits, asylum seekers/refugees and minority ethnic women have access to social benefits. But only migrant women with insecure or temporary residence permit and minority ethnic women have access to housing programmes. The most prominent problem in the housing sector is the lack of social housing.

Labour market

Migrant women with insecure or temporary residence permits have access to labour market in France.

4. Legal protection of MM women from violence

If the police arrive and can identify that violence took place, they can protect women by holding the perpetrator in the police station for 24 hours. After that, a judge can decide whether the perpetrator is allowed to return home.

Legal aid

MM women can receive free legal aid in different languages thanks to the support of lawyers working for NGOs. Asylum, refugees and women with a temporary permit also have the right to free legal aid.

5. Policy measures and statistics

The second Action Plan (2008-2010) includes 12 goals:

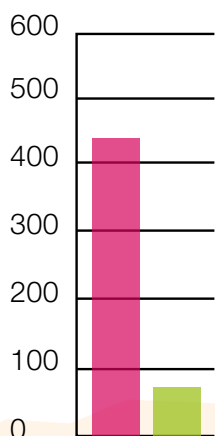
- 1) Improve statistics
- 2) Improve comprehension of the issue
- 3) Respect women's representation in the media
- 4) Improve people's awareness about this issue (including MM women)
- 5) Create prevention programmes for the perpetrators
- 6) Coordinate the services to provide victims with a comprehensive response
- 7) Involve political institutions and improve national and local coordination
- 8) Improve training for professionals working with victims and perpetrators
- 9) Help professionals to identify VAW
- 10) Reinforce the protection of victims with a judicial framework
- 11) Reinforce the work of shelters
- 12) Work with children witnesses of domestic violence

The government is working on a governmental action plan so that VAW, female genital mutilation, forced marriages and trafficking are included in the criminal law. In 2007, the federation created a special commission on the issues of women from migrant backgrounds.

Endnotes

- ¹ United Nations Demography Yearbook 2008: <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2008%20DYB.pdf>, 25.02.2010.
- ² <http://www.solidaritefemmes.asso.fr>
- ³ Ministre du travail, des relations sociales, de la famille et de la solidarite, Douze objectifs pour combattre les violences faites aux femmes - Deuxieme plan global triennal (2008 - 2010): http://www.travail-solidarite.gouv.fr/IMG/pdf/Plan_VL.pdf, 2008.
- ⁴ Actually, French government agrees with the position of women NGOs. The difficulties are more on the implementation.
- ⁵ Information in this section has been unless quoted otherwise been provided by Federation Nationale Solidarité Femmes (FNSF), <http://www.solidaritefemmes.org/>
- ⁶ <http://www.minorityrights.org/1622/france/france-overview.html>, 2010
- ⁷ <http://www.cimade.org/> (2010)

GEORGIA



General Country Information

Population¹: 4,355,673

Female inhabitants:

2,305,887 = 52.94% of total population

CEDAW ratified: 1994

Optional Protocol of CEDAW ratified: 2002

Member of Council of Europe: 1999

Member of European Union: no

No. of Shelters: 6

Rec. No. of Shelter Places: 436

No. of Shelter Places: 70-80

Facts and Figures

Latest number of femicides: No official statistics exist in the country.

Latest number of DV cases reported by police:

During the period of January to June 2010 there were 92 cases of domestic violence against women registered.

Latest number of DV cases reported by women's shelters:

No data available.

Prevalence of DV: According to the official statistics of the Ministry of Internal Affairs, during the period of January to June 2010, there were 98 cases of Domestic Violence registered. In 92 of the cases, the victims were female. The perpetrators were males in 93 cases. 50 per cent of the victims were 25 to 44 year old females. Based on a comparison of the 2009 and the 2010 statistics, there is an increase in reported cases of domestic violence.

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

In Georgia, service providers in the field of domestic violence mainly provide hotlines. According to the WAVE focal point Women's Information Centre (WIC), there is one national hotline dealing with the issue of domestic violence as well as four hotlines of the NGOs that run shelters.

In 2010, the State Fund for Protection and Assistance of (Statutory) Victims of Human Trafficking, with support of the UN Women and the Swedish International Development Cooperation Agency, created a hotline on domestic violence (number 309 903), which works 24 hours a day and is anonymous.

Table of Women's HELPLINES:

	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	1	1	1	0	0.07%
Regional	4	4	4	0	—

Women's Shelters

Until 2009 there were only NGO run shelters in Georgia. In 2009, the State Fund for Protection and Assistance to Victims of Trafficking began to support the survivors of domestic violence in two shelters, one in Tbilisi and one in the Shida Kartli region.

At present, four shelters exist and are run by NGOs in Georgia (three in Tbilisi and one in Samtskhe-Javakheti region) and two state shelters (one in Tbilisi and one in Shida Kartli region).

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
6	70-80	436	356-366	6	0

National Action Plan

On the 23rd of April 2009, the President of Georgia approved the Decree No. 304 under which the National Action Plan 2009-2010 on Fighting Domestic Violence and Taking Measures to Protect Victims of DV was enacted.

Situation of MM women survivors of violence in Georgia²

Secure data on migrants segregated by gender is not available to International Organisation for Migration (IOM) in Georgia.

The lack of safe places to turn to and the lack of opportunities in Georgia to develop career skills, are two of the most significant problems of MM women survivors of violence in Georgia.

1. Access of MM women to shelters and other services

There are two special shelters in Georgia for victims of trafficking for both men and women. Recently, these shelters have also made provisions for survivors of domestic violence. There is no shelter specialised in issues of concern to MM women. The two shelters mentioned above are fully state-funded.

Female victims of trafficking have access to the shelters, once they have the official status of victim of trafficking conferred by the appropriate authorities. Children of victims of trafficking can stay with their parent(s) in the shelters for victims of trafficking. The shelters are not accessible for any other group of vulnerable migrant women.

IOM does not deny the possibility that some NGOs may be operating shelters for women, but does not possess enough information on this topic. There are no specific shelters for women without documents or for women who have other immigration related problems. Asylum seekers are accommodated in state-managed housing facilities.

According to IOM, culturally sensitive services are available in the two shelters for victims of trafficking in persons and their children.

The percentage of women staying in the shelters for victims of trafficking differs per period, but IOM believes that this percentage remains around 75 per cent.

NGOs operate assistance services for vulnerable women. IOM can assist the women with voluntary return to the home country, provided certain criteria are met such as evidence of vulnerability, travel documents, an explicit wish to return and cooperation with IOM in organising this return.

GEORGIA

IOM is not aware of a specific helpline exclusively for this group. The government recently opened an office for assistance to victims of crime and operates a number of hotlines, whereas NGOs are also involved in this issue.

2. Right of residence

Foreign spouses of Georgian nationals can get a residence permit when proof of the marriage has been provided to the relevant Georgian authorities.

Based on IOM's knowledge, neither heterosexual partnership/cohabitation nor same sex partnership/cohabitation is officially recognised in Georgia.

Victims of trafficking in persons are eligible for a residence permit in Georgia, as explicitly highlighted in the Law on Legal Status of Aliens.

Usually obtaining a residence permits in Georgia is a relatively easy process, with very few cases known of residency permit applications rejected.

3. Access of MM women to public funds and services

Healthcare services

In principle all MM women have access to healthcare services.

Social benefits

Foreigners, irrespective of their status, do not have access to social benefits like those issued by the state to vulnerable citizens of Georgia, but they do have access to basic health care as well as other forms of immediate assistance, such as the shelters described above.

Housing programmes

Recognised refugees have the right to assistance from the state related to housing. According to IOM's knowledge, other MM women do not have the right to state housing support, although this does not mean that they may not have access to some other type of assistance.

Education/training programmes and childcare facilities

In principle, all MM women have access to education/training programmes.

Labour market

The access to the labour market in Georgia is not fully regulated. Foreigners usually have no barriers to employment as there is no work permit system in place for foreigners.

4. Informing MM women of their rights and available services

IOM and other organisations have been providing vulnerable women with information on trafficking in persons and continue to do so. Regularly, information material in Russian has been made available to migrant women, although not systematically.

5. Legal protection of MM women from violence

The Criminal Law includes many articles dealing with violence against human beings and gives police tools to combat such violence, including by arresting suspects and referring victims to institutions that can offer assistance.

Legal aid

There are two avenues for people who require free legal aid. One is the government run legal aid service or NGOs such as the Georgian Young Lawyers Association.

6. Policy measures and statistics

There are governmental action plans on combating of trafficking in persons and domestic violence.

The government has a policy on specific forms of violence such as forced marriage, so called “honour related crimes”, female genital mutilation and trafficking in women.

The two above-mentioned action plans are valid for a period of two years and renewed before expiry.

No specific statistics, reports, or surveys have been produced on migrant women, as the data is not disaggregated to include them as a separate category.

Endnotes

¹ United Nations Demography Yearbook 2008: <http://unstats.un.org/unsd/demographic/products/dyb/dybssets/2008%20DYB.pdf>, 25.02.2010.

² Information in this section has unless quoted otherwise been provided by the International Organisation for Migration (IOM), in Georgia, <http://www.iom.gr>. In line with its mandate, IOM Georgia has completed this questionnaire focusing only on migrant women. The answers to the questions should not be construed as covering any other group than migrant women. When talk is about violence against women, IOM has answered the questions concerned having in mind the crime of trafficking in persons and no other forms of violence (unless explicitly stated otherwise).

GERMANY

(FEDERAL REPUBLIC OF GERMANY)

General Country Information¹

Population²: 82,491,000

Female inhabitants:

42,161,000 = 51.11% of total population

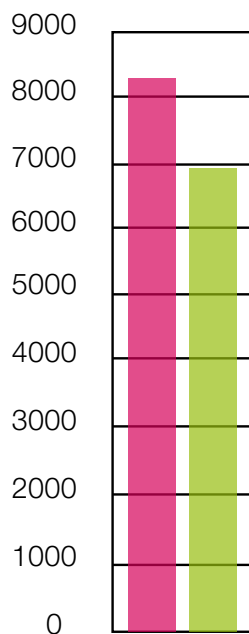
CEDAW ratified: 1985

Optional Protocol of CEDAW ratified: 2002

Member of Council of Europe: 1995

Member of European Union: 1957

GERMANY



No. of Shelters: 346

Rec. No. of Shelter Places: 8,249

No. of Shelter Places: 6,968

Facts and Figures

Latest number of femicides:

Due to the lack of a uniform definition of domestic violence there is no national data collection in Germany.

Latest number of DV cases reported by police:

There is no data available; the Bundeskriminalamt is responsible for data collection in Germany. The analysis is based on the criminal acts as they are defined in the criminal law. Domestic violence is not specifically classified as a criminal offence. Since there are different criminal acts which emerge in domestic violence cases, there is no record available of the number of domestic violence cases.³

Latest number of DV cases reported by women's shelters: No data available.

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


SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

In Germany there is no national helpline for women survivors of violence, however it is included as an aspiration in the national action plan to implement one and the German government is planning to establish a national helpline which should be opened by 2013. On the federal state level there are three helplines for women and their children affected by domestic violence: one in Berlin, one in Hamburg, and one in Schleswig Holstein. They are financed by state funding (federal state), and donations. Not all of them offer 24 hour service. Interpretation is provided if necessary.

Further, women's shelters and women's counselling centres operate about 74 regional helplines for women survivors of violence including the so called Frauennotrufe (specialised counselling centres for sexualized violence). The services provided by them to women survivors of violence vary depending on the financial situation of the organisations. It is therefore difficult to provide precise information about their quality and standards.⁴

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	0	–	–	–	–
Regional	74 approx.	no data	no data	no data	no data

Women's Shelters

In 1976 the first German women's shelters were established in West-Berlin and in Cologne. According to the latest survey carried out by the Frauenhaus Koordinierung e.V. in 2008 there were 358 women's shelters offering 6,968 places for women and children affected by domestic violence in Germany.⁵ Since then a few shelters had to be closed, because of a lack of funding. For example in 2010 two Women's Shelters in Schleswig Holstein had to be closed. Currently 346 women's shelters exist in Germany. In order to fulfil the recommendation of the European Parliament, Germany has to increase the number of shelter places to 8,249 which means an additional 1,281 shelter places are needed. Most of German women's shelters are organised in two different umbrella organisations: the autonomous women's shelters are part of the German WAVE focal point Zentrale Informationsstelle-ZIF⁶ and are also joined with the so called Landesgemeinschaften- LAGs on the federal state level, while most of the remaining shelters are under the German WAVE focal point Frauenhauskoordinierung e.V..⁷

The types of services offered by German women's shelters differ in terms of time of day (e.g. professional counselling during daytime and telephone counselling during the night). However, all shelters can be contacted by phone 24 hours a day. 75 per cent of German women's shelters provide multilingual counselling in at least one foreign language up to a total of 16 different languages⁸ depending on language capabilities of employees. Many shelters also work with an interpreter if translation is needed.

There are also significant huge differences among models of financing: most shelters receive government funding from different political levels but additionally do fundraising activities such as participating in international projects and donations. German women's organisations working in the field of violence against women claim a nationwide binding agreement on women's shelter funding by the German government. However, the Government shifts responsibility from national level to federal states. Only three German federal states have allocated specific funds to women's shelters. In the 13 remaining federal states the financing of women's shelters is covered by different shares of state grants from federal states, municipalities and "day's rate financing" (Tagesfinanzierung). This funding is often insufficient and for this reason many German women's organisations supporting women survivors of domestic violence are heavily dependent on donations and other fundraising activities. Another problem is caused by the so called "day's rate financing" as it is based on individual legal rights of women according to different social contribution laws through which the federal states cover the daily costs of a woman accommodated in a women's shelter. However, there are several groups of women who are not entitled to apply for these social security benefits. If these women are hosted in a women's shelter, the shelter will receive no funding to cover related expenses.

Further, several federal states and municipalities do not consider women's protection as their obligation but as an ex-gratia payment. Nonbinding regulations put women's organisations in a financially difficult position as costs are not always covered. Obtaining funds often involves a long bureaucratic process and, as the reduction in the number of women's shelters shows, many women's support services reasonably fear for their continued existence.

The extent to which these women's shelters are funded depends on the legal and political situation in the federal state in which they are located. The fact that there is no general law regarding the funding of women's shelters has triggered much debate and led the politically organised women's shelter from ZIF as well as the Frauenhauskoordinierung to fight for ensuring uniform funding of women's shelters in Germany.

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Women's helplines as well as women's counselling centres in Germany face the same funding problems as women's shelters.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
346	6,968	8,249	1,281	346	75

Further Services for Women Survivors of violence

11 out of the 16 federal states of Germany run intervention projects which coordinate services of all different expert groups dealing with women victims of domestic violence and offer active counselling. The total number of intervention centres in Germany is 83.

National Action Plan

In cooperation with NGOs such as WAVE focal point BIG e.V. - Berliner Interventionsprojekt gegen häusliche Gewalt Germany has developed the second National Action Plan Aktionsplan II der Bundesregierung zur Bekämpfung von Gewalt gegen Frauen¹⁰ in 2007.

Additional Issues

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

The German CEDAW shadow report Alternativbericht der Allianz von Frauenorganisationen Deutschlands¹¹ was released in December 2008.

Situation of MM women survivors of violence in Germany¹²

48.5 per cent of all migrants living in Germany are women.

The most significant problems of MM women survivors of violence include the lack of adequate medical and psychological help and advice, especially for traumatised women. MM women survivors of violence also experience a lack of adequate access to social services and difficulties with acquiring fluency in German. The women also possess little knowledge of their rights, when exposed to violence and have limited access to legal aid. Finally, having limited access to work permits makes the situation of MM women survivors of violence that much more difficult, since establishing economic independence is often a step in escaping violent situations.

1. Access of MM women to shelters and other services

In total, there are 346 women's shelters in Germany. Several women's shelters are specialised in MM women, some of which are active throughout the country while others, such as BAN YING, SOLWODI, Papatya, Hennamond, ONA, In Via, are based in their federal states.

For MM women, access to these shelters is only possible in theory. In practice, access is restricted for migrant women with insecure residence permits, asylum seekers and refugees as the so-called 'Residenzpflicht' (the obligation to stay) prevents them from leaving their town. In response to this rule women's shelters have developed alternative strategies. In order to provide better services for MM women, qualified Vietnamese interpreters are needed urgently in Berlin. Additionally, staff are needed to support young migrant women who have experienced forced marriage and violence and are thus in need of more intensive help, advice and support than other women. Further, Berlin needs better networks for refugee women from Chechnya, especially if they are forced to return to a so-called "sicherer Drittstaat" (the member state of entry to the EU according to EU Regulation Dublin II¹⁴), usually Poland.

In 2009, 60 per cent of the women accommodated in 4th Frauenhaus Berlin were migrants.¹⁵ Additionally, there are services for the needs of young women who experience forced marriage (for example, Papatya, Hennamond). Some organisations in Berlin, such as Ona, In Via or KOK are specialised in forced prostitution and trafficking of women.

2. Right of residence

To obtain a residence permit women are usually required to have been married to a German citizen for three years. In so called "difficult situations" (Härtefällen), they can obtain an independent residence permit if they have been married for two years. It is, however, often difficult for the women to prove that their case is indeed a Härtefall.

Both heterosexual partnership/cohabitation and same sex partnership/cohabitation give a woman the right to apply for an independent residence permit. If a woman is in a homosexual relationship and declares a (civil union) she has the right to apply for a residence permit. This was an important right that LGBT organisations fought for.

In the new foreign law, the term "frauenspezifische Fluchtgründe" (women-specific reasons for flight) is mentioned in reference to acts of violence and rape women may have experienced during armed conflicts in their home country. The experience or the threat of these may be cited as a reason for why a woman should be allowed to obtain a residence permit. However, it is not known whether any person has ever been granted a residence permit on this legal basis.

Another feature of German foreign law is that a foreign woman loses her residence if she leaves Germany for more than six months. This aspect of German law becomes particularly problematic for victims of forced marriage who are married in their parents' home country and may not be able to return to Germany within this limited time period.

Obtaining a residence permit can be particularly difficult for victims of trafficking and/or forced prostitution, especially if they are witnesses in legal cases especially after the completion of the case or if the case was never brought to court. There is also the so called four weeks rule which gives them four weeks time to stabilise and decide whether they want to be a witness or not. This rule is not always consistently implemented.

3. Access of MM women to public funds and services

Healthcare services, social benefits and housing programmes, childcare facilities

The migrant women with insecure or temporary residence permit, asylum seekers/refugees and minority ethnic groups have access to healthcare services, social benefits and housing programmes as well as childcare facilities in Germany as a valid legal status is always necessary for access to public services. In general asylum seekers and refugees have limited access to the health care system and housing programmes and get reduced social benefits or coupons. Migrant women without documents or residence permit do not have regular access to services.

Labour market

The access of migrant women with insecure or temporary residence permit and minority ethnic groups to the labour market in Germany depends on several conditions. Some of the conditions include their legal status or the length of residence in Germany. Additionally, women must find an employer who is willing to offer them an employment

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contract and the work permit is only granted after the so called “assessment of the labour market” taking into consideration first native Germans, EU-citizens and migrants with unrestricted residence permits. Refugees and migrants with insecure or temporary residence permit are always the last group to get the right to a work permit. In general, the given legal status (residence permit) and the access to the labour market are defined in the new foreign law in Germany.

4. Informing MM women of their rights and available services

Many NGOs translate their informational materials into the most commonly spoken languages in Germany. The problem is that for autonomous projects translation often depends on funding. The government and many women's organisations such as Terre des Femmes or Amnesty for Women offer general information about VAW in different languages.

Campaigns on VAW were organised by Terres Des Femmes Solwodi and Frauenhauskoordination. The last big campaign was called Gewalt Kommt Nicht in die Tüte¹⁶ and a big poster campaign against violence against women was conducted with promotion of prominent women from the umbrella organisation of the women's consultation places (Bundesverband Frauenberatungsstellen and Frauennotrufe - bff) in Germany.

Further, there are campaigns and trainings aiming to sensitise police, judges and public service officials to the issues of MM women, especially victims of trafficking. There are cooperation and networking events with migrant organisations, religious institutions and representatives such as imams, as well as prevention workshops in schools.

5. Legal protection of MM women from violence

Apart from self defence trainings organised by the police, no preventive measures are taken. The police usually only act after violence has occurred. Then, there are networks called BISS-Stellen or pro-active service, from police and women's advice centres that directly contact the victim of violence in order to offer information and so on.

One problem is the close cooperation between police and immigration authorities without any involvement of specialised legal staff or the MM women themselves. This often leads to a lack of knowledge regarding the legal situation of MM women and thus to a lack of suitable advice and sensibility for MM women's needs in case of violence.

Another problem is that courts often re-victimise the victim especially in cases of rape: specialised organisations work on this issue and provide support for the victims.

Legal aid

Different organisations provide free legal aid for MM women. This includes women's advice centres, advice centres specialised in refugees and migrants and other organisations under the umbrella of social services like Diakonie, Caritas and AWO. The Flüchtlingsräte is organised as independent advice centres.

Women with low income can get financial support for counselling and legal proceedings. Also the White Ribbon and Opferhilfe offer free legal or financial aid and give advice when the women have to be witnesses in court or want to report an offence to the police.

6. Policy measures and statistics

There is a governmental Action Plan II, in force since 2007, which explicitly addresses MM women and handicapped women.

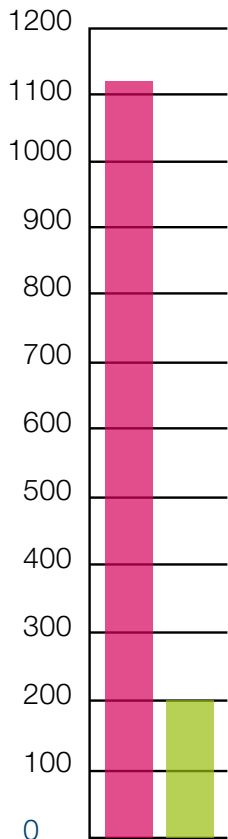
The German government has a special policy for the prevention of trafficking and the protection of MM women as victims of forced marriage. There are also special campaigns of Terre des Femmes on this issue.

Endnotes

- ¹ The Country Information of Germany is as of 2008 and is not updated in 2010.
- ² United Nations Demography Yearbook 2008: <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2008%20DYB.pdf>, 25.02.2010.
- ³ Bundeskriminalamt: <http://www.bka.de/> 2008
- ⁴ Fostering a uniformed statistical data collection is highly recommended.
- ⁵ Frauenhauskoordinierung e.V.: <http://www.frauenhauskoordinierung.de/> 2010. Study available: [http://www.infothek.paritaet.org/fhk/dokumente.nsf/f20d9b99c51b11c2c1256eb70034f23e/514a1304242ec278c12574d3004db8de/\\$FILE/FHKAntwortFragebogen.pdf](http://www.infothek.paritaet.org/fhk/dokumente.nsf/f20d9b99c51b11c2c1256eb70034f23e/514a1304242ec278c12574d3004db8de/$FILE/FHKAntwortFragebogen.pdf), 2008.
- ⁶ Zentrale Informationsstelle - ZIF: <http://www.autonome-frauenhaeuser-zif.de/zif.htm>, 2010.
- ⁷ Frauenhauskoordinierung e.V.: <http://www.frauenhauskoordinierung.de/>, 2010.
- ⁸ Data from Frauenhauskoordinierung e.V.: 64,7 per cent of German women's shelter offer counselling in English, 24,2 per cent in French, 17,2 per cent in Russian, 11,1 per cent in Polish, 9,4 per cent Turkey, 8,3 per cent Spanish, 5 per cent Italian, 2,5 per cent Persian, 2 per cent Arabic, 1,4 per cent Kurdish, 1,4 per cent Croatian, 1,1 per cent Greek, 1,1 per cent Portuguese, and 1 per cent Czech, Swedish und Dutch.
- ⁹ BIG e.V. - Berliner Interventionsprojekt gegen häusliche Gewalt: <http://www.big-koordinierung.de/home/>, 2010.
- ¹⁰ Bundesministerium für Familie, Senioren, Frauen und Jugend: Aktionsplan II der Bundesregierung zur Bekämpfung von Gewalt gegen Frauen": <http://www.bmfsfj.de/bmfsfj/generator/Kategorien/Publikationen/Publikationen.did=100962.html>, 2008.
- ¹¹ Alternativbericht der Allianz von Frauenorganisationen Deutschlands, United Nations Human Rights: http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/AGWO_ger.pdf, 2008.
- ¹² Information in this section has unless quoted otherwise been provided by 4th Frauenhaus Berlin, <http://www.viertes-frauenhaus-berlin.de/>
- ¹³ Governmental data from 2006.
- ¹⁴ This Regulation replaces the provisions of the 1990 Dublin Convention with Community legislation. Its objective is to identify as quickly as possible the Member State responsible for examining an asylum application, to establish reasonable time limits for each of the phases of determining the Member State responsible, and to prevent abuse of asylum procedures in the form of multiple applications.
http://europa.eu/legislation_summaries/justice_freedom_security/free_movement_of_persons_asylum_immigration/t33153_en.htm
- ¹⁵ 'Immigrant background' here refers to either women with a foreign passport who were born or grew up in Germany or women with a German passport and foreign roots.
- ¹⁶ <http://www.big-hotline.de/sites/aktion.html>

GREECE

(HELLENIC REPUBLIC)



No. of Shelters: 1
 Rec. No. of Shelter Places: 1,096
 No. of Shelter Places: 201

General Country Information

Population¹: 10,964,020
Female inhabitants:
 5,536,338 = 50.49% of total population
CEDAW ratified: 1983
Optional Protocol of CEDAW ratified: 2002
Member of Council of Europe: 1949
Member of European Union: 1981

Facts and Figures

Latest number of femicides: In 2009, 13 cases of murdered women victims of domestic violence were recorded.²

Latest number of DV cases reported by police:
 In 2008, 116 cases of women victims of domestic violence were recorded.³

Latest number of DV cases reported by women's shelters:
 No data available.

Prevalence of DV: Reliable data are not available. The 1st and only epidemiological survey conducted in Greece⁴ resulted in such small numbers (e.g. 3.6% and 3.5% for physical and sexual abuse, respectively) as to suggest that either the measurement was unreliable or domestic violence is still a taboo issue for Greek society. Further, there is no routine screening for IPV (or other forms of screening) in any of the hospitals or other health care settings in Greece.

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

WAVE focal point European Anti-Violence Network (EAVN) reports that there is one national women's helpline (Helpline 15900) providing services only to women survivors of violence free of charge and 24 hours/seven days a week which is operated by the General Secretariat for Gender Equality.


Another free of charge 24 hours national helpline 197 is operated by the National Centre for Social Solidarity and available for all citizens with all kinds of problems including women survivors of violence but it is not a special helpline only for women survivors of violence.

Both national helplines are state funded and offer counselling only in Greek language.

Another national helpline for women survivors of violence that was operated by an NGO offering multilingual counselling is currently inactive.

There is one regional helpline operated by NGOs providing special service to women survivors of violence. Further four regional helplines are not providing services only to women survivors of violence but are addressing various issues. All these helplines are financed through various sources and they are not available for 24 hours a day.

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	1	1	1	0	1 = 100%
Regional	1	1	0	0	no data

Women's Shelters

In Greece there are 10 shelters for women survivors of domestic violence, six of them are funded by the State (two of them are funded by the Ministry of Health and one of them is funded by the Ministry of Interior) and the others are funded by the Municipality of Athens. The rest is run by NGOs and the Church. But the continuity of their existence is uncertain due to uncertainty of funding. Exact data regarding shelter places for women survivors of violence is not available. Official data⁵ states that there are 201 shelter places available. Considering the recommendation given by the European Parliament, 1,096 shelter places would be needed in Greece.

There is no Greek women's shelter offering multilingual counselling. Due to the high rate of immigration (from Albania, Bulgaria, Romania, former Soviet Union, Pakistan, India), this is should be improved.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
1	201	1,096	895	no data	0

Further Services for women survivors of violence

In Greece there are no intervention centres supporting women victims with proactive - multiagency service, but there are 32 counselling centres which also officially support women survivors of violence. Many of them are part of the social services of some Greek municipalities. The majority of services of this type lack committed financial resources. It is not certain if the counselling centres provide specialised and appropriate services for women survivors of domestic victims or if they fulfil the quality standards necessary for doing so.

When the new Law 3500 was put into force, the mediation procedure included in the Articles 11-14 was widely debated: if agreed by both, the victim and the perpetrator, the perpetrator can attend a counselling/treatment programme for perpetrators instead of going to trial. In Greece, no institution specialises in treatment of abusers.

National Action Plan

Despite reports from the European Commission stating that Greece has an Action Plan to Combat Domestic Violence⁶, except for one announcement made by the Minister of Interior, neither an Action Plan, nor priorities or targets to be fulfilled have been worked out. With Law 3500 (in 2006) the announcement of its establishment was once again repeated, however, a national action plan has never been put into effect.

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Situation of MM women survivors of violence in Greece⁷

Officially, female migrants comprise 45 per cent of the total population of migrants in Greece.⁸ More specifically, the population census in 2001 of the National Statistical Service of Greece counted a total of 762,191 migrants, 45.48 per cent of whom were women.⁹ The vast majority of migrant women comes from Albania (52.2%), followed by Bulgaria (6.1%), Georgia (3.8%), Russia (3.2%), Ukraine (3%), United States (2.7%), Cyprus (2.6%), Romania (2.8%), United Kingdom (2.3%), Poland (2%), Germany (2%), Pakistan (0.1%) and various other countries (17.2%). However, a large number of migrants are “undocumented” and thus the exact number of migrant women in Greece (either documented or undocumented) is unknown.

Apart from financial problems and unemployment that MM women have to deal with, MM women survivors of violence in Greece face the following problems:

- The fear of authorities and the lack of proper information.
- Undocumented women survivors of violence cannot seek help from state provided specialized services, as state organisations are obliged to report them to the police. The same is true if an undocumented migrant woman applies to a state shelter.
- Undocumented migrants also do not have the right of legal support in cases of abuse and are afraid to go to the police to report the abuse, as there is a risk of being deported back to their countries of origin.
- Migrant women survivors of violence have to face the legal consequences that apply to all migrants; there is no exception or special treatment for survivors of violence. The only exception that applies is when a migrant woman is abused while she is married to a Greek citizen. The woman will not lose her residence permit (article 60, paragraph 1 of Law 3386/2005), however, she is exposed to the real risk of losing custody of her children in divorce.
- Migrant women also face language problems, when they reach the Counselling Centres, hospitals and other institutions. There are no specialised organisations for migrant women providing support services for abused women. The existing services for abused women do not have multilingual capacities. There are specialised services for migrants and asylum seekers in Greece but there is not a specialised service for MM women.

MM women with residence permit have equal access to various services, but unfortunately are unaware of their rights and do not take full advantage of these services.

1. Access of MM women to women's shelters and other services

There are an estimated 10 shelters in Greece (four in Athens/Attica, one in Drama, one in Heraklion of Crete, two in Thessaloniki; one in Ioannina, and one in Volos) which accept women survivors of violence, but not all of these are shelters solely for abused women and their children. Less than eight shelters in Greece accept only women survivors of domestic violence (along with their children) and/or victims of trafficking. Most of these shelters address a wide variety of social welfare issues apart from domestic violence, trafficking, child abuse and neglect, such as homeless people, unmarried mothers, migrants, street children, missing children, elderly people and other vulnerable social groups.

However, the above mentioned shelters do not continuously provide services, especially the state shelters, which are often closed, mainly due to lack of funding. This is a significant problem because the number of shelters in Greece is very limited, and most of them are overcrowded. Therefore, if a shelter closes for some months or for an unspecified period of time, most women cannot be transferred to another shelter due to lack of alternative places.

There is no specialised shelter for migrant and minority women survivors of violence in Greece.

MM women who have suffered from violence can have access to all women's shelters in Greece without any restrictions. However, undocumented women only have access to non-governmental shelters rather than the state shelters (e.g. Ministry of Health), because in such cases state shelters cannot offer them any further help and therefore avoid hosting undocumented MM women. MM women are also required to undergo a medical examination before they are accepted to a shelter.

Women survivors of violence (all including MM women) can stay in shelters together with their children. The age limit for boys in some state shelters is 13 years but there is no information about the age limit in other shelters. There is also no information available about the alternatives provided for boys over 13 years.

Women's shelters usually offer accommodation, psychological and social support, legal advice, medical support and information concerning other social services according to their problems and needs. For migrant women, usually, there is no specialised staff that can provide culturally sensitive services. The embassy of the home country of the MM woman may be contacted, if translation or other services are required; however, embassies of Albania, Bangladesh and most African and Asian countries have no funds to support the cost of such services for their citizens. There are no culturally sensitive services provided for MM children. Only if a child is able to speak Greek, there is a possibility to provide services. Civil society and immigrant communities may support these children on a limited basis.

MM women can have access to counselling centres and helplines which address women survivors of violence who are either Greek citizens or migrants. It is unknown which organisations can offer services to women who do not speak Greek. The European Network of Women in Greece (NGO) offers limited hotline services and support for MM women from the Balkans and former Soviet Union. The W.I.N. foundation (Women In Need Hellas - NGO) offers services for English speaking victims. However, the state National Helpline 197 (National Centre for Social Solidarity) is not a multilingual helpline and does not have specialised services for MM women who do not speak Greek.

In practice, the existing shelters do not have the necessary funding to provide the services MM women need.

2. Right of residence

If a migrant woman (regardless of her country of origin: EU and non-EU citizen) was married to a Greek, European Union or any other country's citizen who is a legal resident of Greece, and she became abused during her marriage, she does not lose her residence permit (article 62, paragraph 1 of Law 3386/2005), instead she has the right to obtain a residence permit on her own. The permit is valid for five years and it is automatically renewed. Thus, domestic violence is considered in the residency regulation.

Neither partnership/cohabitation nor same sex partnership/cohabitation gives a woman the right to apply for an independent residence permit.

The Law 3386/2005 is not applied in cases of partnership or cohabitation. This also means that there are no such exceptions for undocumented migrants.

It is important to note that residency regulations are often used by an abusive partner as means of control. Women whose residency status is dependent on their relationship/marriage are often threatened with expulsion by their spouses if they attempt to seek help.

3. Access of MM women to public funds and services

Healthcare services

All MM women have access to healthcare, however, undocumented migrants do not have access to public hospitals. There is an exception made in cases of an emergency visit to the hospital.

There is no specific provision for migrant and minority women survivors of violence regarding access to healthcare system.

Furthermore, there are NGOs, such as the Medecins du Monde (Doctors of the World) and Praksis, who provide health care to migrants and minorities free of charge. The day care centre Vavel also provides mental health services to migrants free of charge.

Social benefits

Women with temporary residence permits, minority ethnic groups and asylum seekers have access to social benefits.

GREECE

Childcare facilities

Women with temporary residence permits, minority ethnic groups and asylum seekers have access to childcare facilities. Their children have access to day care centres, kindergarten and athletic facilities. There is always limited access and not enough places.

Labour market

Women with a temporary residence permit and minority ethnic groups have access to labour market and asylum seekers have limited access.

Some of these women are offered job training programmes by the state and civil society in order to access the labour market. However they have a very limited access to employment and usually find employment on the informal market, resulting in low wages without insurance. There are no special benefits or support for MM women.

4. Informing MM women of their rights and available services

In Greece, only a limited number of informational campaigns on VAW have been implemented. VAW campaigns specifically addressing MM women have not been implemented yet, except campaigns against human trafficking (implemented by the General Secretariat for Gender Equality and the European Network of Women).

There are no available information materials on women's services. There are only multilingual information materials about services addressing migrants and other services (e.g. mental health services).

5. Legal protection of MM women from violence

The police in Greece do not have the authority to issue temporary restraining orders or to immediately evict the perpetrator of domestic violence from home. Only the victim can apply to the civil court for the injunction of a restraining order. Temporary restraining orders can also be ordered, in case that the victim is in danger. The police are entitled to undertake reports of domestic abuse from the victim, respond to calls regarding domestic violence (either from the victim or from anyone else, but not anonymous calls) and to intervene. But this "police intervention" is limited due to the following:

- a) The police cannot evict the perpetrator from the house.
- b) The police can intervene only if there is an issued restraining order, which means that the law enforcement can arrest the perpetrator for breaking the orders.
- c) Even though article 17 of the Law 3500/2006 on Combating Domestic Violence defines that in case of severe acts of domestic violence (except for rape) the penal prosecution is ex officio prosecuted, it is assumed that police officers are mainly unaware of that fact. Most of the times, upon responding to a call for domestic violence, they may proceed only to make recommendations to the perpetrator, as police officers are not trained and domestic violence is still thought to be a problem largely confined to the private and family sphere.

The police are obliged, according to the article 21 of the Law 3500/2006, to inform the victim about the available support services and assistance that she has the right to receive. Reportedly, police officers are not always aware of the existence of the domestic violence law itself. There are no other measures taken by police to protect women survivors of violence.

Migrant women lack appropriate protection and their rights are often not observed in civil court proceedings. They face serious barriers like lack of language translation services in custody battles.

Legal aid

Legal aid can be provided only to migrant women of legal status who are survivors of violence. If they are victims of abuse, they can submit an application to the court for free legal counsel. However, the application process for free legal aid is very difficult and bureaucratic, and the entire procedure must be completed by the victim herself.

Until February 2004, women survivors of Domestic Violence were provided free legal advice and support (specialized solicitor) by the governmental agency for abused women (The Consultation Centres for women victims of abuse of the General Secretariat for Gender Equality-only in Athens and Piraeus, the capital and the port of the capital of Greece). Since 2004, the Law No 3226 was introduced, based on which the Greek Lawyers' Association is obliged to provide free legal assistance to citizens of the EU MS with low income (and, under specific conditions, to migrants living in Greece). There is special provision (Article 22) in the Law 3500 for DV, that DV victims can enjoy the benefits of this law, independently of their income. Thus, after 2004 the existing legal support services (namely organisations with lawyers that could undertake the case free of charge) stopped offering this service. Nowadays, there are only legal informational services free of charge.

Undocumented MM women can only receive free of charge legal advice. They have access only to free legal aid offered by civil society volunteers but usually they avoid approaching the police and the court system, because they are undocumented.

6. Policy measures and statistics

In 2009, the current government and specifically the General Secretariat for Gender Equality announced the first Action Plan for Preventing and Combating Violence against Women 2009-2013.¹⁰

There is no specific official policy regarding forced marriage, "honour related" crimes and FMG, but there have been some advancements regarding trafficking, such as the Law 3064/2002 Measures to Combat Trafficking in Human Beings, Sexual and Economic Exploitation and Child Pornography. The law punishes anyone who by force, threat or other kind of coercion, transports, hands over a person to someone else or receives a person from someone else with the purpose of sexual exploitation of that person.

There are no surveys regarding MM women and violence. Some facts about MM women and violence can be found in the Greek reports to CEDAW committee.

Endnotes

- ¹ United Nations Demography Yearbook 2008: <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2008%20DYB.pdf>, 25.02.2010.
- ² There are some data available concerning prisoners convicted for homicide but the gender of the victim or the relationship they had with the victim is not known.
- ³ Police supposedly records cases but they do not publish data.
- ⁴ Research Centre for Gender Equality, 2003.
- ⁵ PASOK: Greek Socialists Political Party.
- ⁶ E.g. Hagemann-White, Carol: Combating violence against women: Stocktaking study on the measures and actions taken in Council of Europe member States, 2006.
- ⁷ Information in this section has unless quoted otherwise been provided by European Anti-Violence Network (<http://www.antiviolence-net.eu>) and Yvette Jarvis (Special Advisor to Mayor of Athens, Immigrant Affairs)
- ⁸ Maratou – Alipranti, L., Vonda, E., Iordanidou, A., Kapetanopoulos, A., Profiri, I., Skantzi, A. (2007). The Female Migration in Greece. Athens: KETHI. Retrieved at 4th April 2010 from, available in Greek at http://www.kethi.gr/attachments/127_GYNAIKEIA_METANASTEYSH.pdf
- ⁹ General Secretariat of the National Statistical Service of Greece. Official Census of Population 2001.
- ¹⁰ Available in Greek at http://www.isotita.gr/var/uploads/Press/25112009_Ethniko_programma_bia.pdf

HUNGARY



General Country Information¹

Population²: 10,198,315

Female inhabitants:

5,347,665 = 52.44% of total population

CEDAW ratified: 1980

Optional Protocol of CEDAW ratified: 2000

Member of Council of Europe: 1990

Member of European Union: 2004

Facts and Figures

Latest number of femicides: No data available.

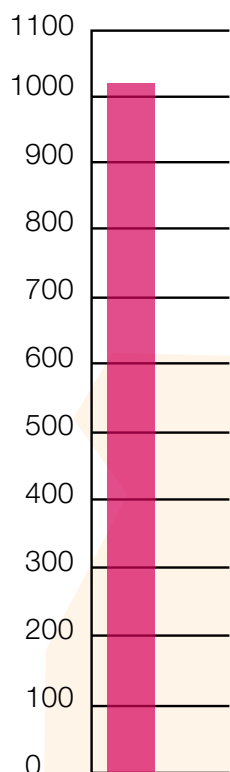
Latest number of DV cases reported by police:

No data available.

Latest number of DV cases reported by women's shelters: No data available.

Prevalence of DV:

Every fifth Hungarian woman experiences physical violence at some point in her lifetime. There are no data available for other forms of domestic violence.



No. of Shelters: 0

Rec. No. of Shelter Places: 1,020

No. of Shelter Places: 0

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

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

The second national helpline is state operated and 100 per cent financed by the state. It offers specialised services to women survivors of violence 24 hours a day in foreign languages (German, English) and free of charge.

Table of Women's HELPLINES:

	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	1	1	0	1	–
Regional	0	–	–	–	–

Women's Shelters

According to WAVE focal point NaNE -Women's Rights Association³ there are no actual women's shelters in Hungary, since clients accommodated in shelters are typically couples. Currently shelters are not only accessible to women but also to men. However, in contrast to the 108 so called "family shelters", 10 shelters accommodate abused women who do not have children and keep the shelter address undisclosed. Women can only stay there for 30 days. Later they either have to find a place on their own or they may receive a place in a "family shelter". These 10 shelters (nine crisis shelters and one shelter at an undisclosed location) follow to a certain extent the international quality standards for services for women survivors of domestic violence but do not fulfil all important ones. For example, approximately 75 per cent of all social workers employed in shelters have not attended gender-based violence training and do not apply a gender-based approach.

60 per cent of the clients hosted in the 108 "family shelters/homes" are survivors of domestic violence. The family shelters are 100 per cent state funded by the Ministry of Social Affairs and Labour.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service	State Funding per %
0	0	1,020	1,020	no data	no data	no data

There is no data available on the Situation of MM women survivors of violence in Hungary.

Endnotes

¹ The Country Information of Hungary is as of 2008 and is not updated in 2010.

² United Nations Demography Yearbook 2008: <http://unstats.un.org/unsd/demographic/products/dyb/dybssets/2008%20DYB.pdf>, 25.02.2010.

³ <http://www.nane.hu>

ICELAND

(REPUBLIC OF ICELAND)

General Country Information

Population¹: 281,154

Female inhabitants:

140,436 = 49.95% of total population

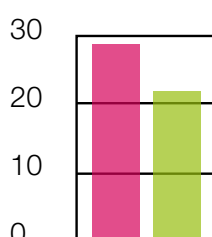
CEDAW ratified: 1985

Optional Protocol of CEDAW ratified: 2001

Member of Council of Europe: 1950

Member of European Union: no

ICELAND



No. of Shelters: 1

Rec. No. of Shelter Places: 28

No. of Shelter Places: 22

Facts and Figures

Latest number of femicides: One in 2004, none since

Latest number of DV cases reported by women's shelters: Every year around 0.25 per cent of the female population visits the women's shelter.


Prevalence of DV: No data available.

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

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

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	2	2	2	0	75 %
Regional	0	/	/	/	/

Women's Shelters

The first and only women's shelter in Iceland was opened in 1982. It provides 22 places for women survivors of violence, and multilingual service is available 24 hours a day, 356 days a year. The WAVE focal point Stigamot-Counselling and Information Centre on Sexual Violence² reports that the state funds 75 per cent of the total costs of the women's shelters. According to the Recommendation of European Parliament there are still six more shelter places needed in Iceland.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
1	22	28	6	1	1

Further Services for Women Survivors of violence

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

National Action Plan

The first and only National Plan of Action to Deal with Domestic Violence and Sexual Violence³ was issued in 2006. NGOs such as representatives of the two women's shelters and WAVE focal point Stígamót took part in the development of the Action Plan and many NGOs' suggestions were adopted. However, there is practically no funding allotted to most of the actions that need to be taken.

Situation of MM women survivors of violence in Iceland⁴

The most significant problem for MM women survivors of violence is that most of them have family reunification permits and if they leave their abusers they are no longer eligible for another type of permit. However, there is an exemption clause in the Act on Immigrants, allowing for a renewal of permits if a divorce was caused by violence and other special circumstances apply, such as having established close ties to the country or if the individual's situation in the home country would be worse than before due to the divorce. The victims must offer some evidence of violence.

1. Access of MM women to women's shelters and other services

There is only one women's shelter in Iceland. The women's shelter accepts all women victims of domestic violence including MM women who have access to the shelter without restrictions. However, women asylum seekers are given special housing in Reykjanesbær community along with other asylum seekers. There are no restrictions except that boys and girls over 18 are not usually expected to stay at the shelter.

Women receive legal and other counselling with the help of interpreters. The Multicultural Centre in Ísafjörður offers general telephone counselling in several languages.

25-50 per cent of women accommodated in this women's shelter are MM women. There are no migrant women employed in the shelter but there are migrant women on the board of the women's shelter.

The Intercultural Centre offers general and legal counselling and advice. Interpretation is provided free of charge if necessary. The Women's Counselling offers legal and social work counselling and advice. There is a mentor programme for migrant women run by the Red Cross, initiated by All the Women of the World.

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2. Right of residence

MM women are required to stay in a relationship/marriage for four years in order to get a residence permit.

A registered partnership/cohabitation provides a woman with the right to a residence permit. But the couple should either have been registered for two years or be able to verify the cohabitation by other means. The same procedure applies for registered same sex partnerships/cohabitation. However, if both partners are foreigners, they each must have been living in Iceland for two years prior to registering their partnership.

3. Access of MM women to public funds and services

Healthcare services

In Iceland, all migrant and minority ethnic women have access to free emergency healthcare services. For other medical visits, the patient must be part of the national healthcare system in order to receive health services, otherwise, expenses must be covered out of pocket.

Social benefits

Women with temporary residence permit, asylum seekers and minority ethnics have access to social benefits in Iceland. There are no specific rules regarding women survivors of violence, they receive necessary assistance, even those who have no legal address in Iceland. In this case, the women enter a specific programme called Foreigner in Need.

Housing programmes

Women with a temporary residence permit, asylum seekers and minority ethnics have access to housing programmes in Iceland. Asylum seekers are provided with housing in Reykjanesbær. Others have access to housing programmes in their municipality if they have a legal address there, but the women without permits do not.

Childcare facilities

Healthcare services are provided to children regardless of their parents' legal status in the country. Children can also attend school regardless of their parents' legal status. However, children of parents without permits or asylum seekers cannot attend a kindergarten.

Education/training programmes

Women with a temporary residence permit, asylum seekers and minority ethnic women have access to education/training programmes in Iceland. The Intercultural Centre offers Icelandic courses to migrant women and special empowerment programmes for women who have been exposed to violence.

Labour market

Women with a temporary residence permit, asylum seekers and minority ethnic women have access to the labour market in Iceland. If a woman is able to prove violence she will be given a work and residence permit. Women asylum seekers are allowed to work if they have documentation/credentials, otherwise they are only allowed to work after the Ministry of Justice have accepted the asylum application.

4. Informing MM women of their rights and available services

MM women do not receive information on services directly. However, a pamphlet on starting a life in Iceland is available to all migrants, with information on services for survivors of violence.

During the annual 16 days campaign against violence against women in November, migrant women have been the focus and the Intercultural Centre has frequently drawn attention to the status of migrant women survivors of violence in Iceland.

WOMEN (Women of Multiple Ethnicity Network) reach out to migrant women, the Red Cross and All the Women of the World (organisation of women working on migrant issues) as well. The Intercultural Centre is open to them and offers counselling and advice.

5. Legal protection of MM women from violence

There are conditions which allow for restraining orders but they can not always be met. In case the woman files a complaint, the case is investigated, but many still feel that measures available to the police are ineffective. As a result, there are very few restraining orders issued. There is no protection order available to women survivors of violence and while they can sue the perpetrator for damages in a private case, very few cases are ever brought to court.

Legal aid

The Intercultural Centre offers general and legal counselling and advice. Interpretation is provided free of charge if necessary. Women's Counselling offers legal and social work counselling and advice. For example, in criminal cases against the perpetrators, a lawyer is appointed to defend the victim's rights.

6. Policy measures and statistics

There is a governmental action plan on VAW in Iceland. According to the plan, information material on domestic and sexual violence must be issued in several languages. Additionally, the action plan calls for research to be done on the scope of violence against foreign/migrant women in Iceland. In other respects, the action plan applies to all women in Iceland.

Endnotes

¹ United Nations Demography Yearbook 2008: <http://unstats.un.org/unsd/demographic/products/dyb/dybssets/2008%20DYB.pdf>, 25.02.2010.

² <http://www.stigamot.is>, (2010)

³ Plan of Action to deal with domestic violence and sexual violence, Ministry of Social Affairs and Social Security: http://www.felagsmalaraduneyti.is/media/acrobatenskar_sidur/Plan_of_Action_to_deal_with_Domestic_and_Sexual_Violence.pdf, 2008.

⁴ The questionnaire has been completed by: Stigamot in Iceland

IRELAND

General Country Information

Population¹: 4,239,848

Female inhabitants:

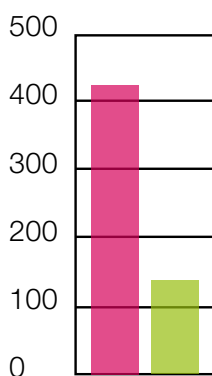
2,118,677 = 49.97% of total population

CEDAW ratified: 1985

Optional Protocol of CEDAW ratified: 2000

Member of Council of Europe: 1949

Member of European Union: 1973



No. of Shelters: 20.

Rec. No. of Shelter Places: 424

No. of Shelter Places: 141

Facts and Figures

Latest number of femicides: The latest femicide statistics update (December 2009) reads: Since 1996 there have been 162 women murdered in the Republic of Ireland. 99 women (61 per cent) were killed in their own homes. In the resolved cases 58 women (51 per cent) were murdered by a partner or ex-partner.²

Latest number of DV cases reported by police:
No data available.

Latest number of DV cases reported by women's shelters: In 2008, at least 6,196 women received support from Domestic Violence Support Services in Ireland. This figure includes 4,638 individual women who received a wide range of face-to-face support, including advocacy, emotional and practical support, information, counselling, court

accompaniment and/or support groups. 1,473 individual women were accommodated and received a range of other support in refuges. 85 individual women were accommodated and received Transitional Housing. In total, there were 1,947 women admitted to refuges in 2008. On over 1,722 occasions, service centres were unable to accommodate women and their children because the refuge was full or there was no refuge in their area. 2,381 children were accommodated in refuges across Ireland together with their mothers in 2008. 133 individual children were accommodated in Transitional Housing in 2008. In total, there were 3,269 children admitted to refuges in 2008.

Prevalence of DV: According to research carried out by the National Crime Council, one in seven women have experienced severely abusive behaviour of a physical, sexual or emotional nature from a partner at some time in their lives; one woman in 11 has experienced severe physical abuse in a relationship. The survey estimates that 213,000 women in Ireland have been severely abused by a partner. Women's Aid's own research in 1995 found that 18 per cent of women who had ever been in an intimate relationship have experience domestic violence by a current or former partner.


SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

In 1994, the first Irish women's helpline was established in Dublin. In Ireland one of the two WAVE focal points Women's Aid Federation Ireland³ runs the national helpline that provides help for women survivors of violence. The helpline is currently available 12 hours a day every day except Christmas Day. It is free of charge for women using this service and approximately 80 per cent funded by the state.

The other WAVE focal point is SAFE Ireland⁴ which represents domestic violence services in Ireland. In addition to the national helpline operated by Women's Aid, 35 other members provide helplines. Out of these 35, 19 are operated 24 hours/day and 15 operate during office hours.

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/hour service	Helplines with multi-lingual service	State funding per per cent
National	1	1	0	no data	80 per cent
Regional	35	7 free	19	0	Majority of funding is state funding, any helplines receive 100 per cent state funding

Women's Shelters

In 1986, the Rathmines Refuge was opened as the first custom built women's refuge in Ireland.⁵ According to an extensive mapping of services conducted by SAFE Ireland,⁶ there are currently 20 refuges (shelters) in Ireland and an additional 21 domestic violence support services. All of the refuges and support services in Ireland provide an extensive range of services to women including advocacy, support, information, helplines, court accompaniment, aftercare, group support, transitional housing and a range of dedicated child support including childcare, art therapy, group support and one-on-one emotional support. There are 141 family refuge places in Ireland.

Based on the European Parliament's Recommendation, Ireland should have 424 family refuge places.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/hour service	Shelters with multi-lingual service
20	141 ⁷	424	283	most	none

Further Services for Women Survivors of violence

39 members of SAFE Ireland provide a range of support services to women and children. 17 of these also provide shelters, which are described above. SAFE Ireland conducted a pilot outcome evaluation of support and information services in 2009.

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National Action Plan

The National Strategy on Domestic, Sexual and Gender-Based Violence was launched in March 2010 and can be found on the website of the National Office for the Prevention of Domestic, Sexual and Gender-based Violence (COSC)⁸.

Situation of MM women survivors of violence in Ireland⁹

It is estimated that there are about 100,000 Non EU, migrant and minority ethnic women in Ireland. This number includes the 20,000 indigenous traveller women who see themselves as a minority community.

The most significant problems of MM women survivors of violence in Ireland are:

- Insecure immigration status: the status of women is often dependent on their perpetrator.
- No independent immigration status provision in cases of abuse.
- Access to services: the same insecure status limits their access to state services and support; it only enables women to stay in a shelter for a short period.
- Right to work: is based on their immigration status and can be an obstacle which is particularly hindering for MM women who try to establish an independent life
- No access to immigration status for victims of trafficking – MM victims of trafficking do not have unconditional access to immigration status. The decision of whether or not a survivor deserves an immigration status is prosecution and investigation driven, and it is withdrawn when the investigation is finished or terminated. This decision also determines the level of state support that will be offered to the survivor.

1. Access of MM women to women's shelters and other services

In Ireland, there are an estimated 20 organisations which run women's shelters. However, there are no women's shelters specialised in assisting MM women.

In Ireland, the shelters are not available to MM women without valid immigration status. MM women with a dependent residence permit cannot stay for more than a few days in a shelter and they are not eligible for services. Exceptions can be made, but making such decisions requires time and is done on a case by case basis. A decision to allow longer stay usually depends on the funding available and the good will of the staff in the shelter, if the woman is deemed ineligible for longer stay.

There is no provision in the law or policy to grant MM women a residence permit in cases of domestic or sexual violence. An independent residence permit can be obtained only for MM women who are partners/spouses of EU citizens (other than Irish) in cases of domestic violence based on the EU Directive for Free Movement.

Children are allowed to stay with the MM mother, provided that she is eligible for the service.

Shelter staff and management are keen to increase cultural sensitivity and tolerance in the premises. However, isolated incidents of racial tensions between Black/Asian women and indigenous traveller women have been reported.

In order to provide culturally sensitive counselling in their native language for MM women and children in women shelters, a translator should be hired.

African and Migrant Women Network¹⁰ (Akidwa) is an NGO that provides specialised cultural training to state services encountering MM women. They also provide vital training in hospitals on female genital mutilation.

2. Right of residence

A dependent spouse can become independent through Naturalisation (obtaining citizenship), which takes on average 7-8 years. If citizenship is not an option for this spouse, another avenue is to apply for Permanent Residence (Leave to Remain without Condition as To Time) after eight years of dependent residence.

Partnership/cohabitation can give a woman the right to get a residence permit only when one partner is Irish or another EU national. Non-EU partnerships are not recognised. The same rule applies for same sex partnership/cohabitation. A woman can be eligible for a residence permit only when same-sex partner is Irish or another EU national whereas non-EU same sex partnerships are not recognised.

There is no possibility in the current legislation, for granting of independent permit to abused migrant women, even if she is a spouse/partner of an Irish or non-EU citizen. The Immigrant Council of Ireland (ICI) has been seeking to address this discrepancy for the last three years. The ICI is an independent licensed law centre in Ireland and is the only specialised legal aid centre. Only one category of MM is protected, and these are the partners/spouses of EU (other than Irish) nationals.

Ireland has opted out of the EU Directive on Family Reunification and the EU Directive on Long Term Residence. As a result, the situation of dependent permits in general and special permits in the cases of domestic violence in particular is very problematic.

3. Access of MM women to public funds and services

Healthcare services

All MM women can get full access to health care services if they hold the appropriate residence permit.

Social benefits and housing programmes

All MM women can get full access to social benefits and housing programmes if they hold an appropriate residence permit.

Education/training programmes

Only asylum seeking women have access to some courses specifically designed and delivered mostly in the asylum accommodation centres. Other MM women can get full access to education if they hold an appropriate residence permit.

Childcare facilities

There are no state run childcare facilities for any of the above mentioned categories. These services are private, and only available to woman who can afford the fees. Some vocational courses in Ireland, for MM women who are eligible through their immigration status, provide day care facilities for the children of course participants during class time.

Labour market

Entering the labour market is dependent on a valid residence permit. Only minority ethnic women get the right to work if they are granted a certain type of independent residence permit. Refugees in Ireland have full rights and this is valid for access to any kind of services.

4. Informing MM women of their rights and available services

The European Women's Lobby (EWL) has funded two annual seminars with migrant women in Ireland in 2008 and 2009.

The Immigrant Council of Ireland, Akidwa and Women's Aid organised two annual forums dedicated to MM in violent situations. A campaign against female genital mutilation was run by Akidwa and the Women's Health Council.

There are no information materials on protection laws and women's services or particularly for migrant women. Some NGOs have invested in translating their own leaflets in the most commonly spoken foreign languages including Chinese and Russian. The Irish police force is well trained to respond to domestic violence situations. They can protect the mother and the children by taking them to a shelter and/or by arresting the perpetrator.

5. Legal protection of MM women from violence

There are civil law protection orders available to women survivors of violence. However, further services and supports are dependent on the immigration status held by the woman.

The police need a lot of training in how to respond to new types of violence such as sex trafficking, as they need to identify

IRELAND

the potential victims of this crime. Far too often upon coming in contact with the police, women victims of trafficking are dealt with as illegal immigrants or as being engaged in illegal prostitution activities, instead of being recognised as victims of human trafficking. The police are currently investing in training to gain fuller awareness of the issue of human trafficking and to develop appropriate policies to tackle the problem.

The Immigrant Council of Ireland (ICI) provides free specialised legal advice and representation to migrant women at risk, such as victims of domestic violence, sexual violence and trafficking for sexual exploitation. The Family and Law Court provides free legal advice/representation to women in domestic disputes.

The Legal Aid Board (statutory body), provides free legal aid to asylum seekers and will begin to provide criminal legal aid to victims of trafficking who are witnesses in criminal investigations.

6. Policy measures and statistics

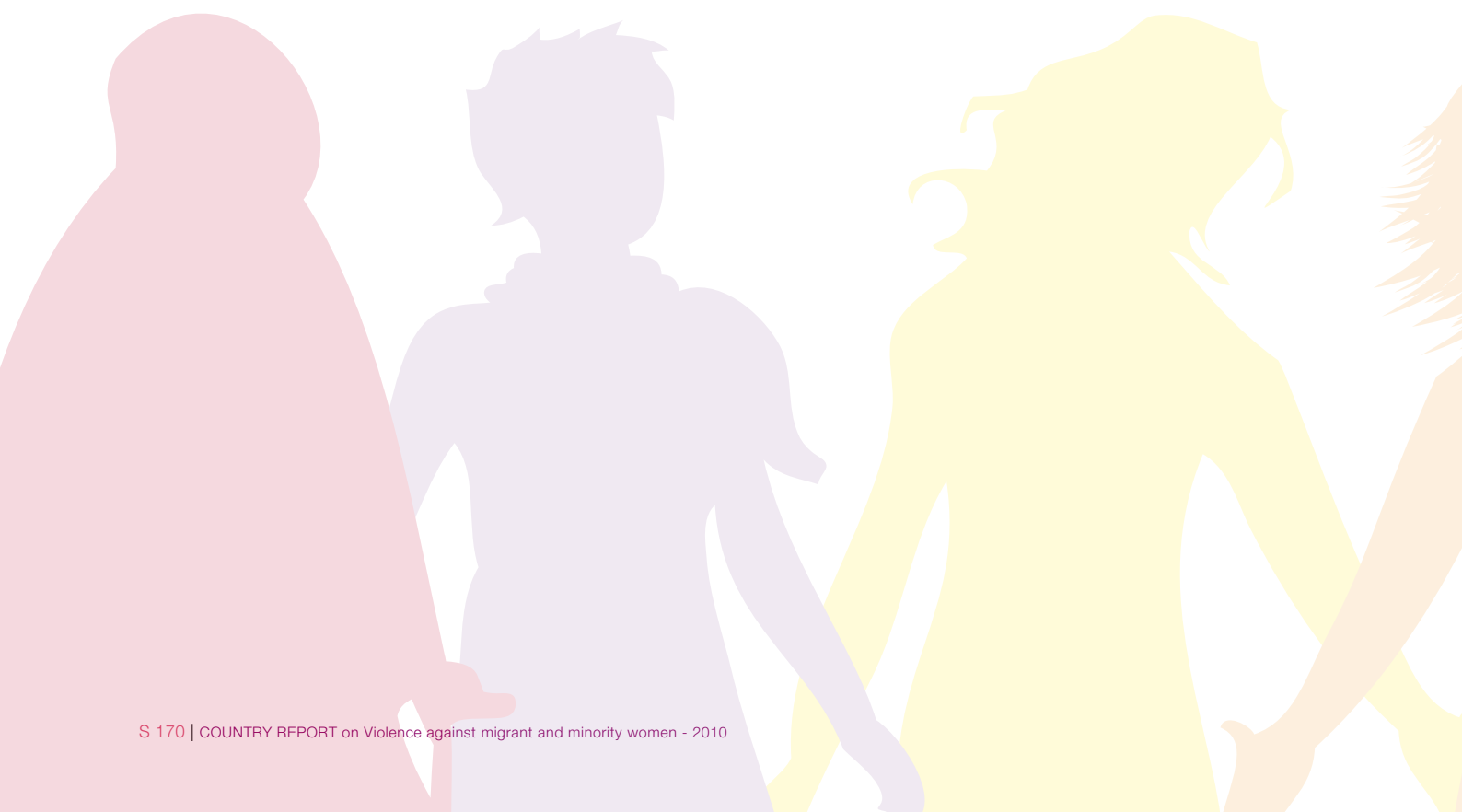
There is a National Strategy on Domestic, Sexual and Gender Based Violence which is drafted by the National Office for the Prevention of Domestic, Sexual and Gender-based Violence (Cosc).¹¹ It remains to be seen, how much focus will be given to MM women.

There is a National Action Plan to Prevent and Combat Human Trafficking since June 2008.

There are policies with respect to trafficked women called Administrative Immigration Arrangements for the Protection of Victims of Human Trafficking since June 2008 and adoption of legislation on female genital mutilation is currently being planned.

There are important publications on MM women and domestic violence including:

- Globalisation, Sex Trafficking and Prostitution: The experiences of Migrant Women in Ireland, 2009
- Migrant Women and Domestic Violence in Ireland: The Experience of Domestic Violence Service Providers, 2008 by Paula Fagan
- Female Genital Mutilation/Cutting, 2009 by the Women's Health Council of Ireland
- Domestic Violence Toolkit, 2009 by Akidwa.



Endnotes

- ¹ United Nations Demography Yearbook 2007: <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2007%20DYB.pdf>, 25.02.2010.
- ² Women's Aid Female Homicide Media Watch, December 2009
- ³ <http://www.womensaid.ie/> (2010)
- ⁴ <http://www.safeireland.ie> (2010)
- ⁵ Women's Aid: <http://www.womensaid.ie>
- ⁶ <http://www.safeireland.ie>
- ⁷ This includes Viva House which was opened in June 2010 with eight new family spaces
- ⁸ <http://www.cosc.ie>
- ⁹ Information in this section has been provided by Immigrant Council of Ireland, <http://www.cosc.ie>
- ¹⁰ <http://www.akidwa.ie/>
- ¹¹ <http://www.cosc.ie/>

ITALY

(ITALIAN REPUBLIC)

General Country Information

Population¹: 57,110,144

Female inhabitants:

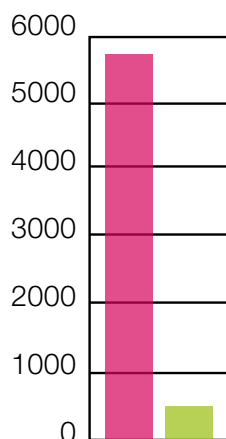
30,412,846 = 51.43% of total population

CEDAW ratified: 1985

Optional Protocol of CEDAW ratified: 2000

Member of Council of Europe: 1949

Member of European Union: 1957



No. of Shelters: 54

Rec. No. of Shelter Places: 5,711

No. of Shelter Places: 500

Facts and Figures

Latest number of femicides: 119 in 2009²

Latest number of DV cases reported by police: 2,373 cases in 2006

Latest number of DV cases reported by women's shelters: Italy has 54 women's shelters with approximately 500 places for women and their children. One national level study exists on violence against women conducted by the National Institute of Statistics-ISTAT.³ The sample of this study contains just 3 per cent of female victims of domestic violence who were served by NGOs.

Prevalence of DV: 14.3 per cent of Italian women are likely to experience domestic violence. 31.9 per cent of Italian women suffer some form of gender-based violence during their lifetime. 93 per cent of domestic violence cases are not reported.⁴

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

In 2006, the first and only national helpline of Italy called Arianna – 1522,⁵ providing a specialised service for women survivors of domestic violence free of charge, was established by the Italian government but operated by the women's NGO Le Onde di Palermo.⁶ The helpline is connected to most local help lines on the Italian territory and multilingual counselling in many languages including Arabic is offered around the clock. It is 100 per cent financed with state funding and its services are advertised periodically. Since 2000, there is also a helpline against trafficking in women called the Green Line, established by the Ministry in Rome. The Green Line number is 800290290. 18 of 54 women's shelters offer support to victims of trafficking.

Further, there are about 113 counselling centres/helplines available for women affected by male violence. Approximately 90 of them are run by women's NGOs and the rest by municipalities and by Caritas. Due to the lack of resources, no regional helpline is available free of charge or provides 24 hours a day service. Most of them are accessible on average eight hours per day. Regional helplines are up to 70 per cent funded by local governments. According to the WAVE focal points Associazione Nazionale D.i.Re Contro la Violenza (Donne in Rete contro la violenza) - Women's Network against Violence and Casa delle Donne per non subire violenza- Center For Women against Violence⁷ very few (less than five) local helplines offer a 24 hour service and are free of charge. Two of them are in the region of Alto Adige-Südtirol and offer multilingual counselling in Italian and German.

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	1	1	1	1	100%
Regional	113	4	6	1	70%

Women's Shelters

In Italy, the first women's shelter was founded in 1989. Since then, about 54 women's shelters have been set up offering an estimated 500 shelter places. A large majority of Italian women's shelters are based on a feminist political background and are run by autonomous women's non-profit organisations.⁹ The recommendation of the European Parliament is for 5,711 family places for women survivors of violence and their children. As a result, the number of missing shelter places is significantly great as there are 5,211 shelter places missing. Despite all the efforts of feminist activists, services cannot be increased due to the lack of financial support by the state. The absence of national institutional funds further decreases the quality of services for women survivors of violence. There is no shelter in Italy that fulfils all the European quality standards on combating domestic violence against women, including service available 24 hours or high security measures. Very few shelters (less than five) in Italy offer 24 hour service. The continued existence of services mostly depends on the goodwill of local politicians and on the assistance of donors.

In the last two years, the Italian political situation has negatively impacted the financing of women's shelters. As a result, some shelters had to cease operating after years of activity.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
54	500	5,711	5,211	5 approx.	none

Further Services for Women Survivors of violence

113 feminist women's associations have been set up in Italy since the 1990s, running the anti-violence centres, women's shelters and helplines. The anti-violence centres work with all forms of gender-based violence, not only domestic violence. They also support victims of rape and sexual abuse, forced prostitution and violence against children. Since 1990, the NGOs are organised in the national network Rete Dei Centri Antiviolenza e Delle Case Delle Donne¹⁰ and in 2008, the national umbrella organisation Centre for Women against Violence as the first umbrella organisation of 58 Italian Women's Umbrella organisations was formally founded. The federation of 58 local NGOs is working now as a national organisation.¹¹ In 2009, the 58 women's NGOs supported approximately 12,985 women.¹²

There are different provincial networks of shelters (Lazio, Emilia Romagna, Toscana, Lombardia). As part of the services for women affected by male violence the shelters offer training for public officers working with women and children survivors of domestic violence, but local institutions are often not willing to cooperate.

ITALY

National Action Plan

At the end of 2009, the Ministry of Equality adopted a National Action Plan on Combating Domestic Violence against Women after 30 projects,¹³ carried out by institutional and private organisations and funded by the state, were conducted since 2008. Most of the projects aimed to create a network on local level, between public institutions and NGOs, organising trainings. Since the 1st of December 2010 there exists a Nation Action Plan against Violence against Women.¹⁴

In 2007, all Italian NGOs and institutions working in the field of domestic violence, such as the WAVE focal point Center for Women against Violence, were invited by the Ministry of Equality to develop an effective law against gender violence - Prevention and Repression against Domestic Violence, Sexual Identities, Gender Identity and Every Kind of Discrimination.¹⁵ Due to the change of government in April 2008, this law was presented but never put into force, except for some parts of the anti-stalking law. It was included in a controversial law called On Security¹⁶ and highly criticised by NGOs. Since the Italian Ministry of Equality is meagrely funded, it is unable to finance projects.

Additional Issues

Domestic violence against women is classified as a criminal offence in Italian legislation and can be prosecuted in accordance with three articles: (1) “Maltrattamenti in famiglia o verso i fanciulli - ART. 572 codice penale” - “violence in family or against children”: depending on the dimension of violence the perpetrator can be imprisoned from one to five years. In case of a long period of victim violation the perpetrator is punished for “abuse”. If the survivor was violated “just one time” misdemeanor such as aggression, rape, insult are treated as “singular offence”, (2) If children are victims of domestic violence or a woman is not legally divorced from her violent husband then l’Art. 570 codice penale: “Violazione degli obblighi di assistenza familiare” - “violation of family assistance” can be applied. It punishes a person who behaves against the order or the morality of families, and refuses to participate in the parents or spouses obligations with one year prison or a fine from 103,000 to 1,032,000 Euro, (3) “Legge 4 aprile 2001 n. 154 - Norme contro la violenza nelle relazioni familiari” was developed by NGOs and women parliamentarians. It contains protection measures and obliges perpetrators to pay alimony to the victim, especially if the perpetrator is the only one who receives a salary, which is often the case.

Protection Law / Protective Measures

Although these laws which were in force in 2001 are more frequently applied nowadays, there are still many cases which are not reported by women affected by domestic violence. There is too little support for survivors of domestic violence generally and the lack of legal aid and court accompaniment free of charge for victims hinders them from making a complaint to the court. Mostly police, doctors or social workers are aware of violations but women are left alone with their problems.

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

According to ISTAT 2006, only seven per cent of women abused by their partner, report the violence to the police. Most of the reported cases are not brought to court because professionals who are confronted with cases of domestic violence are not sensitised to this form of violence and misclassify and downplay them as “quarrels between people.”

Marital Rape

A similar situation is seen in cases of marital rape, which is classified as a criminal offence. 91.6 per cent of rape cases are not reported and only 4.4 per cent of women report sexual violation by a partner.

Sexual Harassment

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

Anti-Stalking Law

A law was proposed in June 2008 and became effective in February 2009, making a criminal offence, punishable with imprisonment ranging from six months up to four years, any “continuative harassing, threatening or persecuting behaviour which: (1) causes a state of anxiety and fear in the victim(s), or; (2) ingenerates within the victim(s) a motivated fear for his/her own safety or for the safety of relatives, kins, or others tied to the victim him/herself by an affective relationship, or; (3), forces the victim(s) to change his/her living habits.” If the perpetrator of the offense is a subject tied to the victim by kinship or that is or has been in the past involved in a relationship with the victim (i.e. current or former/divorced/separated husband/wife or fiancée), and/or if the victim is a pregnant woman or a minor, the sanction can be elevated up to six years imprisonment.

The Italian government seems to recognise the importance of allocating more funds to combat violence against women which might also be caused by the White Ribbon Campaign against Violence against Women, which has taken place in Italy for a few years. Further, Italian women NGOs have started to consolidate a huge network. There is a discussion taking place as to whether women services should be public or private.

This discussion was raised as many governmental institutions in Southern Italy receive funds from the EU but they still have to follow governmental advice. In cooperation between the municipality of Bologna and the WAVE focal point Center for Women against Violence, a perpetrator programme was developed under a Daphne project.

Situation of MM women Survivors of violence in Italy¹⁷

The percentage of regular migrants (categories here defined as migrant women with insecure or temporary residence permit and asylum seekers/refugees and partly Roma) in Italy is seven per cent (of which 50.8% are women) of the whole Italian population. This is an estimated five million migrants. This figure does not consider migrants without documents and without a residence permit.

The biggest problems of MM women survivors of violence in Italy is the fact that undocumented migrant women and women without residence permit have no access to any public services. Moreover, NGOs do not receive funding for undocumented migrants and are frequently refused public funding if they work “openly” with migrants.

1. Access of MM women to women’s shelters and other services

In general, migrant women and minority ethnic groups have access to all shelters and services (public and private). There is no official data, only NGOs data available.

There are no women’s shelters specifically for migrant women and minority ethnic groups, but MM women who have residence permit (insecure/temporary), asylum seekers/refugees and minority ethnic groups have access to any shelter. MM women without documents or others cannot “officially” be given hospitality because shelters risk cuts in their public funding if they host these women.

The state funding for shelters depends strongly on regional laws. Some guarantee 100 per cent funding, others none. Generally migrant women and minority ethnic groups who have the right to be given shelter also have the right to accommodation and food.

Children’s access to shelters depends on individual shelter’s rules. Normally girls and boys (with age limit of 16 years)

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are allowed to stay at the shelter with their mothers. Boys after 16 years of age (in some cases 18 years of age) must be accommodated in ordinary social programmes.

Shelters are generally very aware of specific needs in terms of language and have either a translator or, a so called cultural woman mediator who is not only translating but also acting as a “bridge” between the Italian culture and the foreign culture of the woman. Some shelters also offer intercultural educators for children. But offering culturally sensitive services depends on the individual situation of each shelter, although there is certainly a strong focus on hiring MM women to work in shelters (estimated to be up to 20%).

In general, shelters need to employ more women with immigrant background as shelter staff and have to implement a more intercultural training and more contact/networking with local migrant women's groups.

There is no data available on the number of MM women accommodated in shelters, but in the last 10 years, all the shelters have seen an increasing number of MM women (with numbers as high as 70-80%) as MM women have little opportunities for accommodations other than shelters, whereas local women often have relatives or friends they could turn to.

Since 2000, there is also a national helpline for victims of trafficking, the Green Line, established by the Ministry in Rome. The phone number of the helpline is 800290290. It provides multilingual counselling in Italian, English, French, Spanish and Arabic. 18 of 54 women's shelters offer support for victims of trafficking.

2. Right of residence

If a residence permit is given for family reunification reasons, it has the same duration as the residence permit obtained by the relative already living in Italy and it is not withdrawn in case of separation/divorce. With this permit, the MM woman can immediately begin to work and if at the expiring date, she is divorced, she can ask for the renewal of the permit for employment reasons.

The residence permit is not linked to either partnership/cohabitation or same sex partnership/cohabitation. Italy is one of the few European countries, which does not recognise any residence rights to couples in partnership/cohabitation of any kind. Violence against women as reason to get a residence permit is only considered in cases of victims of trafficking. In these cases, women have to follow a specific programme with a social project in order to get a particular residence permit (Article 18 Immigration Law from 1998), which allows them to work.

The problem with these programmes can be the obligation to participate, and the fact that the police expect them to collaborate with them in order to provide information about the traffickers. This condition is very often a crucial obstacle as it is too dangerous for the MM women and their families (in the country of origin) to talk about the people who trafficked them as they cannot count on effective protection by the police. Therefore, some of these women start the programme, but then tend to disappear.

MM women find it far more difficult to leave a violent relationship because they face major social difficulties, for example, the lack of effective social/economical services, work and an extreme isolation.

3. Access of MM women to public funds and services

Healthcare services

When it comes to free first aid care, all MM women have access to healthcare services in Italy. In practice however, migrant women without documents or without residence permits have no access to health care, and moreover MM women survivors of violence have no particular consideration in accessing this service. In the case of pregnancy, they have the right, like Italians, to public healthcare free of charge.

Social benefits and housing programmes

Most social benefits require a long regular residence period in Italy (usually five years) and depend primarily on the

provisions of local regional laws. Moreover, MM women survivors of violence have no particular consideration in accessing social benefits. Therefore, access to social benefits is only possible for migrant women with insecure or a temporary residence permit, asylum seekers/refugees, and minority ethnic groups (depending on their migrant status).

Only asylum seeker/refugee and minority ethnic women (depending on their migrant status) have access to housing programmes in Italy. Special consideration for migrant women survivors of violence does not exist.

Childcare facilities

There are big regional differences in the existence of childcare facilities in terms of quality and charges. Although all migrant children have the right to, independently of their parents' migrant status, access to day-care centres, local governments require families to have a residence permit. Consequently, migrants without documents or without a residence permit have no access to childcare facilities.

Education/training programmes

Although MM women survivors of violence are not particularly considered in regard to accessing education or training programmes, migrant women with insecure or temporary residence permit, asylum seekers/refugees, and minority ethnic groups (depending on their migrant status) have access to these programmes in Italy.

Labour market

It is important to recognise that a huge segment of the private labour market, where workers are unofficially employed, with no rights and guarantees, is almost traditional in Italy. This precarious labour situation also affects Italians, but increases with migrant workers who are more easily exploited. Consequently, they work but have no proof of it, and therefore are not able to gain a residence permit. They remain for years (or a whole lifetime) with an illegal migrant status. Since 2009, the economic crisis has increased this problem.

Only women with insecure or temporary residence permit, asylum seekers/refugees and minority ethnic groups (depending on their migrant status) have access to the labour market in Italy.

4. Legal protection of MM women from violence

As mentioned before, there is a protection order available to women survivors of violence and under the law on stalking, a restraining order can be applied.

From February 2009 until October 2009, the application of the new law against stalking led to 723 men being arrested among 4,124 reported cases.

Only very few cases of VAW are reported by women, even less in cases of domestic violence. Data and number of cases are difficult to obtain because the gender of victims is not always included in statistics. Nevertheless, a national survey of the Italian Statistic Institute (ISTAT 2007) showed that only 7.3 per cent of women victims had reported cases of violence from a familiar person (usually if there are severe injuries) and even less (4%) in the other cases. Special data on MM women is not available.

Furthermore, protection measures by police in Italy are generally not efficient or sufficient. Moreover, MM women face racist or sexist discrimination from the police, which makes it even more difficult for them to report cases of violence.

Civil law protection orders are generally issued in favour of women (locals and migrants) if they have a proper legal aid. A good lawyer can ensure more efficient protective civil law measures (separation/divorce, protection order) than in criminal law as those procedures usually take very long and protective sanctions are rarely applied. Some women's shelters and specific women services provide legal aid from female lawyers who apply for women to receive (also MM women with regular immigration status) financial assistance from the state during lawsuits.

Legal aid

MM women can access free legal aid under the same conditions like Italians (must show annual income to be below EUR 10,000).

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5. Informing MM women of their rights and available services

There are no information materials on protection laws and women's services available for MM women. Many shelters have their own information leaflets (or brochures) on VAW and their services offered in several languages in order to reach MM women.

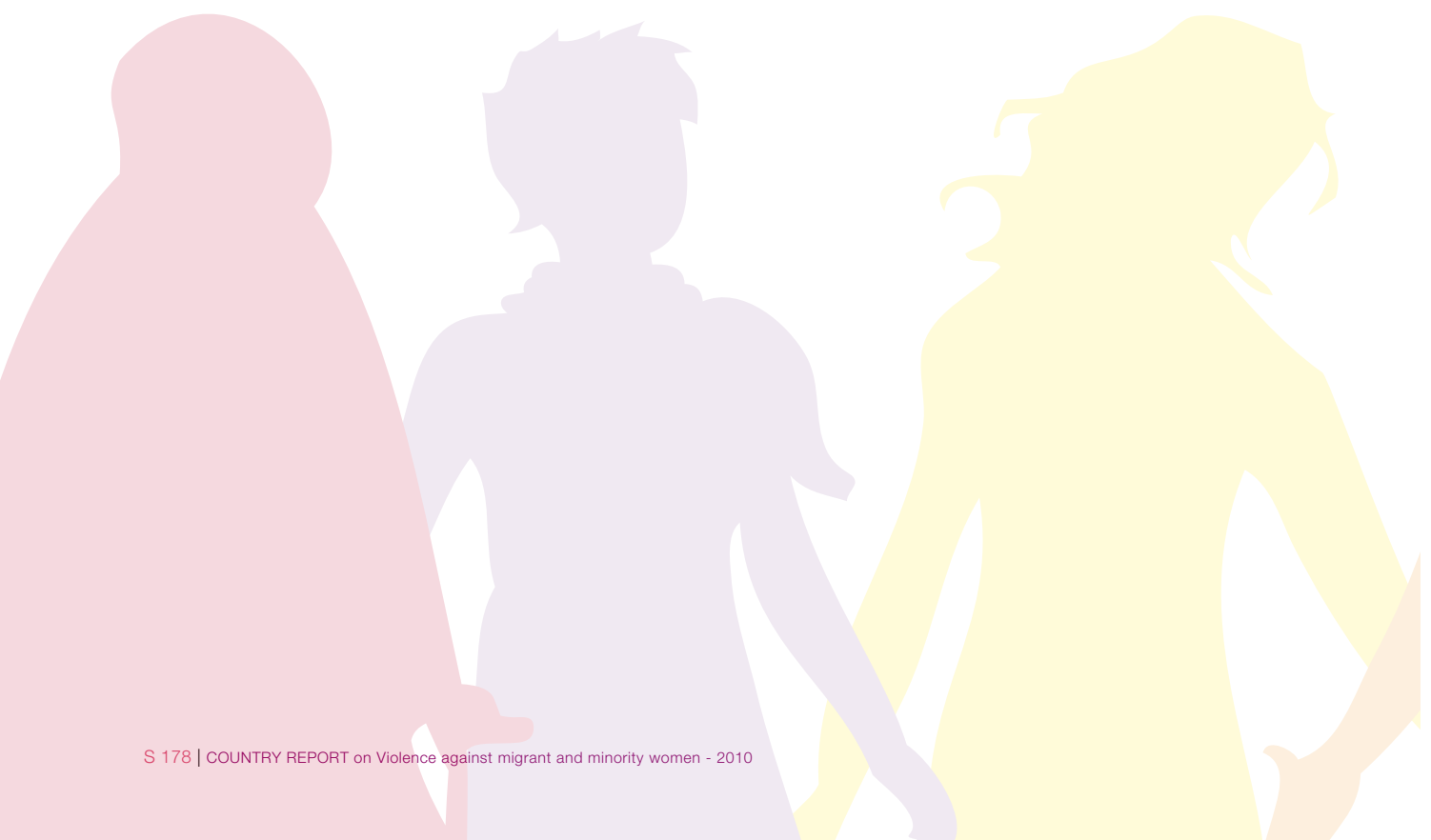
Many services offer information leaflets for MM women (not specifically on VAW) written in several languages in order to reach MM women. Frequently used languages are English, French, Spanish, Arab, Russian, Serbo-Croatian. They are usually distributed in offices for social, healthcare or labour services, which are regularly used by MM women.

NGOs and local administration offices offer language courses or courses assisting in entering into the labour market (computer and other office skills or different skills, empowerment).

6. Policy measures and statistics

The 2009 adopted National Action Plan on Combating Domestic Violence against Women does not specifically mention services or resources for MM women.

Furthermore, the government does not have a detailed policy on specific forms of violence such as forced marriage, so called "honour related crimes" and female genital mutilation. Since 2000, Italy has invested funds in services for MM women victims of trafficking. Since then, there is a national helpline and since 1998 it is possible for MM women wanting to escape trafficking to be granted a special residence permit (Article 18 Immigration Law from 1998) which allows them to work.¹⁸



Endnotes

- ¹ United Nations Demographic Yearbook 2008 <http://unstats.un.org/unsd/demographic/products/dyb/dybssets/2008%20DYB.pdf>
- ² Femicidi nel 2009: un'indagine sulla stampa italiana, http://www.casadonne.it/cms/images/pdf/pubblicazioni/materiali/femicidi_nel2009.pdf (2010)
- ³ National Institute of Statistics – ISTAT: Violence and abuses against women inside and outside family, 2006: http://www.istat.it/salastampa/comunicati/non_calendario/20070221_00/, (2010)
- ⁴ ibid
- ⁵ Arianne: <http://www.antiviolenzadonna.it> (2010)
- ⁶ Le Onde : <http://www.leonde.org> (2010) and statistic about callers see: http://www.antiviolenzadonna.it/menu_servizio/progetto/1522Mon2006_2009.pdf
- ⁷ <http://www.centriantiviolenza.eu> (2010)
- ⁸ <http://www.casadonne.it>, (2010).
- ⁹ Anna Pramstrahler (Casa delle donne per non subire Violenza, Bologna), Marcella Pirrone (Casa delle donne / Frauenhaus Meran): Local, national and international Networking and Partnerships: the experience of the Italian autonomous Women's Shelters, Edmonton, September 2008.
- ¹⁰ <http://www.centriantiviolenza.eu>, (2010).
- ¹¹ <http://www.direcontrolaviolenza.it>
- ¹² <http://130.186.87.2/dire/images/pdf/dati/rilevazioneDire2009.pdf>
- ¹³ Dipartimento per le Pari Opportunità: <http://www.pariopportunita.gov.it/> (2010).
- ¹⁴ http://www.pariopportunita.gov.it/images/stories/documenti_vari/UserFiles/PrimoPiano/piano_nazionale_antiviolenza.pdf
- ¹⁵ Misure di sensibilizzazione e prevenzione, nonché repressione dei delitti contro la persona e nell'ambito della famiglia, per l'orientamento sessuale, l'identità di genere ed ogni altra causa di discriminazione.
- ¹⁶ On security: This law contains measures for the army in the cities, special repressive measures against Roma people, etc.
- ¹⁷ Information in this section has unless quoted otherwise been provided by the Women's Network against Violence (D.i.Re), www.direcontrolaviolenza.it
- ¹⁸ For more information please check: <http://www.caritasitaliana.it>

LATVIA

(REPUBLIC OF LATVIA)

LATVIA

General Country Information

Population: 2,377,383¹

Female inhabitants:

1,282,419 = 53.89% of total population

CEDAW ratified: 1992

Optional Protocol of CEDAW ratified: no

Member of Council of Europe: 1995

Member of European Union: 2004

Facts and Figures²

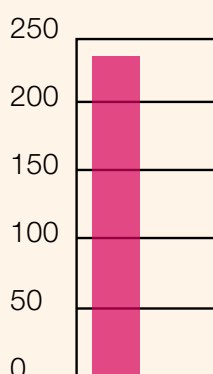
Latest number of femicides: Each year, on average, 35 women are killed and 120 women are seriously injured by their partners. This is according to unofficial statistics as official statistics are not available.

Latest number of DV cases reported by police:

No government statistics are available. Although state institutions have been criticised for this for a long time, it is unlikely to see changes in the near future. As reported by police on municipality level, domestic violence cases (family conflicts), are the most frequent reason for police calls.

Latest number of DV cases reported by women's shelters: No data are available since there are no women's shelters in Latvia, only crisis centres for children and their mothers.

Prevalence of DV: There are no official data available because no prevalence study on domestic violence against women has been conducted thus far in Latvia. However, an online survey³ was carried out by some students and researchers in 2006, which shows that 36.7 per cent of participants admitted to knowing a woman suffering from domestic violence. Reportedly, the main reason for a woman to not leave her violent partner is financial dependency (5%) and having no place to live (43%).



No. of Shelters: 0

Rec. No. of Shelter Places: 237

No. of Shelter Places: 0

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

In Latvia, there are two national helplines for children and teenagers but no specific national or regional helpline for women survivors of domestic violence exists. The only opportunity for women survivors of domestic violence to obtain help (not including specified support) is through Skalbes, the national helpline for anyone in crisis situations. It is available 24 hours a day and provides service in Latvian and Russian.

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	0	–	–	–	0 %
Regional	0	–	–	–	0 %

Women's Shelters

No women's shelter has been established in Latvia to date. There are only 16 centres for children and their mothers. In these so called Crisis Centres, women who have experienced violence, but do not have any children are not usually accommodated.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
0	0	237	237	–	–

National Action Plan

In 2008, the first National Action Plan on Combating Domestic Violence (2008–2011)⁴ was established in Latvia, but the amount of money allocated is not enough to put effective measures into practice.

Initiated by the National Action Plan (2008-2011), discussions are currently being held regarding overall changes in legislation related to cases of domestic violence against women. The campaign "Put on a button - Support a Woman" was organised in August 2008 in order to raise awareness about male violence against women.

There is no data provided on the situation of migrant women and minority ethnic groups in Latvia.

Endnotes

¹ United Nations Demographic Yearbook 2008 <http://unstats.un.org/unsd/demographic/products/dyb/dybssets/2008%20DYB.pdf>

² Data provided by WAVE focal point „Crisis Centre Skalbes”: <http://www.skabes.lv>, (2010).

³ Women Delfi, online survey: <http://woman.delfi.lv/relationships/couple/article.php?id=19712669>, (2010).

⁴ <http://www.likumi.lv/doc.php?id=177115>, (2010).

LIECHTENSTEIN

(PRINCIPALITY OF LIECHTENSTEIN)

General Country Information

Population¹: 33,307

Female inhabitants:

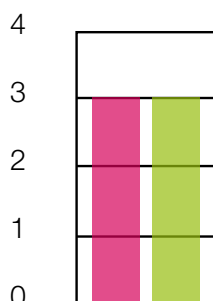
16,887 = 50.70% of total population

CEDAW ratified: 1995

Optional Protocol of CEDAW ratified: 2001

Member of Council of Europe: 1978

Member of European Union: no



No. of Shelters: 1

Rec. No. of Shelter Places: 3

No. of Shelter Places: 3

Facts and Figures

Latest number of femicides: 1 in 2007

Latest number of DV cases reported by police:

Since 1st of February 2001, when the protection order came into force including precautionary eviction as a measure of protecting women survivors of violence, 221 interventions have been carried out by police (49 interventions in 2007). In 86 cases, a dispute settlement was applied (19 dispute settlements in 2007), while in 52 cases a barring order was imposed (seven barring orders in 2007). In 2007, 21 women and five men were affected by violence. In 10 cases, both men and women became violent. In 2009, there were 43 interventions, 32 cases of domestic violence. 21 women, four men and four children were affected by domestic violence.

Latest number of DV cases reported by women's shelters: 17 women and 23 children were accommodated in the women's shelter in 2007. In 2008, 13 women and 17 children were accommodated in the women's shelter and in 2009 the number of persons accommodated included 21 women and 22 children.

Prevalence of DV:

29 per cent of women in Liechtenstein are likely to experience domestic violence.

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

The national helpline in Liechtenstein specialised in women survivors of domestic violence is operated by WAVE focal point Frauenhaus Liechtenstein² 24/7. It is not a free helpline but women asking for help are charged the cost of a standard phonecall. Counselling is offered in different languages depending on the language qualifications of staff members and, if necessary, in cooperation with interpreters. Around 70 per cent of the operating costs are covered by state funding. Funding for the remaining costs relies on donations, membership fees and fees paid by women to cover costs.

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	1	0	1	1	70%
Regional	0	/	/	/	0%

Women's Shelters

In 1991, the first women's shelter was established in Liechtenstein, resulting in the women counselling centre INFRA - Informations- und Kontaktstelle für Frauen. With total capacity of three family shelter places (one woman plus three children per family place) for survivors of violence, Liechtenstein is one of only five European countries fulfilling the recommendations by the European Parliament on the number of shelter places needed. Besides offering safety accommodation and counselling in cooperation with interpreters to women and children victims of domestic violence, the NGO shelter also operates a 24/7 women's helpline specialising in violence against women. Women are not charged rent for staying in a shelter and can usually stay there for free. Only a modest fee is asked from women who are employed.

70 per cent of total shelter costs are covered by state funding, while the remaining amount is funded by donations and fundraising projects. Due to the geographical location of the Frauenhaus Liechtenstein and the lack of more than 500 shelter places in the neighbouring country, women from Switzerland are hosted in the women's shelter in Liechtenstein if there are no free shelter places available in Switzerland. The costs incurred by accommodating Swiss women are covered by the Government of Switzerland. The women's shelter Liechtenstein is part of DAO - Dachorganisation der Frauenhäuser, the Swiss umbrella organisation of women's shelters.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
1	3	3	0	1	0

Further Services for women survivors of violence

Besides the counselling service offered by the women's NGO shelter in Liechtenstein, women survivors of violence get support from the state counselling centre Amt für Soziale Dienste which also offers therapeutic consultation to women affected by violence. INFRA, the counselling centre for women, is not specialised in women survivors of domestic violence, but offers legal aid and support throughout the divorce process. Women survivors of violence are offered place in the women's shelter.

National Action Plan

Liechtenstein has not yet developed a national action plan on combating domestic violence. However, on the 1st of April 2008, the government took the decision to establish one. Further steps have been initiated to start the procedure.

LIECHTENSTEIN

Additional Issues

On the 1st of February 2001, the Protection Law came into force in Liechtenstein. Despite existing legal protections, the implementation of the following improvements would more positively impact the situation of women and children affected by domestic violence in Liechtenstein significantly. This includes better cooperation between all professionals working with women survivors of violence. Although there is a round table on domestic violence established and attended by representatives of official state bodies, representatives of NGOs are excluded from these meetings. This has a very counterproductive effect in supporting women survivors of violence, especially as the women's shelter in Liechtenstein strives to fill a role of a women's intervention centre. In order to become an intervention centre, the women's shelter needs official permission in order to apply a proactive counselling approach. However, it should be officially possible for counsellors to visit women survivors of violence outside the official counselling centres.

Situation of MM women survivors of violence in Liechtenstein³

1. Access of MM women to women's shelters and other services

There is not any specialised shelter for MM women in Liechtenstein. The next specialised women shelter is in Zurich. The shelter is called Violetta and is one hour driving distance from Liechtenstein.

The MM women can be accommodated in the existing women's shelter. Problems can occur when the Immigration Authorities become informed that a migrant woman is staying in the shelter, because then she has to admit to no longer living with her husband, which may result in the migrant woman losing her residence permit. In most cases, MM women survivors of violence decide to return to their husbands after sometime in the shelter. For example, in 2010 two out of three migrant women living in a shelter returned to their husbands.

Children of migrant women are accepted in the shelters together with their mothers but their residency status continues to be dependent on the residency status of their fathers.

Normally boys can stay in the shelter until the age of 12, but shelter accommodation for boys also depend on the amount of places available. If a boy cannot be granted accommodation or stay in the Therapeutische Jugend-Wohngruppe, a specialised organisation which provides places for youth, is consulted.

Regarding multi-language services, the shelter and helpline provide Croatian, French, English and sign language, and works with translators when help in other languages is needed.

2. Right of residence

The most significant problem for MM women is that their residence permit is often dependent on the residency status of their husbands. So if a couple decides to get divorced or live separately, the migrant woman cannot remain in Liechtenstein. If she suffers from domestic violence, then she must prove it. There is no law which includes an exception regarding residence permit for women victims of domestic violence. If a woman can prove violence, the Immigration Authorities can take this into account, but is not obliged to.

After five years, married women can apply for an independent residency permit limited to one year. Only after 10 years in Liechtenstein, the residency permit can be unlimited.

Endnotes

¹ United Nations Demographic Yearbook 2008 <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2008%20DYB.pdf>

² <http://frauenhaus.li/> (2010)

³ Information in this section has unless quoted otherwise been provided by Frauenhaus Liechtenstein Federatie, <http://www.frauenhaus.li>

LITHUANIA

(REPUBLIC OF LITHUANIA)

LITHUANIA

General Country Information

Population¹: 3,483,972

Female inhabitants:

1,854,824 = 53.24%

CEDAW ratified: 1995

Optional Protocol of CEDAW ratified: 2004

Member of Council of Europe: 1993

Member of European Union: 2004

Facts and Figures

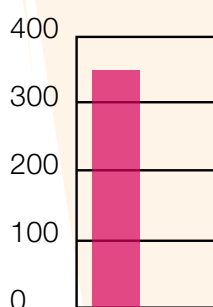
Latest number of femicides: 23 in 2007, 18 in 2008, 13 in 2009. Official statistics are available at the website of Lithuanian Ministry of Interior.²

Latest number of DV cases reported by police:

33,165 in 2007, 33,927 in 2008, 41,982 in 2009. Cases of violence against women investigated by police: 9,974 in 2007, 12,506 in 2008, 12,291 in 2009.

Latest number of DV cases reported by women's shelters: No data available.

Prevalence of DV: 63.3 per cent of adult Lithuanian women report that they have been exposed to male physical or sexual violence or threats in their youth (at least 16 years of age) or adulthood.



No. of Shelters: 0

Rec. No. of Shelter Places: 348

No. of Shelter Places: 0

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

The first Lithuanian national helpline for women survivors of violence was established by WAVE focal point Vilnius Women's House/Crises Centre for Women in 2001. Gender sensitised counselling is provided in Lithuanian, Russian, Polish, and English only during working hours. Calls to this national helpline are free of charge. Domestic violence support services are partly funded by the state and partly by money raised through international projects.

Another, non-feminist, National Helpline is operated by Klaipeda Social and Psychological Help Centre together with the NGO Women Helping Women in Kaunas. Although the helpline does not specialise in counselling women survivors of domestic violence, it does provide counselling to those women among other groups. The counselling is provided in Lithuanian and Russian on working days, from 10 am to 5 pm. It is free of charge and partly state-financed.

Table of Women's HELPLINES:

	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	2	2	0	2	inadequately small
Regional	0	/	/	/	0 %

Women's Shelters

No specialised shelters for women and children affected by domestic violence or intimate partner violence have been established in Lithuania so far. Women survivors of violence may seek refuge in the Municipal Pension of Mother and Child, which was established in 1998. As reported by WAVE focal point Vilnius Women's House/Crisis Center for Women, only inhabitants of Vilnius city are accommodated there. The Municipal Pension of Mother and Child has a capacity of 72 places and is accessible 24/7. Counselling is provided in Lithuanian, Russian and Polish. The Vilnius Caritas for homeless with a total capacity of 13 places also hosts mothers with children up to 1.5 years of age, pregnant women and pregnant adolescents. It is accessible 24 hours a day and clients are served in Lithuanian, Russian and Polish. Another place where women survivors of violence seek shelter is the Kaunas Generations House providing eight places only to mothers with babies. The services are only available for inhabitants of Kaunas 24 hours a day in Lithuanian and Russian. Additionally, several NGOs and social help institutions across the country, depending on the availability of project-based financing, sometimes provide rooms/beds for women survivors of violence.

Municipalities, encouraged by the Ministry of Social Affairs and Labour, tend to establish social institutions for various risk groups, including women survivors of violence financed by EU structural funds. The Municipal social institutions for various risk groups are not usually approached by women survivors of domestic and other forms of gender based violence. According to the Coalition Women's Rights Are Human Rights, an organisation coordinated by the WAVE focal point Vilnius Women's House, women in all regions of Lithuania tend to prefer NGO run services. Women's NGOs are part of the National Coalition Women's Rights, a human rights lobby calling for government support for the NGO run, feminist crisis centres for women, providing specialised counselling, help and support, rights advocacy and empowerment for survivors of gender based violence.

According to the recommendation of the European Parliament, 348 family places for women victims of domestic violence are needed in Lithuania

Lithuanian NGOs working in the field of domestic violence against women criticise the tendency to define women survivors of gender based violence as a social risk group. They demand specialised services for women affected by DV/IPV which will also help to empower women and advocate for their rights, NGO run with State funding, according to European good practice examples.

Table Women's of SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
0	0	348	348	/	/

Further Services for Women Survivors of violence

WAVE focal point Vilnius Women's House and Crisis Centre was established in 1996. Since 2001, it operates the National Helpline during business hours, and offers specialised help and feminist counselling for women affected by all forms of gender based violence. Other main service providers for women survivors of violence are women's NGOs running crisis and/or counselling centres. Due to a lack of secured state funding, most of them are forced to operate on project-based financing and thus encounter difficulties in terms of sustainability.

LITHUANIA

National Action Plan

In 2006, the National Strategies for Stopping Violence against Women was enacted. It was developed in cooperation with the Lithuanian WAVE focal point Vilnius Women's House and Crisis and Centre and other NGO's.

Situation of MM women survivors of violence in Lithuania³

In Lithuania, the migrant population constitutes less than one per cent of the total population. The main problem for MM women survivors of violence in Lithuania is that there are no specialised policies for migrant women and minorities, either on a national or on a municipal level. Further problems are:

- Insufficient protection from VAW in general.
- Undeveloped system of specialised help for the victims of VAW.
- Lack of recognition of VAW as a gender-based problem.
- No women's shelters.
- Unfriendly policies towards NGOs, particularly women's NGOs, resulting in limitation of their capacities to assist victims of VAW including MM women.

1. Access of MM women to women's shelters and other services

There are no women's shelters in Lithuania. However, there are municipal Social Care Centres providing help for various types of socially vulnerable groups. While women suffering from violence may turn to these institutions, they would not receive any specialised services. Undocumented women do not have access to these Care Centres.

MM women are eligible for anonymous and free help provided by NGOs. Additionally, there are women's NGO Crisis Centres providing specialized help for victims of DV/IPV, including MM women. These NGO Crisis Centers are funded through government programmes and local governments, although this is insufficient. At the end of 2009, there were 15 NGO run Crisis Centres, five of which offered facilities for an overnight stay (a room or a bed in the premises of the NGO).

However, they do not meet the international standards of women's shelters, to provide a safe place and specialised services for women and their children.

Children of MM women, with the exception of boys older than 15 years, are generally admitted to Social Care Centres.

2. Right of residence

MM women have to stay in a marriage for a minimum of seven years in order to obtain their own residence permit. In order to receive citizenship, one has to have been permanently settled in Lithuania for at least 10 years.

Neither heterosexual partnership/cohabitation nor a same sex partnership/cohabitation gives a woman the right to a residence permit.

3. Access of MM women to public funds and services

Healthcare services

Only asylum seekers, refugees and minority ethnic groups have access to healthcare services if they are working or are registered at the labour exchange.

Social benefits

Only asylum seekers, refugees and minority ethnic groups have access to social benefits. There are no specific regulations for migrant women.

Housing programmes

Only minority ethnic groups have access to housing programmes. Additionally, a project was started for the Roma community in 2009.

Childcare facilities

Only minority ethnic groups have access to childcare facilities. Asylum seekers live in retention centres with no childcare facilities.

Education/training programmes

Only asylum seekers, refugees and minority ethnic groups have access to education/training programmes.

Labour market

Only migrant women with insecure or temporary residence permit and minority ethnic groups have access to the labour market. There are no specific regulations for migrant women.

4. Legal protection of MM women from violence

In Lithuania, the police do not take any special measures to protect women from violence. There is still no Protection from Violence Law and protection orders are not being issued. There are some minor law provisions in Civil Code addressing VAW. For instance, a judge may choose to instruct the perpetrator to leave the family home during divorce proceedings, but is not obliged to do so.

Legal aid

Legal aid is free of charge for citizens. Basic legal help is also available for individuals with a residence permit. Women's NGOs provide legal assistance to migrant women and minority ethnic groups on a project basis.

5. Policy measures and statistics

There is no governmental action plan on VAW in Lithuania. However, there are specific policies on specific forms of violence such as forced marriage, the so called "honour related crimes", female genital mutilation and trafficking in women.

For more information please visit the website of the International Organisation for Migration in Lithuania.⁴

Endnotes

¹ United Nations Demographic Yearbook 2008 <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2008%20DYB.pdf>

² <http://www.bukstipri.lt/lt/statistika>

³ Information in this section has, unless quoted, been provided by the Vilnius Women's House and Crisis Center, vmotnam@delfi.lt

⁴ <http://www.iom.lt/en.php/> (2010)

LUXEMBOURG

(GRAND DUCHY OF LUXEMBOURG)

General Country Information

Population¹: 439,539

Female inhabitants:

222,998 = 50.73% of total population

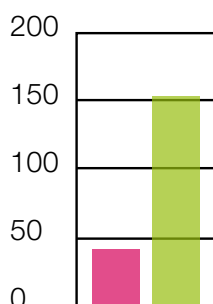
CEDAW ratified: 1989

Optional Protocol of CEDAW ratified: 2003

Member of Council of Europe: 1949

Member of European Union: 1957

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No. of Shelters: 9

Rec. No. of Shelter Places: 44

No. of Shelter Places: 154

Facts and Figures

Latest number of femicides: Two women in 2008.

Latest number of DV cases reported by police: 572 cases in 2009.

Latest number of DV cases reported by women's shelters: In 2009, 198 women were accommodated in shelters, 305 barring orders were implemented and 1,799 women were advised in counselling centres.

Prevalence of DV: It is estimated that one in five women in Luxembourg are likely to experience domestic violence.


SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

The first Luxembourgian women's helpline was established in 1998. At the present time, there is one national helpline for survivors of violence and women in distress. The helpline is 100 per cent state funded, however, the funding does not cover the cost of phone calls from clients making use of the service. Thus, the helpline is not free of charge. According to WAVE focal point Femmes en Detresse asbl² multilingual telephone counselling is available from Monday to Friday, four hours a day. In the remaining time, women seeking help can contact the Luxembourgian women's shelters.

In addition to the national helpline, there exist nine regional helplines and all of them offer multilingual service for the callers.

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	1	0	0	1	100%
Regional	9	0	2	9	100%

Women's Shelters

In 1976, a shelter for stranded, homeless girls, Foyer Paula Bové, was established by nuns. The first women's shelter in Luxembourg based on feminist principles is the Frauenhaus Lëtzebuerg which was opened in 1980. Since then, eight more shelters for women survivors of violence have been set up offering a total number of 154 shelter places. Therefore, Luxembourg fulfils both the number of shelter places recommendations given by the European Parliament, as well as by the Council of Europe (1997). The latter calls for one family shelter place per 7,000 inhabitants which equals 63 shelter places for Luxembourg. All nine women's shelters are accessible 24 hours a day providing multilingual services in languages such as Luxemburgish, French, German, English, Portuguese, Serbo-Croatian and Spanish. They are 100 per cent state funded. The nine women's shelters are not connected through an umbrella organisation.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
9	154	44	0	9	9

Further Services for Women Survivors of violence

Besides seven counselling centres serving women survivors of violence, there is one intervention centre in Luxembourg, the SAVVD – Service d'Assistance aux Victimes de Violence Domestique, coordinating different facilities and providing help to women survivors of domestic violence. Furthermore, there is one perpetrator programme provided by Riicht Eraus.³ An overview on current activities taking place to combat violence against women in Luxembourg is given by the website of Ministry of Equality.⁴

National Action Plan

The latest national action plan for Gender Equality, Plan d'Action National d'Égalité des Femmes et des Hommes⁵, was developed in 2009 without cooperation with NGOs. It also contains some measures against violence against women.

There is no data available on the situation of MM women survivors of violence in Luxembourg.

Endnotes

¹ United Nations Demographic Yearbook 2008 <http://unstats.un.org/unsd/demographic/products/dyb/dybssets/2008%20DYB.pdf>

² <http://www.fed.lu> (2010)

³ Riicht eraus: <http://www.richteraus.lu>, 2008.

⁴ Ministère de l'Égalité des chances, Grand-Duché de Luxembourg: <http://www.mega.public.lu>, 2008.

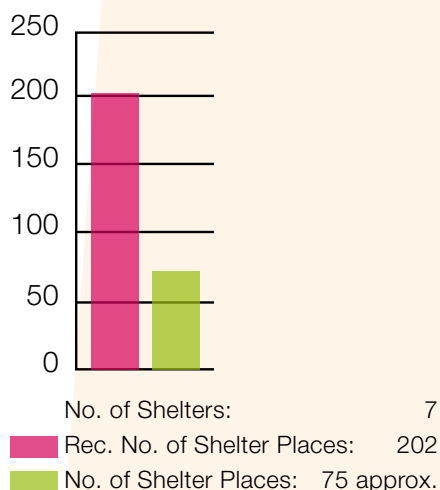
⁵ Ministère de l'Égalité des chances, Grand-Duché de Luxembourg - Plan d'action national d'égalité des femmes et des hommes: http://www.mega.public.lu/publications/1_brochures/2006/pan_egalite/PAN.pdf, 2008.

⁶ Information in this section has unless quoted otherwise been provided by Frauenhaus Femmes en détresse a.s.b.l, <http://www.fed.lu>

FORMER YUGOSLAV

REPUBLIC OF MACEDONIA

(THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA)



General Country Information

Population¹: 2,022,547

Female inhabitants:

1,007,170 = 49.80% of total population

CEDAW ratified: 1994

Optional Protocol of CEDAW ratified: 2003

Member of Council of Europe: 1995

Member of European Union: no

Facts and Figures

Latest number of femicides: Three women were killed in 2008. In the same period, three attempted murders against women by their partners or former partners were registered.

Latest number of DV cases reported by police: In 2010, in conjunction with domestic violence, 314 crimes (378 in 2008) were registered, 770 (730 in 2008) offenses, and proceedings were started for 3,106 (3,671 in 2008) complaints. In comparison with 2009, this shows that criminal acts increased by 20 per cent, as did complaints by 18 per cent, with 5.2 per cent decrease in misdemeanours.

Latest number of DV cases reported by women's shelters: In the period January-September 2008, the Centre for Social Welfare registered 445 cases of domestic violence. Women were the victims in 390 of these cases.² In the NGO shelter, the total number of women registered in 2009 was 58.

Prevalence of DV: According to the study Life in a Shadow³ conducted by the Association ESE in 2007, every second woman is affected by some form of psychological violence. 36.5 per cent of the women have experienced control of their movements and unwanted contact by their 'partner'. The most common forms of physical violence (17.7%) are slaps (87.5%), threats of use of force (70.1%), grabbing and shoving (63.9%). The most severe forms of physical violence are rarely used – burning or scalding (2.5%) or the use of a knife or a gun (9.9%). Every fourth woman reported having been physically attacked within her family. It is indicated that almost every fifth woman (18.9%) has reported the recurrence of physical violence over 20 times. 10 per cent of women have experienced dominant form of sexual violence.

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines


In 1994 the first Macedonian national women's helpline, 15700 National SOS Line, was founded by the organisation of Women of City Skopje - OZS. Multilingual counselling is available 24 hours every day and free of charge for survivors of domestic violence. It is 100 per cent financed by the Ministry of Labour and Social Policy.

The second Macedonian national helpline is the SOS National Mobile Line for victims of all kinds of violence, including domestic violence, sexual harassment and human trafficking. It is operated by the NGO National Council for Gender Equality- NCGE and financed in cooperation with different mobile providers. Only the dialling code changes depending on the provider, while the helpline number is always the same 141700.⁴ Two mobile phone providers offer free of charge calls to this helpline, and a third one charges a fixed price for unlimited time of a call. 30 per cent of the money which is raised through the third provider goes directly to subsidise the helpline. SOS National Mobile Line can be contacted for help 24 hours every day and advises women survivors of violence in Macedonian, English, Turkish and Albanian. In contrast to the National SOS Line, it does not receive any state funding.

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

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

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	2	1	2	2	1 = 100%, 1 = 0%
Regional	1	/	1	/	0%

Women's Shelters

The first Macedonian women's shelter, the state shelter in Skopje, was built in 2001. In 2008, Macedonia had seven women's shelters, six state run and one NGO, offering a total number of approximately 75 places respectively 25 places to women survivors of violence and their children. As regulated in the Macedonian Family Legislation implemented in 2004, women can stay in a state shelter for at least six months with option of extension of up to an additional six months. State shelters cannot be contacted directly. They are under jurisdiction of the Centre for Social Welfare. All state shelters are 100 per cent financed through state funding while only the premises of the NGO shelter are provided by the Ministry of Labour and Social Policy. The latter relies on international, usually European donors and fundraising activities to support its services. All attempts by the operators of the NGO shelter to acquire an unoccupied house belonging to the government, in order to provide better facilities to women and their children, have failed. Only the NGO shelter accepts women 24 hours a day all the year.

There are no specialised programmes for the women or children living in the shelters. Child-oriented facilities are also not available in all the shelters which do not offer child-specific counselling and treatment.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
7	75 approx.	202	127	1	0

Further Services for women survivors of violence

The Centre for Social Welfare, is the main counselling centre, providing not only psycho-social intervention, but also legal aid and representation as well as medical care. As enshrined in the act of the Macedonian Family Law, all survivors of violence are entitled to access these services. Free legal aid, psycho-social help and court representation are offered by the Centres of Legal aid and WAVE project partner, Association ESE which has been functioning for five years in Skopje, Tetovo and Shtip. From the beginning of its operations until December 2008, 2,232 victims of domestic violence have received legally and psycho-social support at the Legal aid Centre in Skopje.

Under the project I Have the Right to Be Protected, the NGO National Council for Gender Equality – NCGE opened a free legal aid services for survivors of domestic violence in Veles (covering the municipalities: Veles, Caska and Gradsko), Kavadarci (covering the municipalities: Kavadarci, Negotino and Demir Kapija) and Krivogastani (covering the municipalities Krivogastani, Dolneni and Prilep). In Krivogastani, because it is a rural municipality, NCGE also opened a regional SOS line for victims of domestic violence.

National Action Plan

The Government of Republic of Macedonia has adopted the National Strategy for Prevention against Domestic Violence in April 2010. This established a strategic response toward this severe form of violence against women, defining concrete priority areas, as well as measures and activities for their achievement for the period 2008-2011. The process of preparation of the strategy was initiated by Association ESE in partnership with the Ministry of Labour and Social Policy. The Ministry of Interior, Ministry of Health, Ministry of Justice, Ministry of Education, relevant civil society organisations and academic institutions were also directly involved in the development of this strategic document. The following priority areas are incorporated within the national strategy: establishment of a multi-coordinated approach, prevention of the phenomena through activities within the educational system, education of professional structures, promotion of the system of protection, promotion of the civil justice system, promotion of the criminal justice system, documentation of cases and data collection, and the establishment of mechanisms for monitoring and the implementation of the strategy.⁵

Macedonia has also developed a National Plan for Action for Gender Equality⁶ which contains a special section on Women and Violence where the issue of support and protection of victims of domestic violence is included. The National Plan for Action for Gender Equality was set up by the National Council for Gender Equality and adopted in 2007.

Additional Issues

Taking into consideration the adoption of the national strategy, its implementation is of great importance. The first step toward implementation is the initiation of the project Prevention and elimination of domestic violence in Macedonia⁷. This process was initiated by the Association ESE from Macedonia and WAVE. It is financially supported by the Federal Ministry of Social Affairs and Consumer Protection of Austria. The Ministry of Labour and Social Policy of the Republic of Macedonia is the national partner in the implementation of this initiative. The National Council for Gender Equality while working on the project Gender Based Violence offers employment for

the women survivors of domestic violence. NGO National Council for Gender Equality- NCGE is connecting the business sector from 25 municipalities in Macedonia, the municipality's authorities and the women survivors of domestic violence in order to achieve good results with successful employment and economic strengthening of the victims.

The NCGE is working on forming coordinative bodies for domestic violence in three municipalities of Macedonia (Centar, Dolneni and Krivogastani) whose main goal is the coordination of the police, the centres for social care, the judicial system and all other bodies who work with victims of domestic violence in the municipality to ensure they work with each other quickly and effectively.

No information has been provided on the situation of MM women in Macedonia.

Endnotes

¹ United Nations Demography Yearbook 2008: <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2008%20DYB.pdf>

² Unit for Social Inclusion within Ministry of Labour and Social Policy of Macedonia

³ Association for Emancipation, Solidarity and Equality of Women in the Republic of Macedonia-ESE, Life in a Shadow, Skopje 2007.

⁴ Numbers of the SOS National Mobile Lines: +38970-141700; +38975-141700; +38977-141700.

⁵ The research „Life in a shadow” by the Association ESE was the basis for the preparation of the National strategy, incorporating detailed data about the dark number of the phenomenon and institutional response toward it. Association ESE – Narrative report 2007/2008

⁶ National Action Plan, Ministry of Labour and Social Policy: <http://www.mtsp.gov.mk>, 2008.

⁷ WAVE-network: <http://www.wave-network.org/start.asp?ID=23025>, 2008.

MALTA

(REPUBLIC OF MALTA)

General Country Information

Population: 404,962¹

Female inhabitants:

204,143 = 50.41% of total population

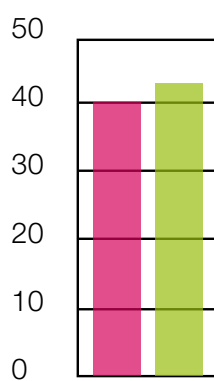
CEDAW ratified: 1991

Optional Protocol of CEDAW ratified: no

Member of Council of Europe: 1965

Member of European Union: 2004

MALTA



No. of Shelters:	4
Rec. No. of Shelter Places:	40
No. of Shelter Places:	43

Facts and Figures

Latest number of femicides: One in 2008²

Latest number of DV cases reported by police:

260 between 1st of January 2008 until 31st of August 2008; 341 in 2007³

Latest number of DV cases reported by women's shelters: From January to June 2008, the Domestic Violence Unit – DVU received 236 referrals and 190 cases were opened. In 2007, DVU received 524 referrals of which 479 cases were opened.⁴


Prevalence of DV: No data available.⁵

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

In Malta there is one national helpline providing 24 hours service for survivors of domestic violence, victims of child abuse and mental health clients. Free-of charge counselling is offered in Maltese and English. The costs for operating the helpline are fully covered by state funding.

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7	Helplines with multi-lingual service	State funding per %
National	1	1	1	1	100%
Regional	0	/	/	/	0%

Women's Shelters

In Malta, there are four women's shelters which provide services in Maltese and English. Some of these also provide services in Italian, Arabic and French. The shelters include one state emergency shelter with a capacity of 15 beds

accommodating women and children, one NGO emergency shelter providing 13 individual rooms for women and their children, one church-run NGO emergency shelter in Gozo with six rooms for women and their children (due to refurbishing it is currently not available), and one second stage shelter consisting of nine individual flats for women and their children. According to Agency Appoggs (the national social welfare agency for children and families in need) all three emergency shelters are operational 24 hours a day. While the state emergency shelter is fully funded by state, the three remaining NGO shelters are partly financed through state funding and partly by the church and other donations. With a total number of 43 women's shelter places, Malta has fulfilled the recommendation of the European Parliament.

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

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
4	43	40	0	3	4

Further Services for women survivors of violence

There are no intervention centres in Malta, however, there is a main State Social Work Agency with a specialised Unit on Domestic Violence. A Central Police Vice Squad deals with cases of severe domestic violence when referred to them by district police or social workers.

National Action Plan

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

Additional Issues

Since the national elections in March 2008, the Commission on Domestic Violence is awaiting confirmation of its members by the Ministry of Social Policy. Although the Commission has continued to work, this work is limited. The commission has three sub-committees which have not met since March 2008. The sub-committees deal with research, service development, and media awareness. As soon as the members become confirmed, these sub-committees will be able to continue their work.

Situation of MM women survivors of violence in Malta⁵

The most serious problems of MM women survivors of violence in Malta include the following:

Women are not empowered to report violence to the police, sometimes as a result of their cultural background. Reporting domestic violence becomes even more difficult when language barriers are present.

Women may find it difficult to get alternative accommodation and/or employment if they decide to leave their husband/partner, especially if they do not have a visa, remained in the country on an expired visa, or do not have refugee or other status based on humanitarian grounds.

MALTA

There are four women's shelters in Malta. One of them is a government shelter and is run by Appogg. At the moment, there are no women's shelters specialised in the issues facing MM women in Malta. However, MM women do have access to the shelters for survivors of violence. Most shelters in Malta receive some funding from the state and some from fundraising activities. Shelters do not receive separate funds specifically allocated for MM women.

1. Access of MM women to women's shelters and other services

MM women have access to shelters regardless of their legal status. Restrictions that apply are the same as those applying to non-MM women. In such cases, where restrictions prohibit a woman's access to shelter, the respective social workers would attempt to find alternative services.

Children of MM women are allowed to stay in women's shelters. However, especially for boys, there are age restrictions. In exceptional cases, the government run shelter and one of the church run centres accept older boys.

If a boy is not accepted in a shelter and has little or no social network to provide a safe place for him, Agency Appogg and the National Social Welfare Agency running the government shelter, explores the possibility of placements with foster parents, in Children's Homes and Youth Hostels (depending on the age of the boys) and assesses availability of social contacts like friends/neighbours of the MM women in order to find a safe place for him.

Native language counselling is not available for MM women. If counselling or therapy is required by MM women and the professionals from the institutions engaged with them do not have the language skills required, the services of interpreters are sought.

The services provided for MM women do not differ from those available to non-MM women and include emotional support, empowerment, practical support regarding social security, employment and housing accommodations as well as social work intervention. These services are provided in Maltese and English, and interpreter services are provided if possible.

There is a national helpline called Supportline 179. This helpline offers bilingual services in the two official languages, Maltese and English.

No official data is available regarding the percentage of MM women accommodated by women's shelters in Malta. However, it is estimated that less than 25 per cent of women accommodated in women's shelters are MM women. There are no MM women employed in women's shelters.

There are other specialised agencies and organisations, such as AWAS (Agency for the Welfare of Asylum Seekers), JRS (Jesuit Refugee Service), and IOM (International Office of Migration, Malta), which focus on the needs of irregular immigrants, but they also refer to the existing mainstream services such as those provided by the National Social Welfare Agency, Appogg. The main organisations providing such services have limited financial resources to cover the number of cultural mediators and interpreters that are needed.

2. Right of residence

A third country national woman married to a Maltese national has the ability to apply for her own residence permit after five years of marriage.

Neither heterosexual partnership/cohabitation nor same sex partnership/cohabitation gives a woman the right to a residence permit.

There are no exceptions for MM women if they experience violence. Only victims of human trafficking are offered temporary residence if they co-operate with the police.

3. Access of MM women to public funds and services

Healthcare services

MM women without documents, residence permit, or with an insecure or temporary residence permit as well as asylum seekers and refugees have access to healthcare services. Since there are no minority ethnic groups such as Roma in Malta, these public funds and services are not applicable to minority ethnic groups.

All of the above categories will have access to the public healthcare system, but those without any form of temporary or refugee statuses may be treated as non-EU citizens/foreigners (unless their country has a reciprocal agreement with Malta) and be expected to pay for services. Access to the private healthcare system is also possible, if MM women can afford to pay for it.

Social benefits

Only asylum seekers and refugees have access to social benefits.

Women survivors of DV are not specially considered for the provision of social benefits. However, if the social worker provides a letter to the department of social security, access to the first benefit payment may be hastened.

Housing programmes

Only asylum seekers and refugees have access to housing programmes. Migrant women who have refugee status have the same rights as Maltese citizens and therefore have access to housing programmes.

Childcare facilities

Migrant women with an insecure or temporary residence permit as well as asylum seekers and refugees have access to childcare facilities.

MM children are given priority due to their double vulnerability. The difficulties are the availability of placements in childcare facilities and currently the insufficient number of these facilities.

Education/training programmes

Migrant women without documents or with an insecure or temporary residence permit as well as asylum seekers and refugees have access to education/training programmes.

Labour market

Migrant women with an insecure or temporary residence permit as well as asylum seekers and refugees have access to the labour market.

Refugees with refugee or humanitarian status have access to the labour market. Those who are in the process of assessment of their asylum application may also have access to the labour market.

There are no existing regulations which give priority of labour market access to survivors of violence.

4. Legal protection of MM women from violence

Legal aid

MM women with refugee status can access mainstream legal aid services which are free of charge. This help is not provided in different languages, but interpreters are utilised if needed.

Endnotes

¹ United Nations Demographic Yearbook 2008 <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2008%20DYB.pdf>

² 1998: 3 women, 1999: 5 women, 2000: 2 women, 2001: 3 women, 2002: 3 women, 2003: 0 woman, 2004: 4 women, 2005: 2 women, 2006: 0 woman, 2007: 1 woman, 2008: 1 woman; From 1998 – 2008: 24 women. Source: Police Incident Reporting System.

³ 1998: 127 cases, 1999: 153 cases, 2000: 159 cases, 2001: 185 cases, 2002: 205 cases, 2003: 268 cases, 2004: 233 cases, 2005: 228 cases, 2006: 268 cases. Figures related to the number of alleged domestic violence reports entered in the P.I.R.S (Police Incident – Monthly Reporting System) throughout all Police districts around Malta and Gozo. These do not include reports that may have been filed solely at specialised branches.

⁴ Every woman who is hosted in the shelter has to make a report at the Domestic Violence Social Work Unit, hence the statistics for the Domestic Violence Social Work Unit, i.e. all the women that asked for social work/shelter help are provided here.

⁵ A prevalence survey is intended to be carried out by the Commission on Domestic Violence soon.

⁶ Information in this section has, unless quoted, been provided by the Agency APPOGG, <http://www.appogg.gov.mt>

MONTENEGRO

General Country Information

Population¹: 620,145

Female inhabitants:

314,920 = 50.78% of total population

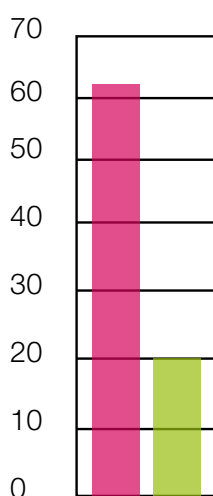
CEDAW ratified: 2006

Optional Protocol of CEDAW ratified: 2006

Member of Council of Europe: 2007

Member of European Union: no

MONTENEGRO



No. of Shelters:

2

Rec. No. of Shelter Places:

62

No. of Shelter Places:

20

Facts and Figures

Latest number of femicides:

According to SOS Hotline Niksic's data, there were seven women murdered in Montenegro in 2009.

Latest number of DV cases reported by police:

According to official data from the Police Department and the Government of Montenegro², in 2009, there were 807 cases considered criminal acts, under the Criminal Code of Montenegro, where injured parties were women and children. Women were the injured party in 669 cases, 82.9 per cent of the total number of cases. Domestic violence was committed in 463 cases, which is 57.4 per cent of the total number of the criminal acts committed against women and children in 2009 in Montenegro. There were 433 women and 30 minors who were injured in acts considered criminal under Article 220 of the Criminal Code of Montenegro.

Article 220, paragraph 4 of the Criminal Code of Montenegro³, provides the sentence of three to 12 years of prison for the crime of murder of a family member, while the criminal act of

Homicide Article 143 and Hard Homicide Article 144 provide the sentence of five to 30 years of prison. Thus, the prosecutors, in cases of domestic violence with fatal consequences, can refer to the Articles 143 and 144 of Criminal Law of Montenegro, instead of the Article 220.

Latest number of DV cases reported by women's shelters:

In 2009 345 persons⁵ sought for help of Safe Women's House Podgorica, and 91 persons⁶ sought the help of SOS Niksic. Also in 2009, 70 persons were accommodated in the shelter of Safe Women's House Podgorica (30 women and 40 children), and 88 persons (36 women and 52 children) in Crisis Center within SOS Niksic.

Prevalence of DV: According to a representative poll of 500 women, every fourth Montenegrin woman claims to be regularly beaten by her husband.

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines


Women survivors of violence can receive help through the phone helplines from the following women's NGOs: SOS Hotline Niksic, SOS Hotline Podgorica and Women's Safe House Podgorica. SOS Hotline Niksic and Women's Safe House Podgorica have phone helplines available 24 hours a day, while the phone helpline of SOS Hotline Podgorica is available from 5 pm to 9 pm. Women survivors of violence have to pay for calls made to helplines of women's NGOs.

The above mentioned women's NGOs provide their clients, in addition to emotional support and representation in institutions, free expert assistance of a psychologist and a lawyer. SOS Hotline Niksic, also provides its clients with free representation before the Court, which is the only service of this kind available to women survivors of violence in Montenegro. SOS Niksic provides services in the language of the majority population (Montenegrin/Serbian/Bosnian/Croatian) as well as in the languages of the minorities (Albanian and Roma language), and also in English.

Protection and prevention of violence against women are priorities for these organisations, and, in addition to the above mentioned services, they conduct public awareness campaigns on the problem of violence against women in addition to research and training for employees in institution. The organisations also lobby for the establishment of new public policies for more effective protection of women survivors of violence.

The women's helplines receives no state funding. They are primarily funded by foreign donors.

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	0	0	0	0	0%
Regional	3	0	2	1	0%


Women's Shelters

There are two shelters for women survivors of violence in Montenegro that are led by women's NGOs: Women's Safe House Podgorica and Crisis Centre within the SOS Hotline for Women and Children Survivors of violence Niksic.

The Crisis Centre for women in Montenegro, led by SOS Niksic, was established in 2009. It provides free accommodation and food for their clients as well as free professional support services: psychological and legal counselling, representation before the Court, mediation with institutions (assistance in finding employment, escort to Court appearances, Police Department, health and social institutions, contacts with Montenegrin ministries, contacts with embassies of other countries, among others).

Safe Women's House Podgorica has faced financial problems since 2009 and therefore provides free accommodation but not food. They also provide free assistance of a psychologist and a lawyer.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
2	20	62	42	2	1

MONTENEGRO

Further Services for women survivors of violence

The Government of Montenegro adopted the Law on Protection from Domestic Violence in July 2010, which in Article 20 refers to the kind of protective measures that can be used against the perpetrator of violence. These include: removal from the home, prohibition of approaching, prohibition of disturbing and stalking, mandatory treatment of addiction, mandatory psychosocial treatment.

National Action Plan

Montenegro does not have a national action plan for Prevention and Protection of Women from Violence. In 2003, the Government of Montenegro adopted the national programme on Violence Prevention (2003–2005), but implementation has been low. The programme did not have clearly defined goals, measures and activities, and there were no visible results. The Government of Montenegro has not taken any steps towards the adoption of a New Action Plan since the expiry of the enforcement of national programme on Violence Prevention (2003–2005).

Situation of MM women survivors of violence in Montenegro²⁶⁹

In 2007, according to the data available to SOS Hotline Niksic, about 5,000 foreigners (0.75% of the population) have legal residence status in Montenegro, similar numbers to 2006. Most are from the Republic of Albania, Bosnia and Herzegovina, Macedonia, Russia, China, Germany, Ukraine, Belarus, and Turkey.⁸ In reality, the above percentage is much higher since the figures from the Strategy did not include displaced persons and refugees who came to Montenegro in the last decade of 20th century due to conflicts in former Yugoslavia (i.e. Croatia, Bosnia and Herzegovina and Kosovo). According to data from 2009, there were 24,235 refugees and displaced persons in Montenegro or four per cent of the country's population. Since the available data is not gender disaggregated, exact number of women migrants and asylum seekers in Montenegro cannot be determined.

Gender disaggregated data is available only in MONSTAT's⁹ Book of Records – 20 – Migrants, as part of the official census of the population, including in 2003. The census book gives a figure of 70,609 migrants who come from Serbia, Bosnia and Herzegovina, Croatia, Macedonia, Slovenia and other countries to Montenegro over the past decades, of that 58.6 per cent or 41,343 were women.

During the same period, 2005-2007, there were approximately 1,500 migrants per year whose entry to Montenegro was denied. See the table below for details.¹⁰

Year	Number of denied entries to Montenegro
2005	1,631
2006	1,485
2007	1,363
Total	4,479

In 2007, there were 1,362 misdemeanour and 342 criminal charges for illegal stay of foreigners in Montenegro¹¹.

According to experience of SOS Hotline Niksic, the most significant problems that MM women survivors of violence face in Montenegro when asking for help are:

- They do not know the language of the majority population and there is a lack of translators at the institutions, where women seek help.

- They do not know their rights and are not always aware of services they could contact for assistance, and women are not able to learn about their rights in a simple and easy way.
- Institutional processes (giving statements to the police, obtaining information from social services, court procedures) are in a language other than the native language of migrants.
- They do not have money to obtain documents.
- They do not receive the social benefits that state institutions provide for citizens of Montenegro.
- They often face complicated bureaucratic procedures to obtain documents.
- As there are few embassies in Montenegro, migrants have to travel to neighbouring countries. Aside from the costs involved, women who do not have a permit to stay in Montenegro are not able to leave the country because they do not have documents.

1. Access of MM women to women's shelters and other services

In general, shelters for women do not discriminate against migrants. This means that every woman survivor of violence has access to accommodation, food and other services that shelters provide for all women in Montenegro. However, the teams that run shelters make decisions regarding each individual woman's access to the shelter in accordance with their current accommodation capacities and resources. In practice, this means that sometimes migrants have more difficult access to some shelters.

In Montenegro, there is not a single shelter specialised for MM women, however, all women, including migrant women have access to the two existing shelters for women survivors of violence and the shelter for victims of trafficking (run by the NGO Montenegrin Women's Lobby). Shelters are also not set up for women with special needs.

Women's shelters are funded exclusively through donations that mostly come from international organisations and foundations. The state does not have funds budgeted to shelters that accommodate MM women.

Only NGO Montenegrin Women's Lobby receives some state funding since 2006 for the government's shelter for victims of human trafficking.

SOS Hotline Niksic's Crisis Centre accommodates women without documents, without residence permit, with temporary residence permit, asylum seekers, refugees and displaced persons and minority women, for instance, Roma women. In accordance with the interest of women and the legal possibilities, the Centre also works to regulate the status of women without documents and to obtain resident permits that would enable them to stay in Montenegro temporarily/permanently or to make sure that they could return to their countries of origin. Women with insecure immigration status are allowed to stay in the Centre until their status and other problems they face, are solved adequately. Their children (girls and boys) are allowed to stay until they turn 18 years of age.

SOS Hotline Niksic provides culturally sensitive services (e.g. appropriate food to meet religious requirements and other needs) to MM women and their children in the Crisis Centre. Multilingual services mostly in Romani, Albanian and sometimes in English are additionally provided. In the Crisis Centre of SOS Hotline Niksic, 25 per cent of women who work with survivors of violence are members of a minority people. They speak Romani and Albanian; 25 per cent are migrants with the status of refugees. The Crisis Centre could improve services for MM women and their children if there are more volunteers who speak native languages of the clients like Russian, German, French among others. This would enable the personnel to understand their needs and problems completely.

In 2009, SOS Hotline Niksic had 26.1 per cent of migrants in the Crisis Centre and there were 142 persons in the government's shelter for victims of human trafficking. It is important to note that not every person who stayed in the shelter was a potential victim of trafficking. Sometimes asylum seekers or undocumented migrants found accommodation in the shelter for humanitarian reasons because they had no alternative place to stay.

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2. Right of residence

Displaced persons who came to Montenegro from the Republic of former Yugoslavia during the conflicts in 1990s, pursuant to the Law on Foreigners¹² of Montenegro, which was adopted at the end of 2008, are entitled to submit an application for status of foreigner with permanent residence. Chapter 3 Permanent Residence, Article 54 says that nationals of states arisen at the territory of SFRJ, who have had a residence in Montenegro before the 3rd of June 2006, have the right to permanent residence, without the need to request submission and without special approval, with the obligation of application submission for the purposes of registration. Permanent residence can be given to a foreigner who resided in Montenegro continuously for the period of five years, for humanitarian reasons or if it is in the interest of Montenegro.

A foreigner to whom permanent residence has been approved, has the right of access to employment, education and professional development, recognition of diploma documents and certificates, social aid, health and pension insurance, tax alleviation, access to market of goods and services, and freedom to association and memberships in organisations that represent interests for workers or employees.

According to Montenegrin Law on Citizenship¹³, chapter on Acquiring Montenegrin Citizenship, Article 11, a person who has been married to a Montenegrin citizen for at least three years and who takes up lawful and uninterrupted residence in Montenegro for at least five years, may be granted Montenegrin citizenship if all conditions of this Law are fulfilled. A woman who fulfils these terms will get a permit to live independently from her partner in Montenegro.

3. Access of MM women to public funds and services

Healthcare services

Women with some kind of residence permit (temporary, asylum/refugee, minority ethnic women) have access to healthcare services in Montenegro.

Nevertheless, sometimes they only have the right to free basic services (i.e. the basic health checkups and services). For additional services, they have to visit private clinics and pay for their services. Migrant women survivors of violence were not considered separately in the healthcare regulations.

SOS Hotline Niksic learned that members of REA minority, who do not have their personal documents, tend to use someone else's health cards for health checkups, which can result in serious consequences. For instance, few pregnant REA women, who did not have documents, gave birth to children, using the health cards of other women as means to avoid having to pay (e.g. cousin, neighbour). As a result, they could not register their children in the birth register. Additionally, since children were not registered with the birth register, the children could not be granted a legal status for the purpose of residence or citizenship and hence, received no personal identification documents.

Social benefits and housing programmes

Only asylum seekers/refugees and minority ethnic women have access to social benefits and housing programmes. They are accommodated in housing facilities built especially to accommodate asylum seekers/refugees and minority ethnic women, or in ethnic refugee camps in Podgorica and Berane.

Minority ethnic women, who hold Montenegrin citizenship, have equal access to programmes of social protection like the majority population of Montenegro. However, the majority of Roma women in Montenegro, whether their place of birth is in Montenegro or not, or if they have a status of refugee or displaced person, face the problem of lack of personal documents (i.e. they are not registered in birth registers and registers of citizens, do not have identity cards) which means they cannot exercise their right to social protection. Reportedly this concerns some 75 per cent of Roma population in Montenegro. Women victims of domestic violence are not considered as a separate group for social benefits or housing programmes.

Childcare facilities

Women with some kind of a residence permit (temporary, asylum/refugee and minority ethnic women) have access to childcare facilities if they also have documents for their children (birth certificate, health certificate) and funds to pay for children's stay on a monthly basis.

Education/training programmes

Migrant women with an insecure or temporary residence permit and asylum seekers/refugees have access to education and training programmes. Also minority ethnic groups with Montenegrin citizenship officially have access to education. However, practice indicates that more than 70 per cent of members of the Roma minority are illiterate due to centuries-long discrimination and exclusion.

Women victims of domestic violence were not separately considered in regulations that refer to educational programmes.

Labour market

Migrant women with insecure or temporary residence permit and asylum seekers/refugees have access to the labour market on terms regulated by the Law on Employment and Work of Foreigners. The Law defines that foreigners can get employment¹⁴ provided that they have a permanent or temporary residence permit, work permit, employment agreement, and evidence that employer has registered the foreigner in accordance with the law. Access to labour for migrants with temporary and uncertain residence permits, asylum applicants and refugees is very difficult.

When it comes to minority ethnic persons, the Constitution of Montenegro (Article 8), chapter on Prohibition of Discrimination states that "Direct or indirect discrimination on any grounds shall be prohibited". The Law on Labour, Article 5, forbids discrimination and states that "Job seekers and employees shall not be discriminated directly or indirectly, regardless of their sex, birth, language, race, religion, colour, age, pregnancy, health, disability, nationality, marital status, family, sexual orientation, political or other orientation, social background, property, membership in political and/or trade unions or other individual attributes."

As the Roma are the most marginalised community in Montenegro, the Government of Montenegro has adopted two very important national strategic documents: Action Plan – Decade of Roma Inclusion 2005-2015 and Strategy for Improvement of Position of Roma Minority in Montenegro 2008-2012. Both documents recognise employment as the top priority. However the implementation of these documents is extremely slow and positive changes are few: below 20% of Roma in Montenegro are employed. Generally, Roma work in low-paid jobs that majority of the country's population refuses to do (e.g. collecting garbage).

Current legislation that regulates employment of foreigners in Montenegro contains a segment which defines groups of foreigners who can be employed under easier conditions. The groups do not recognise migrant women.¹⁵

4. Informing MM women of their rights and available services

Testimonials of migrant women¹⁶ who turned to SOS Hotline Niksic for help show that they never received information materials to read about legal protection or services for women in Montenegro. Experience of SOS Hotline Niksic shows that migrants who needed their help got information in other ways (e.g. local taxi services, police, neighbours). Based on the collected data and knowledge of SOS Hotline Niksic, there were no campaigns in Montenegro that targeted only migrant women survivors of violence.

5. Legal protection of MM women from violence

In July 2010, the Government of Montenegro adopted the Law on Protection from Domestic Violence, which in Article 20 refers to the kind of protection orders for victims or measures that can be used against the perpetrator of violence. This includes removal of the perpetrator from the home, prohibition of approaching, prohibition of disturbing and stalking, mandatory treatment of a perpetrator for addiction, mandatory psychosocial treatment of a perpetrator.

MONTENEGRO

The Criminal Code of Montenegro defines criminal offences. Article 220 Domestic Violence to the Code defines domestic violence¹⁷ as:

(1) Anyone who by use of violence or by an impudent or arrogant behaviour endangers peace, physical integrity or mental condition of a member of his family or family community shall be sentenced to a fine or imprisonment not exceeding one year.

(2) If for the commission of an act referred to in Paragraph 1 of this Article any weapons, dangerous tools or other means suitable for inflicting heavy bodily injuries or for seriously impairing health are used, the perpetrator shall be sentenced to imprisonment of three months to three years.

(3) If, due to acts referred to in Paragraphs 1 and 2 of this Article, a heavy bodily injury is inflicted or health is seriously impaired or if such acts have been done to a minor, the perpetrator shall be sentenced to imprisonment of one to five years.

(4) If by acts referred to in Paragraphs 1, 2 and 3 of this Article, a death of a member of a family or a family unit has been caused, the perpetrator shall be sentenced to imprisonment of three to twelve years.

The Bill on Protection from Domestic Violence is in progress in the Parliament of Montenegro. The Bill aims to address domestic violence problems in a comprehensive and more effective way.

In 2009, the Police Directorate of Montenegro pressed 669 criminal charges, where injured parties were adult women.¹⁸ Majority of these charges (433 or 64.7%) were under Article 220 of Criminal Code – Domestic Violence.

The experience of SOS Hotline Niksic show that the police base the cases of domestic violence solely on statements of victims and gather no further evidence for this type of criminal offence. Gathering of evidence in cases of violence against migrant women is also based on the above principle and that results in lower chances to achieve convictions.

SOS Hotline Niksic has positive experience from cooperation with the Police Directorate – Department for Foreigners in the process of solving cases of migrant woman survivors of violence. The cooperation between the SOS Hotline Niksic and Police Directorate- Department for Foreigners is very fair and constructive, where partner-like cooperation was developed for the best interest of migrant women.

According to SOS Niksic, courts mostly issue releasing decisions or minor sentences – monetary or probation fines, for the criminal act of DV. As the new Law on Protection against Domestic Violence has only recently been put into force, it is not possible to estimate the work of the authorities for minor offenses yet. As of yet, available data do not contain information on the number of MM women survivors of violence.

Legal aid

There are no free legal aid services in Montenegro. The Bill on free legal aid that should regulate this service area is in progress in the Parliament.

The Office for Migration under the Ministry of Interior provides information about migrants, visas and re-admission. NGO Pravna Pomoc, in partnership with the UNHCR, gives free legal aid to refugees, displaced persons, asylum seekers and persons who face the risk of not receiving citizenship in Montenegro.¹⁹

NGOs that work on protection of women from violence in Montenegro provide free legal aid, too. In some cases the legal aid is available in Albanian, Romani and English.

6. Policy measures and statistics

There is no governmental action plan on VAW but the Government of Montenegro adopted the National Strategy to Fight Trafficking in Human Beings.²⁰ In January 2010, the Government adopted the Action Plan for implementation of the above strategy for the period 2010-2011.²¹

There is a strong need for specific measures to combat forced marriages and violence against women in the “name of honour”, but it is still not recognised as needed in Montenegro.

Endnotes

- ¹ United Nations Demographic Yearbook 2008 <http://unstats.un.org/unsd/demographic/products/dyb/dybssets/2008%20DYB.pdf>
- ² Letter of Police Department in the Government of Montenegro – Department for Planning, Development and Analysis, SOS telefona Niksic's Archive, April 2010. http://www.upravapolicije.com/crna-gora-uprava-policije-criminal-code_54_8_16.html
- ³ <http://www.sosnk.org>
- ⁴ Source: Letter of Safe Women's House Podgorica, September 2010, SOS Niksic's Archive
- ⁵ Source: Statistics Report of SOS Hotline Niksic, SOS Niksic's Archive
- ⁶ Information in this section has unless quoted otherwise been provided by SOS Hotline for Women and Children Survivors of violence Niksic, <http://www.sosnk.org>
- ⁷ Strategy for integrated migration management in Montenegro, Government of Montenegro, Ministry of Interior and Public Administration, http://www.google.com/search?q=broj+migranata+u+cmoj+gori+2009+godine&hl=en&rlz=1G1GGLQ_ENUS350&start=20&sa=N (Strategy for migrants)
- ⁸ MONSTAT – Statistical Office of Montenegro
- ⁹ Source, Strategy for integrated migration management in Montenegro, Government of Montenegro, Ministry of Interior and Public Administration http://www.google.com/search?q=broj+migranata+u+cmoj+gori+2009+godine&hl=en&rlz=1G1GGLQ_ENUS350&start=20&sa=N (Strategy for migrants)
- ¹⁰ <http://www.sezonskizaposli.me/download/Zakon%20o%20strancima.pdf>
- ¹¹ Source, http://www.google.com/search?source=ig&hl=en&rlz=1G1GGLQ_ENUS350&q=zakon+o+crnogorskom+drzavljanstvu+&btnG=Google+Search&aq=f&aqi=&aql=&oq=&gs_rfai=Asylum law of Montenegro, Archives of SOS Hotline for women and children domestic violence victims Niksic
- ¹² Official Gazette of Montenegro 22/08
- ¹³ IOM Informator: <http://www.migrant-servicecentres.org/userfile/Zemlja%20odredista%20Crna%20Gora-informator.pdf>
- ¹⁴ Source, Archives of SOS Hotline for women and children domestic violence victims Niksic
- ¹⁵ Source, http://www.upravapolicije.com/crna-gora-uprava-policije-krivicni-zakonik_54_8_16.html
- ¹⁶ Source, Archives of SOS Hotline for women and children domestic violence victims Niksic, April 2010
- ¹⁷ Source, Informator – Crna Gora, IOM, 2009, link <http://www.migrant-servicecentres.org/userfile/Zemlja%20odredista%20Crna%20Gora-informator.pdf>
- ¹⁸ <http://www.antitrafficking.gov.me/en/sections/national-strategy>
- ¹⁹ <http://www.antitrafficking.gov.me/en/sections/action-plan>

NETHERLANDS

(KINGDOM OF THE NETHERLANDS)

General Country Information

Population: 16,105,285¹

Female inhabitants:

8,133,318 = 50.50% of total population

CEDAW ratified:

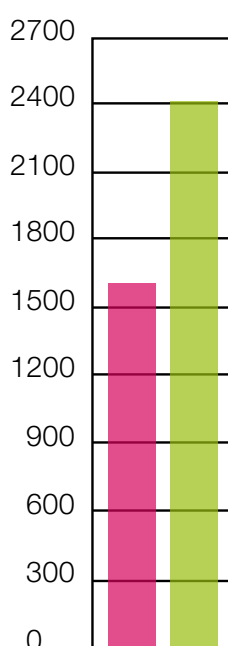
1991; 5th report was to be submitted in 2008.²

Optional Protocol of CEDAW ratified: 2002

Member of Council of Europe: 1949

Member of European Union: 1957

NETHERLANDS



No. of Shelters: 100

Rec. No. of Shelter Places: 1,611

No. of Shelter Places: 2,430

Facts and Figures

Latest number of femicides:

An estimated 60 to 80 women were murdered.

Latest number of DV cases reported by police: 63,131 cases reported in 2006 and 63,841 cases reported in 2008

Latest number of DV cases reported by women's shelters: 16,685 in 2007.³

Prevalence of DV: According to the Ministry of Social Affairs and Employment, an estimated 200,000 women in the Netherlands are abused by their partners or ex-partners each year. According to WAVE focal point MOVISIE⁴, the total number of victims of domestic violence is approximately 500,000. 82 per cent, 410,000 of them, are women.


SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

The first national women's helpline SHG - Support Centres for Domestic Violence was established in 2004. These SHG's are linked to the phone number 46 43 of central municipalities in Holland and are also financed by them.

Due to the large variety of helplines available in the Netherlands, it is difficult to estimate how many women - only helplines there are. Some of the helplines only serve survivors of violence while others target survivors and witnesses of violence in general. Most helplines are available 24 hours a day. Multilingual counselling is only offered by some organisations, usually in Arabic, Turkish, and English. Besides telephone counselling, most helplines can also be contacted by email or via help chat. All Dutch helplines are 100 per cent state funded – 60 per cent on the national level and 40 per cent by municipalities. However, clients are charged the standard phone costs when accessing the service.

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	1	/	/	/	/
Regional	38	0	most	some	100%

Women's Shelters

In the Netherlands, there are about 32 organisations operating several shelters in approximately 100 different locations. They are organised through the umbrella organisation for women's shelters and the WAVE focal point Federatie Opvang - the Federation of Shelter Organisations,⁵ which was set up in 2001. About 2,430 (2,391 in 2007) places⁶ are available for women survivors of violence and their children. The Netherlands therefore fulfils the recommendations of the European Parliament according to the number of family shelter places recommended per number of inhabitants. Multilingual service is provided in cooperation with interpreters 24 hours a day. All women's shelters are 100 per cent funded by the state, receiving financial support from the Ministry of Health and Social Welfare as well as from municipalities.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
100	2,430	1,611	0	100	100

Further Services for women survivors of violence:

There are 38 SHG Support Centres for Domestic Violence in the Netherlands which are comparable to intervention centres. SHGs are the first contact point for women affected by domestic violence, but also for professionals, witnesses and others who want to obtain information about violence against women. Together they form a network of organisations connecting all services providing help to women affected by violence.

National Action Plan

The government has introduced a new Action Plan on Combating Domestic Violence for 2008-2011 which includes the expertise of NGOs and other organisations working in the field of violence against women. It is a follow up to the existing programme⁷, called De Volgende Fase, meaning The Next Phase.

Situation of MM women survivors of violence in Netherlands⁸

19.2 per cent of the migrant population is women, half of whom come from western countries.⁹ The most significant problems of MM women survivors of violence in Netherlands are the following:

- Dependency on others, such as husbands, for a residence permit.
- Language difficulties and cultural differences.
- Low social and economic status.
- Insecure future if they do not have a permanent residence permit.
- Fewer rights for housing and employment.

NETHERLANDS

The legal situation of MM women is very complex. As a consequence, employees in shelters often find it difficult to give appropriate advice. If they do not get legal aid, however, MM women are often denied the rights they are entitled to. Another crucial issue is integration. Although there are programmes targeting migrants, survivors of violence tend not to participate due to language barriers.

1. Access of MM women to women's shelters and other services

50 per cent of women accommodated by women's shelters are MM women. A positive aspect of the Dutch legal system is that it allows shelters to accommodate all survivors of violence, regardless of whether they have a residence permit or not. This means that there are no specific restrictions for migrant women. There are two pilot shelters specifically targeting MM women as well as victims of "honour related violence" and one shelter serving Muslim women.

All women's shelters receive the same funding. In theory the women's shelters receive the same amount for migrant women as for Dutch women. Children can also stay without restrictions. The women's shelters generally provide interpreters for both phone and face-to-face conversations.

2. Right of residence

MM women have to stay a minimum of three years in a relationship/marriage in order to get an independent residence permit. The same pertains to heterosexual partnership/cohabitation and same sex partnership/cohabitation.

Women survivors of violence who leave their husband within the first three years of their marriage may apply for an independent residence permit.

3. Access of MM women to public funds and services

Social benefits

All groups have access to social benefits once they have applied for a residence permit.

Housing programmes

Only minority ethnic groups have access to the housing programmes in the Netherlands.

Education/training programmes

Migrant women with an insecure or temporary residence permit and minority ethnic women have access to education/training programmes in Netherlands.

Labour market

Individuals with an insecure or temporary residence permit as well as minority ethnic persons have access to labour market in Netherlands.

4. Legal protection of MM women against violence

Survivors of violence may apply for a restraining order.

Endnotes

¹ United Nations Demographic Yearbook 2008 <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2008%20DYB.pdf>

² Nr.4 dutch: Monitor Uitvoering van de Concluding Comments CEDAW (2008): http://www.aimforhumanrights.nl/fileadmin/user_upload/pdf/02-07-08_monitor_CEDAW.doc, 2008.

³ Tweede Kamer 29325 nr. 33 ; Brief van de staatssecretaris van Volksgezondheid, Welzijn En Sport <https://zoek.officielebekendmakingen.nl/kst-29325-33.pdf>

⁴ <http://www.movisie.nl> (2010)

⁵ <http://www.opvang.nl> (2010)

⁶ idem

⁷ National Action Plan: Domestic Violence, August 2008/F&A 8840 – Feiten en Achtergronden, The Dutch Ministry of Justice: http://english.justitie.nl/images/HUISELIJK%20GEWELD%20ENGELS%208840_tcm35-14187.pdf, 2008.

⁸ Information in this section has, unless quoted, been provided by Federatie Opvang, <http://www.opvang.nl>

⁹ (according to CBS in 2007)

NORWAY

(KINGDOM OF NORWAY)

General Country Information

Population¹: 4,520,947

Female inhabitants:

2,280,666 = 50.44% of total amount

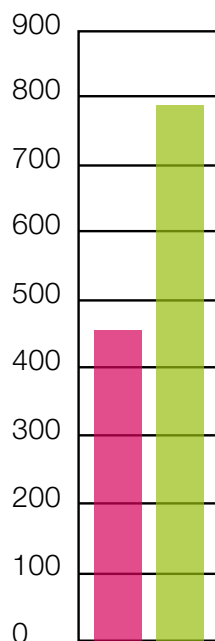
CEDAW ratified: 1981

Optional Protocol of CEDAW

ratified: 2002

Member of Council of Europe: 1949

Member of European Union: no



No. of Shelters: 50

Rec. No. of Shelter Places: 452

No. of Shelter Places: 788

Facts and Figures

Latest number of femicides:

Data differs on the number of murders of women, but estimated 6 to 12 women have been killed in 2010.

Latest number of DV cases reported by police: No data available.

Latest number of DV cases reported by women's shelters: In Norway no comprehensive statistical data collection on a national level has been undertaken thus far. Furthermore, many female survivors of domestic violence in shelters (63%) do not want to report their cases.

Prevalence of DV: One in four Norwegian women is likely to experience domestic violence.

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

Norway has a national helpline for victims of crime since the 1st of September 2008. The helpline is operated between 10 am – 8 pm and is free of charge from a landline (not from a cell phone). Most shelters operate a 24 hour telephone line free of charge, providing multilingual counselling to women affected by violence.

In addition, approximately 45 regional helplines for female victims exist in Norway and almost all offer multilingual services.

Table of Women's HELPLINES:

	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	1	1	/	/	100%
Regional	45	45	most	45	no data

Women's Shelters

The first Norwegian women's shelter was opened in 1968. Since then 50 more women's shelters with a total capacity of 788 places have been established for women survivors of violence and their children. Therefore, Norway fulfils the recommendations by the European Parliament on the number of shelter places needed. According to WAVE focal point Krisesentersekretariatet - The Secretariat of the Shelter Movement,² the number of women searching for help in a shelter is still increasing. More shelter places are needed to administer appropriate help to all of them. Multilingual counselling is provided by every shelter. Most women's shelters can be contacted 24 hours a day all year round. All Norwegian women's shelters receive 100 per cent of their funding from the state. Beginning with 2011, the shelters will be financed through the municipalities.

Crisis Centre Services (Crisis Centre Act)

The Act relating to Municipal Crisis Centre Services (Crisis Centre Act) was entered into force on the 1st of January 2010. The purpose of the Crises Centre Act is to ensure the provision of a good, comprehensive crisis centre services for women, men and children who are subjected to domestic violence or threats of such violence. The municipality shall ensure the provision of crisis centre services that may be used by persons subjected to domestic violence or threats of such violence, and who need counselling or safe, temporary accommodation. Individuals may contact the crisis centre service without a referral or an appointment.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
50	788	452	0	50	50

Further Services for women survivors of violence

In 2010, each police department had a domestic violence expert coordinator who organised a cooperation between different professionals involved in cases of domestic violence.

National Action Plan

In 2000, the third Norwegian government's Plan of Action to Combat Domestic Violence (2007-2009)³ was developed in cooperation with NGOs such as WAVE focal point Krisesentersekretariatet. NGOs provided research results on violence against women and also organised an informal platform of action.

Additional Issues

Although many services are available for women affected by domestic violence, the number of women requiring shelter accommodations is still increasing. In the future, more efforts need to be put into prevention work.

In 2010, a new law was implemented (Krisesenterloven). The municipalities now have a statutory responsibility for offering a shelter to women, men and children exposed to violence in close relationships. Some municipalities, in cooperation with some of the shelters, have started to co-locate shelters for both women and men to meet the requirements of the law. However, some municipalities have solved it in a different matter, focusing on the safety, quality and gender aspects of the already existing shelters for women and their children.

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According to the Act of Shelter Service implemented as of the 1st of January 2010, the government stated that women's shelter services should be made available to everyone in Norway. The main aim of the government is to ensure assistance and protection to all persons exposed to domestic violence and threats of domestic violence.

The Ministry of Children and Equality has proposed new legislation which involves the introduction of a statutory municipal duty to provide shelter services for its population. It is proposed that it should be a statutory duty for local authorities to provide the following services to victims of domestic violence:

- 24 hour telephone helpline providing information, advice and assistance.
- Shelter or equivalent safe, temporary accommodation including support and assistance.
- Day services including support and assistance.
- Information about statutory rights to assistance and, if necessary, practical help in contacting relevant agencies.
- Assistance during the re-establishment phase.
- Coordinating different services and working out an individual plan based on the needs of the victim.
- Qualified interpreter services.

The proposed legislation suggests that local authorities will be obligated to give special attention to the needs of children. Children who experience domestic violence are particularly vulnerable and have an independent right to help and protection. It is a matter of urgency to ensure that staff in the support services is well qualified and that shelters, police, the child welfare service and the health service have the necessary procedures in place for cooperation, ensuring that children exposed to domestic violence receive the help they need.

It is proposed that the shelters should continue to be free of charge, and easily accessible. Although the municipal government would be responsible for providing access to services to all victims, a shelter may refuse providing shelter if the survivor of violence is deemed as dangerous to others living in the shelter or is in need of assistance which cannot be provided by the shelter. It is then the shelter's duty to refer the person to the relevant municipal body.

The proposed legislation also includes an obligation for staff at the shelters to maintain client confidentiality and a duty to disclose information to the child welfare authorities in relevant cases. Furthermore, it is proposed that staff at the shelters should have a certificate of good conduct from the police. To ensure that the service meets the required quality and that local authorities implement the law in line with the government's intentions, a system of inspection and supervision of the service by the county governor is proposed.

An issue of concern in Norway is the significantly large number of migrant women seeking help in women's shelters. In 2006, 50 per cent of all women accommodated in Norwegian shelters were migrants. Many of them are married to Norwegian men.

Also of concern is the financial situation of women affected by violence. About 48 per cent of women living in shelters were forbidden by their partners to work. A strong connection between violence against women and economic dependency on their husbands is recognised.

Situation of MM women survivors of violence in Norway⁴

There are 302,977 migrants in Norway, of which 142,601 are women. The most significant problems facing MM women survivors of violence in Norway are:

- Violence against women living in asylums
- Human trafficking in women
- Forced marriage
- Genital mutilation
- Rape

There are 50 women shelters in Norway (as of January 2010). 35 of the shelters are organised under the Secretariat of the Shelter Movement and 13 are organised under the Norwegian Shelter League (NOK).

The shelters are low threshold which means they are integrated services for both ethnic Norwegian and MM women and their children. However, the shelter for women in Oslo provides special support for MM women who are victims of forced marriage.

Bokollektivet is a shelter providing support for the women who are in danger of being, or have been forced into an unwanted marriage. Their needs include:

- Safe place to live.
- Protection from violence and threats of violence.
- Advice and support.
- Information about their rights and opportunities.
- Confidence of security.
- Help with starting a new life, including accessing educational institutions, work and housing accommodations.
- Knowledge on Norwegian society.
- Connecting with others in similar situations.

The organisation has experience working with people from various cultural backgrounds. In addition, there is an organisation called MiRA Resource Center for Immigrant and Refugee Women providing culturally sensitive services.

Evaluations show that many women survivors of violence with minority ethnic backgrounds require more assistance than the average woman with an ethnic Norwegian background. Minority ethnic women often need help with integrating into Norwegian society, finding out about their rights and duties, getting practical assistance with daily tasks and accessing the support system and for assistance in establishing social networks. Several women's shelter have, therefore adapted their own measures for clients with minority ethnic backgrounds.

A major challenge is that a growing number of clients at the shelters have not mastered the Norwegian language. The ability to communicate is detrimental in getting the right help.

The statistics further show that women with minority ethnic backgrounds, on average, stay longer in the shelters than do ethnic Norwegian women, due to the lack of alternative places to stay. To find a more permanent place to stay is especially challenging for victims of human trafficking and their children.

The municipality's service to help the disadvantaged in obtaining housing is required by the Social Services Act. The Act, as well as other municipality law, requires that information available on housing is adapted to the language needs of all residents.

1. Access of MM women to women's shelters and other services

Migrant women and minorities, exposed to any type of violence have access to shelters in Norway. Women with substance abuse or psychiatric problems can be denied access to the shelters; otherwise the municipalities have a statutory responsibility to offer shelter to migrants and minorities. Children of MM women have access to shelters if they are under 18 years old. Around 50 to 75 per cent of the women accommodated in women's shelters are MM women.

Unfortunately, there are not any culturally sensitive services available to both MM women and their children.⁵

Although, the issues of migrant women have received focus, in order to provide better services for MM women, more interpreters should be hired and staff competence improved through additional training, helping staff to better deal with MM women and their children. Minimum standard for support services in combating violence against women should be ensured in every shelter in Norway.

There are approximately 45 helplines in Norway.⁶ The national helpline provides help in Arabic, English, Russian, Thai, Urdu, Bulgarian, Norwegian, Samish and Turkish. There is also a hotline operated by the Red Cross for forced marriage and genital mutilation.⁷

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2. Right of residence

MM women have to stay for three years in a relationship/marriage in order to get an independent residence permit.⁸

Both heterosexual partnership/cohabitation⁹ and same sex partnership/cohabitation¹⁰ provides a woman with the right to apply for a residence permit.

3. Access of MM women to public funds and services

Labour market

Only minority ethnic women have access to the labour market in Norway.

Otherwise, one must possess a Norwegian personal identity number or a Norwegian work permit. The personal identity number is given when residence permit is granted.

5. Legal protection of MM women from violence

There is a protection order available to women survivors of violence in Norway. There were 1,059 protection orders issued and 1,636 persons received security alarms in 2008.

Civil law protection orders have in several cases proven to be an effective protection for women who are subjected to violence and threats of violence. But since its introduction the present implementation has never been evaluated. There are no statistics available on how many civil law protection orders have been issued, or how many cases of violence against women have been reported.

According to police statistics, there were 1,059 violations of civil law protection orders in 2008. This is an increase of 12.7 per cent from 940 in 2007. The number of people who were assigned violence alarms was 1,636 in 2008 in comparison to 1,370 the year before.

The violence alarms are a type of an electronic device worn by the perpetrator that triggers an alarm to the police as soon as it is determined that the perpetrator has moved into a zone he is prohibited from accessing. The police can then follow the person on an electronic map, and make an arrest before he reaches the victim.

Legal aid

There is legal aid provided for MM women,¹¹ typically in Arabic, English, Russian, Thai, Urdu, Bulgarian, Norwegian, Samish and Turkish.

6. Policy measures and statistics

The statistics on violence against women in 2008 is as follows:

Rapes

According to Statistics Norway 2009, 944 rapes and 118 attempted rapes were reported in 2008. In 2008, 250 rape accusations were fully investigated. Not all reported rapes are investigated or if investigated, not all end in prosecution of the alleged offender.

Murders

In 2008, 10 women were killed in Norway. Six of the killings were committed by a spouse, former spouse or former cohabitant. Since 2000, a total of 152 women were killed. 72 of the women (47%) were killed by men they had had a close relationship with.

Domestic violence

The number of cases of family violence reported to police has increased from 891 cases in 2007 to 1,406 cases in 2008. The increase is related to a change in the way the police records these cases, which has resulted in them identifying more abuse cases now than before.

A violence poll called Week of Violence in Close Relationships provides a picture of violent conduct using a randomly chosen week. The statistics were compiled by the Justice Department in 2008. The purpose is also to give a picture of the work of the Justice Department with violence in the family.

1,357 inquiries were registered during the measurement week in which a total 1,380 people were exposed to violence. One inquiry may include a number of people exposed to violence. 1,103 were girls or women (80%). For 898 of the women the violence took place in their own home. The perpetrator was usually a man aged 26 to 59 years.

Violence towards women in the asylum

In 2006, 60 cases of violence against women living in asylums were registered.

Women in the asylums are exposed to harassment and sexual assault by men outside the family, as well as to violence in the family. Many who are experiencing violence are not aware of their rights in Norway and where they can seek help.

Human trafficking

Prostitution has been prohibited by law since the 1st of January 2009. Penalties for engaging in prostitution include fines or imprisonment of up to six months.¹² Human trafficking is highly linked to prostitution.

Norway is obliged by the UN's Palermo Protocol of 2000 to prevent, combat and punish all trafficking in people, with particular emphasis on women and children. The government's Stoltenberg Action Plan against Human Trafficking (2006-2009) contains a total of 37 measures to stop human trafficking and to provide victims of trafficking with assistance and protection. As part of this action plan the ROSA project was created in 2005 to coordinate the dissemination of assistance to victims of trafficking. ROSA is the acronym for resettlement, living spaces, security and assistance. The main task of the ROSA project is to find housing for women in crisis centres and provide women with information about the assistance available. In 2008, ROSA received 113 requests (90 in 2007). Of these 44 women took up the offer of safe residence. Over 90 per cent of women were from Nigeria. In the first half of 2009, ROSA received 67 inquiries, of which 22 women were offered residency.

Genital mutilation

World Health Organisation (WHO) estimates that three million African girls annually risk being subjected to genital mutilation. Moreover, WHO estimates that world-wide between 100 and 140 million girls and women are living with the consequences of female genital mutilation. The report Genital Mutilation in Norway, ISF-Report 2008 concluded that in Norway, a total of 15 cases of female genital mutilation were discovered in 2006 and 2007. Institute for Social Research (ISF) pointed out that the figure is low compared to the size of the current risk group. ISF concluded that awareness, knowledge about health and anatomy, mobilisation of communities, education, theological expertise and the efficient use of law are all effective methods of fighting against female genital mutilation.

In November 2008, the Minister of Children and Equality and the Minister of Health and Human Services launched new measures against female genital mutilation. One of the measures is to provide pelvic examinations to all girls and women from backgrounds, where the incidence of female genital mutilation is 30 percent or more. This medical examination will be offered to all female immigrants in Norway. The assessment will be carried out by a competent physician and offered to women within one year after their arrival. Children who are immigrants will be offered the assessment through health services at school. During the first half of 2009, the Red Cross received 279 telephone inquiries about forced marriages and genital mutilation. 15 of these applied to genital mutilation. In 2008, there were a total of 581 inquiries, 16 of them were related to genital mutilation. The new guidelines from the National Police Directorate came into force in June 2010, allowing authorities to confiscate the passports of parents who plan to take the children abroad for the purpose of genital mutilation.

Forced marriages

Forced marriage has been prohibited in Norway since 2003. The penalties for forced marriage include imprisonment for up to six years. Complicity is also equally punishable. The government's Action Plan against Forced Marriages (2008-2011) contains 40 initiatives focused on prevention and protection of those exposed to forced marriage. In developing the measures, there was particular emphasis on the role of schools, the Foreign Service missions, the need for safe habitation and strengthened public engagement and understanding. In all eight ministries are involved in the work of the action plan. Institute for Social Research

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(ISF) has been commissioned by the Ministry of Children and Equality to evaluate the work. One of the government's measures against forced marriages is the introduction of compulsory interviews in some cases of family reunification. The measure is limited to include only those living in Norway who are under 25 years of age at the time of marriage, and only if the spouse is a citizen of a country, visa is required for entry into Norway. The aim of the measure is that people who may be subjected to forced marriage come into contact with immigration authorities through an interview process.

There is a governmental action plan on VAW in Norway.¹³

Measures:

- *Security alarms* - In 1997, a project was launched to equip all women in Norway who experience violence or were at some point threatened by their husbands, ex-husbands, ex-common law husbands or live-in boyfriends, with security alarms. While the first alarms could only be used in the home, alarms currently in use are part of a mobile system based on the global positioning system. The alarm project, developed by the police, became a permanent programme as of 1999, and is fully financed by the State.
- *Police coordinators* - To help police in their efforts to combat domestic violence, the position of family violence coordinator was established in every police district in Norway as of July 2002. The coordinators have undergone special training and a locally adapted handbook has been developed to guide their work.
- *Competence Centre for Aid to Survivors of violence* - A competence centre with government funding was established in 1996. Its mandate was to disseminate information on violence among professionals and to provide education and strengthen competence in the field. Since 2004, the centre has become a permanent part of a new National Centre of Competence on Violence and Traumatic Stress, established in January 2004.
- *Commission on Violence against Women* - In August 2001, the Norwegian government established a Commission on Violence against Women. The commission submitted its final report in December 2003. According to its terms of reference, the final report from the commission contains an overview of issues relating to violence against women, proposals concerning the legal system, social services, women's shelters and health care. In addition, the commission addressed the issue of children as witnesses to violence.
- In 2007, the government carried out a pilot project concerning the use of satellite tracking technology (GPS) to monitor offenders violating restraining orders

Similar projects have been carried out in Spain, USA and Great Britain. The government has a specific policy on specific forms of violence such as forced marriage, so called "honour related crimes," female genital mutilation and trafficking in women.¹⁴

In connection with the implementation of the Action Plan against Human Trafficking (2006-2009) and Action Plan against Forced Marriages (2008-2011), various solutions for creating alternative places to stay for persons exposed to forced marriage and trafficking were considered. Provision for young people over 18 who are exposed to or are threatened with forced marriage include, in addition to shelters, ten apartments in four municipalities, and there is also a collective place to stay with five places available. The Government is working on establishing twenty more places for this group. For persons exposed to human trafficking, a place to stay with five available places has been set up.

Endnotes

- ¹ United Nations Demographic Yearbook 2008 <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2008%20DYB.pdf>
- ² <http://www.krisesenter.com> (2010)
- ³ Norwegian Government's Plan of Action to Combat Domestic Violence 2007 – 2009, Norwegian Government: http://www.regjeringen.no/nb/dep/jd/dok/lover_regler/reglement/2004/Action-Plan-to-Combat-Domestic-Violence.html?id=272366, 2008.
- ⁴ Information in this section has unless quoted otherwise been provided by the The Secretariat of the Shelter Movement, <http://www.krisesenter.com/english/english.html>
- ⁵ <http://www.nyinorge.no/en/New-in-Norway/>
- ⁶ <http://www.krisesenter.com/materiell/pdf/VoldsbrochureEngelsk.pdf>
- ⁷ <http://www.krisesenter.com/hjelp/kontakt-for-hjelp.html>
- ⁸ <http://www.redcross.no>
- ⁹ <http://www.krisesenter.com/materiell/pdf/VoldsbrochureEngelsk.pdf>
- ¹⁰ <http://www.udi.no/Norwegian-Directorate-of-Immigration/Oversiktsider/The-new-Immigration-Act-and-Immigration-Regulations/>
- ¹¹ <http://www.udi.no/Norwegian-Directorate-of-Immigration/Central-topics/Family-immigration/>
- ¹² <http://www.krisesenter.com/materiell/pdf/VoldsbrochureEngelsk.pdf>
- ¹³ Ministry of Justice
- ¹⁴ National Police Directorate, 2009
- ¹⁵ http://www.regjeringen.no/upload/JD/Vedlegg/Handlingsplaner/Vendepunkt_eng.pdf
- ¹⁶ <http://www.regjeringen.no/en/dep/jd/Subjects/kriminalitetsbekjempelse/domestic-violence.html?id=447110>

POLAND

(REPUBLIC OF POLAND)

General Country Information

Population¹: 38,230,080

Female inhabitants:

19,713,677 = 51.57% of total population

CEDAW ratified: 1980

Optional Protocol of CEDAW ratified: 2003

Member of Council of Europe: 1991

Member of European Union: 2004

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Facts and Figures

Latest number of femicides: According to police statistics, over one third of homicide cases are related to domestic conflicts.

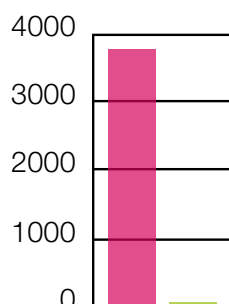
Latest number of DV cases reported by police:

There were 132,796 DV cases reported in 2009, 79,811 of which were women.² This data is, however, not reliable as it only covers cases which had been registered in the blue card system by the police, and according to the National Police Headquarters, only 15-17 per cent of all interventions are registered on this system.

Latest number of DV cases reported by women's shelters:

No data available.

Prevalence of DV: According to the Public Opinion Poll Survey from February 2009, 33 per cent of all women acknowledge that they know at least one woman who has been beaten by her partner at some point in her life. 11 per cent of all women acknowledge that they have been beaten at least once by their husbands.



No. of Shelters: 1

Rec. No. of Shelter Places: 3,823

No. of Shelter Places: 26

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

In Poland, there are no national helplines only for women survivors of violence.

But a general national domestic violence helpline was founded in 1995 and ever since its operation has been delegated by the Governmental Anti Alcoholism Agency to the Blue Line Association, a gender-neutral NGO running programmes for survivors of violence and perpetrators in the same place. The number is 0-801-120-002. Due to the limited financial resources, this hotline is neither available 24 hours nor does it offer multilingual service. The phone call is not completely free of charge as clients have to pay for the first connection. Many other organisations run their own local hotlines, most of which are gender-neutral. Only a few are run by women's NGOs but none of them are free of charge and the availability is limited. There is no government funding for helplines.

Some of the local hotlines presented in various governmental reports as hotlines for survivors of domestic violence are in fact for survivors of a variety of crimes.

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	0	0	0	0	/
Regional	no data	0	no data	no data	no data

Women's Shelters

In Poland, the shelter in Warsaw run by the Women's Rights Centre (WRC) is the only women's shelter run for women by women. Additionally, there is a shelter for victims of trafficking run by La Strada. While La Strada used to be considered a women's organisation some years ago, it has changed its mission and now helps victims of trafficking, both men and women. In regard to shelters specialised in assisting victims of domestic violence, there are 36 so-called Specialised Centres for Survivors of violence (official name for services established under the Domestic Violence Law (SOW). The shelter run by WRC has this status. None of the shelters have an undisclosed address and family or group therapy sessions (including men) often take place in the same building.

In 2009, there were 12 regional Single Mother Houses offering assistance to young women with children as well as pregnant women. These, however, do not offer specialised assistance to survivors of domestic violence.

Furthermore, women survivors of violence often find shelter in houses for homeless people. Although these institutions do not cater for the needs of women survivors of violence, the government refers to them as facilities serving survivors of domestic violence in its reports. The Specjalistyczne Ośrodki Wsparcia (SOWs) are centers for survivors of violence established under domestic violence law. There are 36 of them. The WAVE focal point Women's Rights Centre operates one of the SOWs, as one of three NGO, others are run by regional governments.

SOWs and the other shelters specialised in domestic violence can accommodate a total number of about 1000 women and children. The recommendations issued by the Council of Europe have thus not been met. Some shelters are available 24 hours a day.

While SOW shelters are usually 100 per cent state-financed, the funding policy discriminates against shelters run by NGOs. Every shelter receives the same amount of money regardless of how many places it provides or where it is located.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
1	26	3,823	3,797	some	some

National Action Plan

In 2006, the Polish government adopted the National Programme on Counteracting Family Violence for 2006 – 2016.³ This programme is gender neutral. There is no national action plan to combat violence against women or gender-based violence.

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According to the law and the national programme, local governments should prepare programmes on combating domestic violence on three levels. However, most local governments have not done this. Another problem is that there is no legal obligation for local governments to make their programmes consistent with the national programme.

Additional Issues

Nominations of NGOs to the Ministerial Body Monitoring Implementation of the Domestic Violence Law as well as the preparation of the executive laws concerning blue cards system is an important issue, as is the content of trainings provided to various professionals and the certification of professionals who work with victims, both of these are problematic. The big challenge is in training of professionals and in the creation of a local comprehensive system to prevent and combat domestic violence. Funding is a critical issue for NGO's and for Women's Right Centres (WRC), as is their challenge to the notion of gender neutral services. There is a need to advocate for legal changes aimed at giving authority to the police to expel the perpetrator from the house. Civil and criminal remedies at the preparatory stage should include not only the order to expel the perpetrator but also a non molestation and non contact order. A more comprehensive law on violence against women is needed as well as a national programme. For the WRC, the challenge will also be to make violence against women an issue of priority for the Polish EU Presidency in the second part of 2011.

Situation of MM women survivors of violence in Poland⁴

1. Access of MM women to women's shelters and other services

There are no shelters specialised in the issues facing MM women in Poland. There is only one shelter specifically designed for victims of trafficking but only some of the women accommodated there are from abroad. MM women (including undocumented women) may access shelters as do any other women. However, shelters do not get any financial support specifically for MM women. There are only a few specialised women's shelters and access is usually very limited due to insufficient funding. Children are allowed to stay with their mother in shelters, yet some shelters apply restrictions for boys above an age of 14 years. This is a significant limitation for some women. Women's shelters do not offer any culturally sensitive services such as native language counselling for MM women and their children. Only in shelters for trafficked women where the staff speaks Russian, is foreign language support available.

2. Right of residence

A migrant woman married to a Polish citizen may apply for a temporary residence permit for up to two years and has to prolong it afterwards. Anyone may receive Polish citizenship after he or she has resided for at least three years in Poland. In case of domestic violence, women may prolong their residence permits after getting a divorce resulting from domestic violence.

Neither partnership/cohabitation nor same sex partnership/cohabitation gives a woman the right to a residence permit.

3. Access of MM women to public funds and services

Healthcare services

Migrant women with an insecure or temporary residence permit, asylum seekers, refugees as well as ethnic minorities have access to healthcare services in Poland. In some regions or cities including Warsaw, there are doctors who provide free healthcare for anyone not covered by social insurance.

Social benefits

Asylum seekers, refugees and minority ethnic persons have access to social benefits in Poland.

Housing programmes

Asylum seekers, refugees as well as ethnic minorities have access to housing programmes in Poland. Migrant women without documents, migrant women without residence permit as well as migrant women with insecure or temporary residence permit may have access to private shelters. Generally there is a shortage of housing.

Childcare facilities

Asylum seekers, refugees and minority ethnic persons have access to childcare. However, in Poland access to childcare facilities is generally a problem.

Education/training programmes

Migrant women with an insecure or temporary residence permit, asylum seekers, refugees as well as minority ethnic persons have access to education/training programmes.

Labour market

Only minority ethnic persons have access to the labour market in Poland. However, most migrants work on the informal market.

4. Legal protection of MM women from violence

The police may arrest and hold perpetrators for 48 hours. Since the 1st of August 2010, the police may also arrest a perpetrator who is deemed to have used or attempted to use a dangerous weapon. Further, eviction orders may be issued. Since the 1st of August 2010, it has been legally possible to apply to a civil court for an eviction order.

Legal aid

Free legal aid is not available in Poland. However, an individual may apply to the court to be discharged from the court fee and might eventually be granted a lawyer. Migrant and minority ethnic women have access to the existing system under the same conditions as Polish citizens. NGOs, social welfare agencies and similar institutions frequently offer counselling services.

Endnotes

¹ United Nations Demographic Yearbook 2008 <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2008%20DYB.pdf>

² Data provided by National Police Headquarter 2010

³ National Programme on Counteracting Family Violence for 2006 – 2016, Ministry of Labour and Social Policy: <http://www.mps.gov.pl/index.txt.php?gid=990>, 10.12.2008

⁴ Ministry of Labour and Social Policy: http://www.mps.gov.pl/_download.php?f=userfiles%2FFile%2FDepartament+Pomocy+Spolecznej%2FKrajowy+Program+Przeciwdzialania+Przemocy+w+Rodzinie-na+strone.doc, 10.12.2008

⁵ Information in this section has unless quoted otherwise been provided by Centrum Praw Kobiet, <http://www.cpk.org.pl>

PORTUGAL

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General Country Information

Population¹: 10,356,117

Female inhabitants:

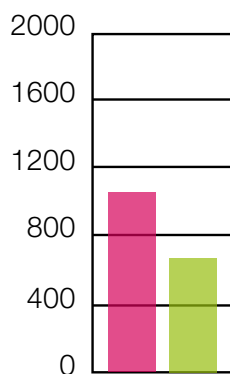
5,355,976 = 51.72% of total population

CEDAW ratified: 1980

Optional Protocol of CEDAW ratified: 2002

Member of Council of Europe: 1976

Member of European Union: 1986



No. of Shelters: 35

Rec. No. of Shelter Places: 1,036

No. of Shelter Places: 617

Facts and Figures

Latest number of femicides: In 2009, 25 women were killed by their partners or former partners.

Latest number of DV cases reported by police: In 2009, there were 30,543 reported cases of DV. This represents a 10.1 per cent increase from 2008. About 82 per cent of the victims were Portuguese nationals. 18 per cent of women victims of DV were foreigners/migrants (from Brazil, Angola, Cape Verde, Guinea-Bissau and Mozambique)².

Latest number of DV cases reported by women's shelters: In 2009, there were 1,533 survivors of DV (719 women and 814 children/young people).

Prevalence of DV: Across the country, there are on average of three to four complaints per hour. Generally, the type of violence most reported is physical violence (76 per cent of the reported situations). Other forms of violence include psychological violence 56 per cent and sexual violence 1 per cent. These numbers do not include all the situations of DV, as there is no estimate of cases not reported to police.


SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

In Portugal there is no national helpline for women survivors of violence, but two national helplines specific for women and men victims of domestic violence and two general helplines (general emergency cases; social emergency cases). Although the domestic violence helpline run by the state is open and free of charge to all survivors of violence, the majority of clients are women.

There are also two regional helplines providing multilingual support in Portuguese, English, French, Spanish and Russian. However they are not specific for dealing with violence against women.

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	0	0	0	0	0
Regional	2	no data	no data	2	no data


Women's Shelters

In Portugal, there are 35 shelters for women survivors of domestic violence and their children offering a total number of 617 places. 30 Shelters are located in the continental Portugal and five on the islands: two shelters (32 places) in Azores and three shelters (47 places) in Madeira. All Shelters are for women survivors of domestic violence and their children.

In order to fulfil the recommendation of shelter places established by the Council of Europe in 2008, 447 more shelter places are needed. There are no women's shelters specifically for migrant and minority women, but most of them accept migrant and minority women and their children without documents or residence permits. Additionally, according to the Council of Europe, there should be one rape crises centre per 200,000 women. In Portugal there are none.

Although there is an official regulation of the shelters, each one has its own rules and intervention models. At the national level, the WAVE focal point AMCV is promoting a Shelters Forum that meets regularly with the aim of implementing a National Shelters Network.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
35	617	1,036	419	34	no exact data

National Action Plan

The implementation of the Third National Plan against Domestic Violence (2007-2010), the First National Plan against Trafficking in Human Beings (2007-2010) and the Third National Plan for Equality - Citizenship and Gender (2007-2010) was evaluated in 2010 and there are plans to prepare a draft for the Fourth National Plan against Domestic Violence and the National Plan for Equality – Citizenship and Gender.

The National Action Plan for the Implementation of the UNSCR 1325 was approved by a Resolution of the Council of Ministers in August 2009 and launched for the period of 2009-2013.

Situation of MM women survivors of violence in Portugal³

In Portugal, latest estimates show that there are 207,700 migrant women with legal status of residence, consisting two per cent of the population.

The most significant problems for MM women survivors of violence in Portugal are that access to most services requires the recipient to have a legal migrant status. There are no such restrictions on access to health services, although access is difficult for women speaking a foreign language.

PORTUGAL

1. Access of MM women to women's shelters and other services

In Portugal, there are 35 women's shelters for women and children survivors of domestic violence and one shelter for trafficked women.

Usually, the shelters also accept women and children without documents. Restrictions are made for boys of a certain age. In those cases, other support services are chosen to accommodate women and their children.

Although there are no specialised services for migrant women, 25 to 50 per cent of women accommodated by women's shelters are migrant and minority ethnic women.

In Portugal, there are no specialised services for migrant and minority ethnic women. There is a national helpline for survivors of domestic violence, which is free of charge 24 hours a day. There is also a helpline from the Portuguese Association for Victim Support and is available from 10 am to 1pm and from 2 pm to 5:30 pm.

There is no multilingual counselling offered by national helplines.

2. Right of residence

MM women have to remain in a relationship/marriage in order to get a residence permit.

After being registered, together with the partner/husband, with the tax authorities at the same address for two years, a woman can apply for an independent permit.

There are no exceptions to getting a residence permit for MM women if they experience violence.

3. Access of MM women to public funds and services

Labour market

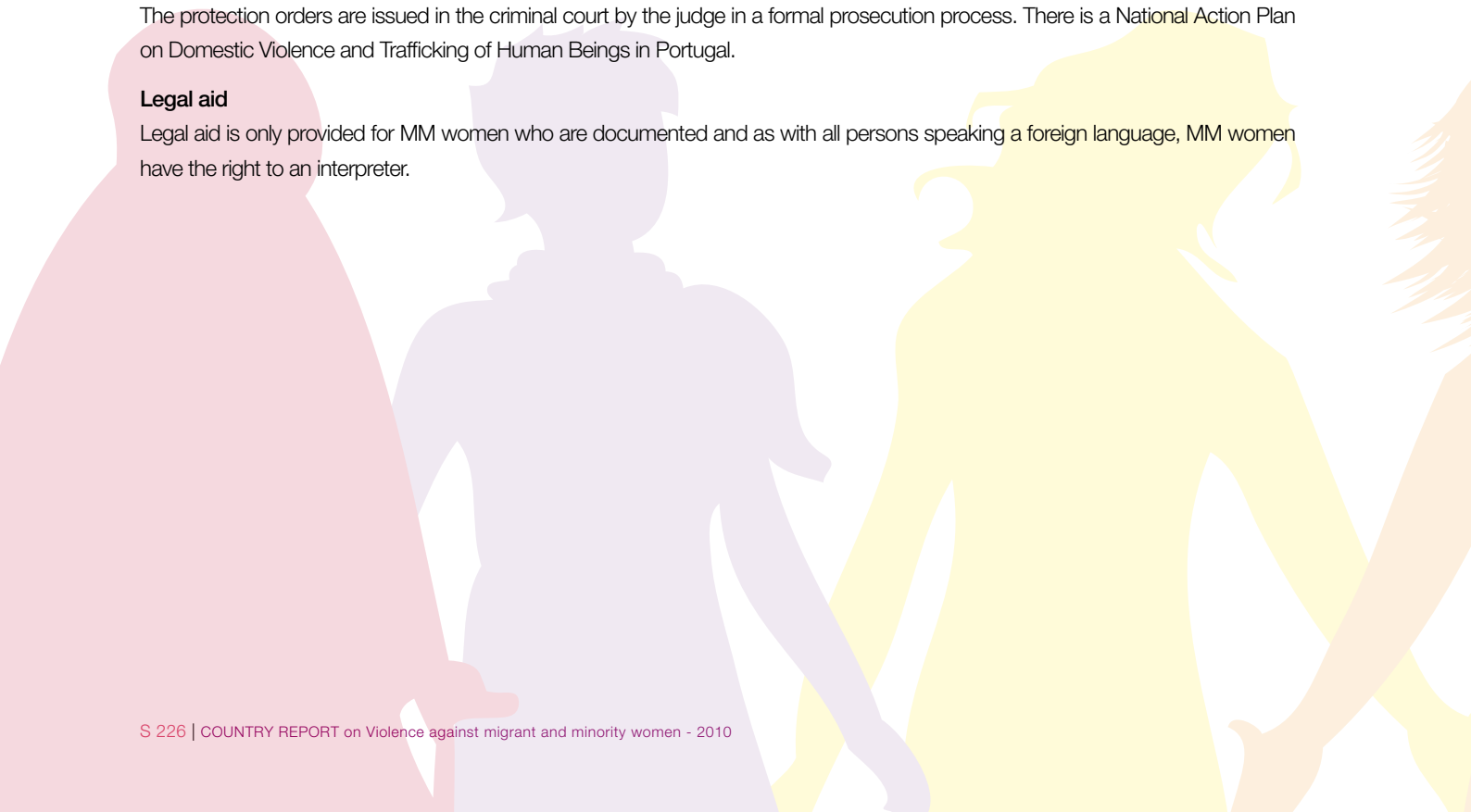
While all MM women have access to healthcare services and childcare facilities, only women with an insecure or temporary residence permit as well as minority ethnic women have access to social benefits and the labour market. Not all can access education/training services and housing programmes.

5. Legal protection of MM women from violence

The protection orders are issued in the criminal court by the judge in a formal prosecution process. There is a National Action Plan on Domestic Violence and Trafficking of Human Beings in Portugal.

Legal aid

Legal aid is only provided for MM women who are documented and as with all persons speaking a foreign language, MM women have the right to an interpreter.



Endnotes

¹ United Nations Demographic Yearbook 2008 <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2008%20DYB.pdf>

² "Annual Report on Domestic Violence: 2009" DGAJ

³ Information in this section has unless quoted otherwise been provided by the The Association of Women against Violence, <http://www.amcv.org.pt/>

ROMANIA

General Country Information

Population¹: 21,680,974

Female inhabitants:

11,112,233= 51.25% of total population (2002)

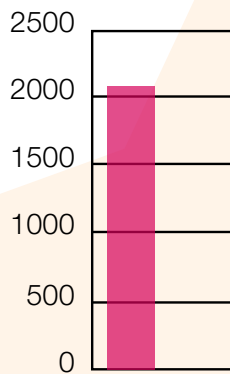
CEDAW ratified: 1982

Optional Protocol of CEDAW ratified: 2003

Member of Council of Europe: 1993

Member of European Union: 2007

ROMANIA



No. of Shelters: 20

Rec. No. of Shelter Places: 2,168

No. of Shelter Places: no data

Facts and Figures

Latest number of femicides:

723 women and 22 minors (2004-2007)

Latest number of DV cases reported by police:

53,720 cases (2004-2007)

Latest number of DV cases reported by women's shelters: One shelter (Casa Blu) in Bucharest registered in 2008 79 cases of women and 122 children. A total number all shelters is not available.

Prevalence of DV: According to the National Agency for the Protection of the Family (NAPFCR), the number of violence cases has increased by 31.26 per cent compared to 2008. In 2009, the National Agency for the Protection of the Family, the National Authority for the Protection of the Child's Rights, the Centre for Assistance and Protection of Family Violence Victims and the Centre of Information and Consultancy for the Family were closed. In the same year, the National Authority for Protection of the Family and Child's Rights was created. NAPFCR is part of the Ministry of Work, Family and Social Protection. Almost 50 per cent of the reported DV cases involved a female victim (32.64% minors and 67.16% adults), 18% were male victims (68.89% minors and 31.11% adults). For the remaining 32 per cent, the gender of the victim was not indicated. 43.76 per cent of the victims have been abused physically, 26.12 per cent them have been abused psychologically, 11.41 per cent economically, 15.37 per cent socially and 3.34 per cent sexually. 44.4 per cent of the women survivors of violence were between 18–30 years old, 29.2 per cent were between 31–40 years old, 12.55 per cent were between 41–50 years old, 9.7 per cent were between 51–60 years old, 1.4 per cent were over 60 years old and 2.8 per cent were under 18 years of age.

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

According to National Agency for the Protection of Family and Child's Rights - NAPFCR, there is no hotline available at this time, except the phone numbers of the shelters. NAPFCR has offices in every sector of Bucharest. Victims can call this number and ask for a social investigation. There is a hotline for abused children, but none for women.

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	0	0	0	0	no data
Regional	no data	no data	no data	no data	no data

Women's Shelters

The first Transylvanian women's shelter was opened by the Association Artemis in Cluj-Napoca in 2002. According to National Agency for the Protection of Family, there are 20 women's shelters available for women survivors of violence. Other sources indicate seven more shelters which are not in the list provided by NAPFCR. They are either operated by public institutions, as shelters administrated by NGOs, or as organisations funded by state and private sources.² Exact data on available shelter places are not available, however, 2,168 family shelter places are required in order to meet the number of shelter places recommended by the European Parliament.

There is no umbrella organisation for the shelters in Romania. A network of 33 NGOs active in the field of combating domestic violence, known as the VIF coalition, has existed since 2003.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
20	no data	2,168	no data	no data	no data

Further Services for women survivors of violence

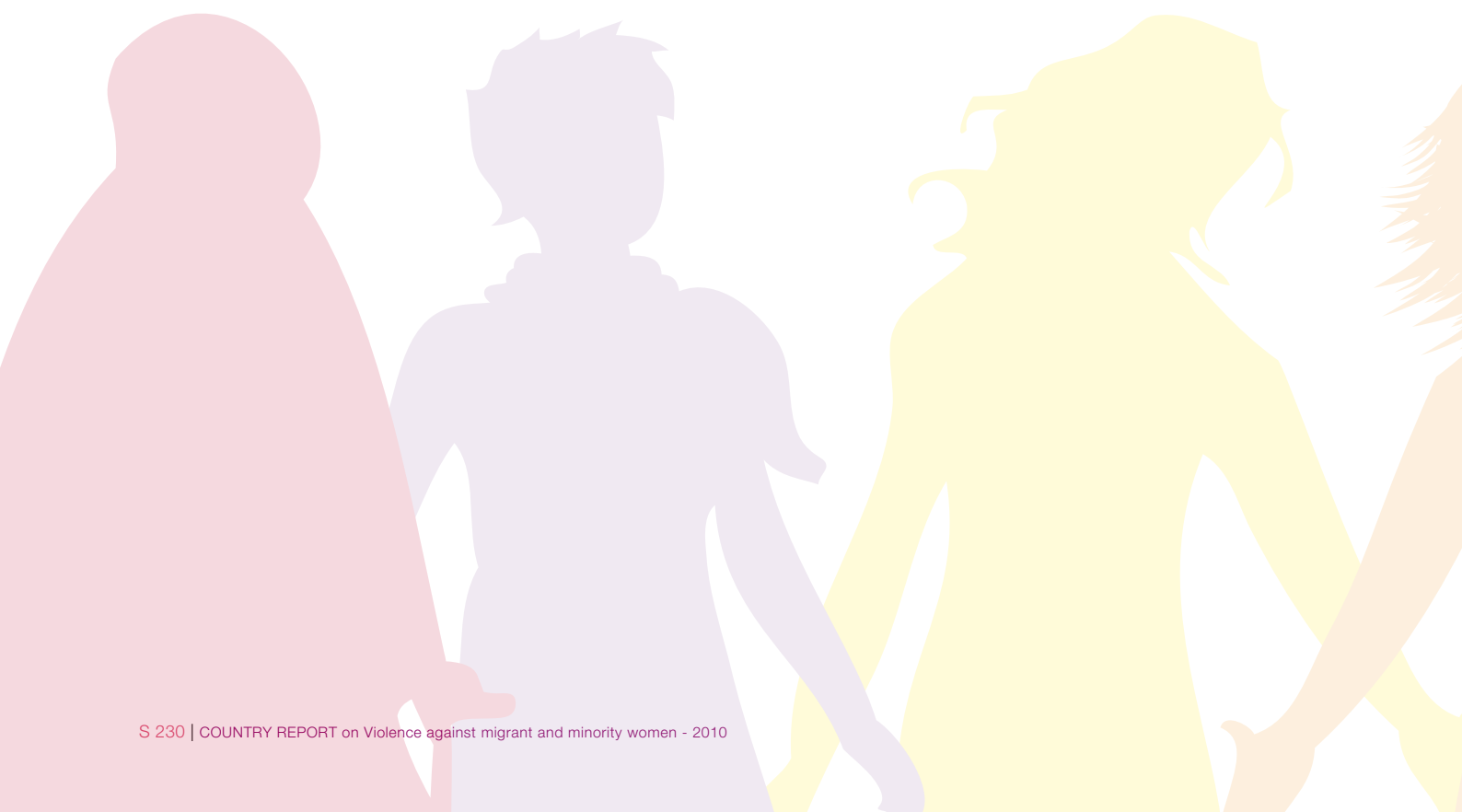
There are 25 crisis intervention centres, including 20 NGO operated centres and five state operated centres. These centres provide services for women survivors of violence including phone counselling, social, psychological, and legal counselling, representation in court, medical assistance, support groups, job placement, vocational orientation, financial support, mediation services, and individual and group therapy. Most of the NGOs' services receive external funding primarily from the European Union (Phare and Socrates Programmes). Public centres are funded by local municipalities, through the central budget and through EU grants. Training on violence against women is not formally included in the training curriculum of professionals who are confronted with cases of domestic violence against women, except for the general training for social workers and psychologists. Training in this area is usually provided by NGOs. However, NGOs do not have the capacity to provide these training services to every institution in the country and implementing the same quality standards is difficult. NGOs report that the lack of a

ROMANIA

special budget line in the state budget, the absence of monitoring and lack of political will in addressing violence against women makes it very difficult to improve the support for survivors of domestic violence and tackling this crime.

National Action Plan

The National Strategy and an Action Plan for Equality of Chances between Women and Men was approved by the Government (2010-2012) in March 2010. However, in July 2010, the National Agency for Equal Opportunity - ANES³ was closed by the Government and the Ministry of Labour. At the present, there is an office in the Ministry of Labour that deals with equal opportunities for men and women, but only partially. No further action has been taken regarding the national strategy.



Endnotes

- ¹ United Nations Demographic Yearbook 2008 <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2008%20DYB.pdf>
- ² Open Society Institute: Country Monitoring Reports and Fact Sheets 2007, Violence Against Women - Does the Government Care in Romanian?, Stop violence against women: http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/Romania_2.pdf (page 28f), 10.12.2008.
Remaining number of shelters: unclear.
- ³ National Agency for Equal Opportunity - ANES: <http://www.anes.ro>, 10.12.2008.

RUSSIAN FEDERATION

General Country Information

Population: 145,166,731

Female inhabitants:

77,561,598 = 53.43% of total population

CEDAW ratified: 1981

Optional Protocol of CEDAW ratified: 2004

Member of Council of Europe: 1996

Member of European Union: no

Facts and Figures

Latest number of femicides:

14,000 women in 1999¹ and

9,000 women in 2003²

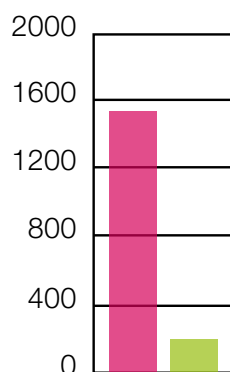
Latest number of DV cases

reported by police: No data available.

Latest number of DV cases reported by women's shelters: No data available.

Prevalence of DV: No data available.

According to WAVE focal point ANNA - Association No to Violence - National Centre for Prevention of Violence Moscow,³ there are no official statistics or systematic data collection regarding cases of violence against women in Russia. The data collected on domestic crimes by the Ministry of Interior are gender-neutral.



No. of Shelters: 16

Rec. No. of Shelter Places: 14,517

No. of Shelter Places: 200

RUSSIAN
FEDERATION

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE


Women's Helplines

As of March 2011, Russia has a national women's helpline (8800/70006000). The national helpline is available 12 hours per day, from 9 am to 9 pm, and is free of charge. In 1993, the first Russian women's helpline was established by WAVE focal point ANNA Association No to Violence - National Centre for Prevention of Violence Moscow, which also organises a network consisting of approximately 150 regional women's helplines. They are operated by NGOs and governmental agencies working with women survivors of domestic violence.

The helpline in Barnaul, in the Altai Region, is the only helpline which receives state funding from the Department of Social Protection, while all others are run by volunteers. Due to the lack of funding, only one regional women's helpline is available 24 hours a day.

No helpline provides multilingual services.

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	1	1	0	0	no data
Regional	100 approx.	100	1	0	1 = 100%

Women's Shelters

In 1996, the first Russian women's shelter was opened in St. Petersburg. In Russia, a country with a population of approximately 142 million people, there are only 16 shelters available for victims of domestic violence and for victims of trafficking. On average, each of these shelters can house five to 10 women survivors with their children, which means that there are approximately 200 shelter places available in the whole country. This is a very small number and does not fulfil the recommendations issued by the European Parliament.

In Moscow, the largest Russian city with about nine million inhabitants, there is not a single shelter for women survivors of violence. Due to a lack of funding, any services that are available can often not be provided 24 hours a day or in different languages.

15 shelters are state-run and 100 per cent financed by the local city departments of social development. Only one women's shelter is operated by an NGO located in Murmansk, and it does not receive any funding from the state. In Russia, women's NGOs find it difficult "to run shelters due to a lack of resources and a lack of recognition by the state, which is controlling and bureaucratic. NGOs have difficulties in getting registered and risk losing their registration. It is also very difficult to get permission to run a shelter as a non-state organisation."⁴


Social rehabilitation for victims of domestic violence is carried out by social service agencies which should be operational in all constituencies of the Russian Federation. As of the 1st of January 2008, there were 3,363 establishments (in 1999 there were 2,240 and in 2002 there were 3,059). The activity of such establishments is regulated by the Federal Law No. 195-FZ of the 10th of December 1995 (as amended on the 10th and 25th of July 2002, 10th of January 2003 and 22nd of August 2004). The law is titled On the Fundamentals of Social Services for the Populace in the Russian Federation.

Domestic violence is defined as a "difficult life situation" under this law.

A social service establishments, however, compose not only of specialised crisis centres and social shelters, but a wide range of agencies, such as social assistance centres for families and children, centres for psychological and pedagogical assistance to the population, centres for emergency telephone psychological assistance, social rehabilitation centres for juveniles, social shelters for children and adolescents, centres for children left without parental care, rehabilitation centres for children and adolescents with limited abilities, integrated centres for social services to the population, crisis centres for women, crisis centres for men, among others.

Thus, women survivors of violence constitute only a small part of the clients of social protection agencies. In fact, only 23 of the 3,363 social protection/service agencies (that is only 0.5%) offer specialised assistance to women victims of domestic violence. Some of these combine assisting victims of domestic violence with helping other categories of women such as underage mothers.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
16	200 approx.	14,517	14,317	0	0

RUSSIAN FEDERATION

Further Services for women survivors of violence

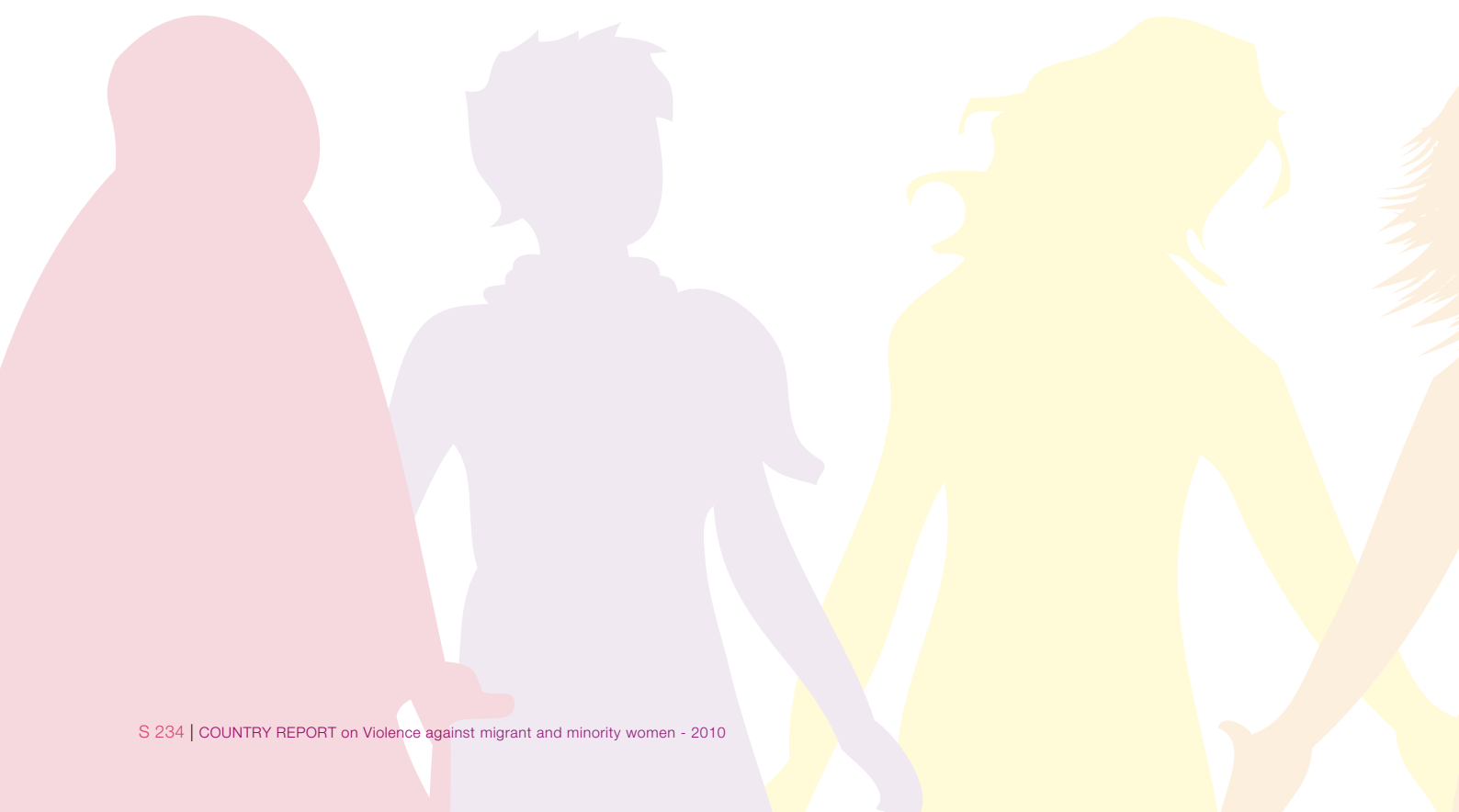
Despite extremely difficult conditions, women's organisations have managed to establish women's crisis centres. There are 19 main crisis centres for women that provide services such as hotline counselling, face-to-face counselling and self-help groups. These are operated by NGOs. Women's centres are supported by ANNA - Association No to Violence - National Centre for Prevention of Violence Moscow, which started as the first crisis centre in Russia in 1993. ANNA brings together over 150 NGOs and government agencies dealing with violence against women.⁵ Intervention centres have not been established so far.

National Action Plan

There is currently no special National Plan of Actions for Combating Violence against Women in the Russian Federation. From 2001 to 2005, the National Action Plan for Gender Equality adopted by the Ministry of Labour and Social Development was in force. There have been problems in implementing the plan. No special laws or acts on any forms of violence against women have been adopted, except for Article 152 on trafficking in minors. The latter was included into the Criminal Code in 2003.⁶

On the 16th of May 2005, the Order on Establishing Coordination Committee on Gender Issues was adopted by the Ministry of Health Care and Social Development of the Russian Federation. The mission of the Committee is to implement the obligations of the Russian Federation within the framework of ratified international treaties in the field of gender equality, such as CEDAW, the documents of the Fourth Global Forum on the Status of Women, among others. Marina Pisklakova-Parker, Director of ANNA, is a member of the Committee. However, the Committee has only recently begun its activities.

No information has been provided on the situation of MM women in Russian Federation.

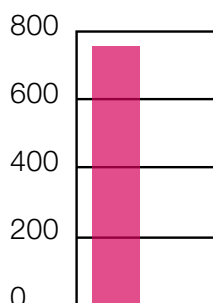


Endnotes

- ¹ These data were officially provided by Ministry of Interior to Amnesty International in 2005.
- ² The State Party's Report to the Committee on the Elimination of Discrimination against Women (CEDAW), 1999.
- ³ ANNA Association No to Violence - National Centre for Prevention of Violence Moscow: <http://www.owl.ru/anna>, 2008.
- ⁴ Website of ANNA: http://www.owl.ru/anna/index_ru.htm, in Rosa Logar: The European Women's Shelter Movement and its contribution to change: New challenges and future perspectives, 2008, p.11.
- ⁵ The information was provided by Tatiana Melnikova, Chief Consultant, Department for Social Policy, Family & Women, Ministry for Health Care and Social Development of Russia.
- ⁶ *ibid*
- ⁷ The information was provided by Tatiana Melnikova, Chief Consultant, Department for Social Policy, Family & Women, Ministry for Health Care and Social Development of Russia.

SERBIA

(REPUBLIC OF SERBIA)



No. of Shelters: 8

Rec. No. of Shelter Places: 750

No. of Shelter Places: no data

General Country Information

Population¹: 7,498,001

Female inhabitants:

3,852,071 = 51.37% of total population

CEDAW ratified: 2001

Optional Protocol of CEDAW ratified: 2003

Member of Council of Europe: 2003

Member of European Union: no

Facts and Figures

Latest number of femicides: According to an estimate by the Autonomous Women's Centre, approximately one woman is killed weekly or 50 women yearly.

Latest number of DV cases reported by police:

In 2002, there were 192 cases. As cases increased continuously throughout the years, there were 3,276 cases in 2008. It is estimated that only 16.5 per cent of domestic violence cases were reported to the police.

Latest number of DV cases reported by women's shelters: No data available.

Prevalence of DV: No current data available. In 2002, every third women was a victim of physical violence, every second woman was a victim of psychological violence, and one woman out of 11 was a victim of sexual violence).


SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

Presently, there is no national helpline for women and girls survivors of violence accessible for the whole country.

About 20 regional helplines can be contacted by women and girls survivors of violence, however, only one offers seven days a week 24 hour service. Except for three hotlines specialising in support for Roma women affected by violence, multilingual counselling is not available. Most regional women's helplines are financed by donors from international organisations.

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	0	0	0	0	no data
Regional	20	no data	1	no data	no data

Women's Shelters

Currently there are eight women's shelters accommodating women survivors of domestic violence. Multilingual service is not provided to clients.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
8	no data	750	no data	no data	0

National Action Plan

The National Strategy for Improving the Position of Women and Advancing Gender Equality 2008 - 2014 was adopted on the 13th of February 2009 as the main national document containing gender equality commitments. It focuses on six priority goals:

- Increasing the participation of women in decision making processes and achieving gender equality
- Improving the economic position of women and achieving gender equality
- Achieving gender equality in education
- Improving women's health and promoting gender equality in health policy
- Prevent and eliminate violence against women and promote victim's rights
- Remove gender stereotypes from the media and promote gender equality

In 2006, the process of developing the National Strategy for Improving the Position of Women and Advancing Gender Equality started with six work groups consisting of more than 30 women's NGOs and other experts. One of these six groups focused specifically on violence against women. This working group was coordinated by an expert from the WAVE focal point, Autonomous Women's Centre. The group's report was partly adopted by Sector for Gender Equality (within the Ministry of Work and Social Issues), although the content was shortened and changed to a certain extent.

Although Serbia has more than 70 national strategies, the issue of violence against women is typically ignored or is not adequately addressed. For example, the National Action Plan for Combating Human Trafficking 2009 is gender neutral and does not include any special treatment for women who survived sexual abuse or trafficking.

Currently, Serbia is in process of developing a National Action Plan against Gender Violence. In the beginning, two experts produced a first draft without involving women's NGOs. The first draft neither defined violence against women as a special category of violence nor was there any special measures mentioned to tackle this problem. After serious complaints by women's organisations in summer 2010, this draft was halted and the expertise of women's specialised organisations will now be taken into account.

In 2008, the autonomous province of Vojvodina developed the Strategy for Protection from Domestic Violence and other Forms of Gender-based Violence in the Autonomous Province of Vojvodina (2008-2012). The strategy includes all forms of violence against women and has a gender perspective.

Situation of MM women survivors of violence in Serbia²

According to the 2010 UNHCR Statistics, the total number of refugees and internally displaced persons in Serbia is 287,814 and 50.74 per cent are women and girls.

SERBIA

The most significant problems for MM women survivors of violence in Serbia are poverty, lack of accommodation, unemployment, low level of education, discrimination based on ethnicity (faced by Roma women), deep-rooted traditional beliefs and complicated procedures for obtaining personal documents which are necessary for achieving basic human rights.

Awareness raising campaigns drawing attention to the issue of violence against women solely depends on the efforts of local NGOs. Praxis, for example, as part of its activities holds training sessions, round table discussions, public lectures and workshops, and distributes informative material on gender based violence in leaflets, brochures and posters in Serbian and in the Roma language.

1. Access of MM women to women's shelters and other services

There are currently two types of shelters in Serbia. There are shelters which are financed by donors and shelters which operate within social welfare centres and are partially or fully funded by the municipal authorities. The existence of these shelters depends on the funds available and their number varies. UNHCR Serbia has been financially supporting shelters for MM women within the projects concerning sexual and gender-based violence.

There are only two women's shelters specialised for survivors of human trafficking.

Generally, all women have equal access to women's shelters. Based on the experience of Praxis during the past five years, MM women regardless of their legal status, had access to the women's shelters. Children of migrant women are also accepted in shelters, yet boys who are older than 13 years of age are not allowed accommodation in the women's shelter in Serbia. No alternative protection is provided for the boys over this age.

Women's organisations and NGOs provide, through their activities, various forms of services and protection to all women survivors of violence, as well as to migrant and minority ethnic women, including women's shelter, SOS phones, psycho-social support, legal counselling and skill training. Specialised workshops targeting MM women are conducted as part of awareness raising campaigns on the issue of gender based violence.

SOS helplines for survivors of gender based violence exist in Belgrade and in most towns. They are often supported by NGOs. There is no national helplines for victims of trafficking and domestic violence supported by the Government. NGO Astra provides SOS helplines for victims of trafficking.

Shelters in Serbia that are not funded by the government depend on the NGOs' capability to secure financial support and international donors' programme priorities. The extent of psycho-social support provided should be intensified, both in quantity and in quality. Furthermore, accommodation places are limited and free legal assistance is not provided.

2. Right of residence

Women have to stay in a marriage for a minimum of three years in order to obtain a residence permit. Cohabitation/partnership is not treated as equal to marriage. There are no exceptions for getting residence permits for MM women, even when they have experienced domestic violence.

3. Access of MM women to public funds and services

Healthcare services

MM women with an insecure or temporary residence permit, asylum seekers/refugees and minority ethnic women have access to the healthcare system similarly as do citizens of Serbia. Undocumented migrants and migrants without residence permit have access to hospitals in urgent cases. Women survivors of violence are not specifically considered in the regulations for accessing the healthcare system.

Social Benefits

Asylum seekers and minority ethnic groups have equal access to social benefits as other citizens. Refugees do not have access to social benefits. Also, women survivors of violence are not specifically considered in the regulations for

accessing social benefits. Victims of trafficking may be granted a temporary residence permit and on that basis provided with accommodation and food, in cases where criminal procedures have been initiated for human trafficking.

Housing programmes

Housing programmes are available for migrant women with an insecure or temporary residence permit, as well as to minority ethnic women and refugees. However, there are different criteria for receiving accommodation depending on the housing programmes.

Some programmes include survivors of domestic violence as one of the groups eligible to obtain accommodation. Based on Praxis experience, procedures for applying to a number of the housing programmes are complicated and often exceed the capabilities of the target groups. The numbers of housing programmes are small and they do not cover the needs of applicants, and depend on funding by international donors.

Childcare facilities

Except for MM women without documents, all other women have access to childcare facilities and education programmes, but the limited number of places in childcare facilities is problem.

Labour market

According to the law, migrant women with temporary residence permits, refugees and minority ethnic women have equal access to the labour market as do citizens of Serbia. However, asylum seekers do not enjoy the right to employment until they obtain refugee status. Women survivors of violence are not specifically considered in the regulations for accessing the labour market.

4. Legal protection of MM women from violence

According to Article 198 of the Family Law, five preventive measures are taken with regard to the issue of domestic violence:

1. Issuance of an injunction for removing from the family house or apartment, regardless the right of owning or renting the property.
2. Issuance of an injunction for moving into the family house or apartment, regardless the right of owning or renting the property.
3. Prohibition of approaching family member at a certain distance.
4. Prohibition of access to the place of residence or workplace of a family member at a certain distance.
5. Prohibition of further disturbance of family members.

Domestic violence cases are processed as urgent court cases and civil courts pass preventive measures. Unfortunately, it is often difficult to execute these measures before their validity expires. Police always respond to reports of violence, but the extent and quality of the provided protection varies, depending on the level of training of the police staff.

There is no official data available on how often acts of violence were reported to the authorities and how many of the reported cases ended with a conviction in 2009. There is also no information on the measures taken by the police to protect women from violence and the number of protection orders issued by the police or by the courts in 2009.

Legal aid

The government does not provide legal assistance to women survivors of violence. Therefore, this service is insecure since it relies on NGOs' projects and funding from international donors. Some organisations provide only legal counselling but Praxis provides MM women survivors of domestic violence with both free legal counselling and in court representation. Also, praxis assists in initiating the procedures necessary for exercising the right to education, work, health, social welfare and other human rights.

SERBIA

5. Policy measures and statistics

There is no National Action Plan on Violence Against Women in Serbia but the empowerment of women from multiple discriminated groups is included in:

- Action Plan on the Improvement of Position of Women and Promotion of Gender Equality (effective as of September 2010).
- National Strategy on Improvement of Position of Women and Promotion of Gender Equality from 2009 to 2011 (effective as of February 2009).
- Combating Domestic violence was introduced in the Family Law in 2005 and in the Criminal Code in 2006.

The Government does not have a specific policy on other forms of violence such as forced marriage, so called “honour related crimes”, female genital mutilation, yet there are some attempts to combat the trafficking of women.

These other forms of violence are not common in Serbia but forced marriages still exist to some extent within the Roma population.

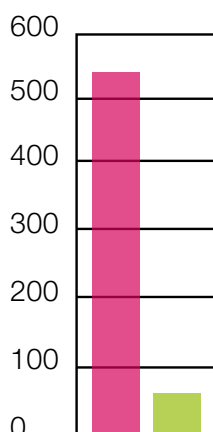


Endnotes

- ¹ United Nations Demographic Yearbook 2008 <http://unstats.un.org/unsd/demographic/products/dyb/dybssets/2008%20DYB.pdf>
- ² Information in this section has unless quoted otherwise been provided by NGO Praxis, <http://www.praxis.org.rs>

SLOVAKIA

(SLOVAK REPUBLIC)



No. of Shelters: 5

Rec. No. of Shelter Places: 519

No. of Shelter Places: 60

SLOVAKIA

General Country Information

Population: 5,193,376

Female inhabitants:

2,690,655 = 51.81% of total population

CEDAW ratified: 1993¹

Optional Protocol of CEDAW ratified: 2000

Member of Council of Europe: 1993

Member of European Union: 2004

Facts and Figures

Latest number of femicides: No data available.

Latest number of DV cases reported by police: No data available.

Latest number of DV cases reported by women's shelters:
No data available.


Prevalence of DV: 21.2 per cent of women aged 18-64 have experienced violence from their intimate partners, which means that one in every five women are affected by intimate partner violence. Prevalence of violence from former intimate partners is even higher 27.9 per cent of adult women who have had an ex-partner experienced violence from them.²

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

According to WAVE focal point FENESTRA³ in Slovakia, there are five regional helplines specializing in supporting women survivors of violence. Only one of the helplines provides a 24 hour service. None of the helplines is free-of-charge. Two of the helplines offer to call a woman back if she is unable to cover the costs of the phone call.⁴

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	0	no data	no data	no data	no data
Regional	5	0	1	no data	no data

Women's Shelters

Despite the fact that one in three women in Slovakia experiences violence by their partners at least once in their life, there are only five shelters available. These five shelters provide a total of 60 shelter places for women survivors of violence and their children in 19 rooms. 459 shelter places must be available to meet the European Parliament's recommended number of family places. In Slovakia, there are general social service facilities of residential type. Some of these facilities provide shelter also to women experiencing intimate partner violence and/or their children. According to the latest monitoring research, in 15 of such social services facilities women experiencing violence constitute more than 30 per cent of all residents. 14 of the facilities offer 152 rooms with 410 places. However, it is not clear how many of these places are available to women experiencing violence. One of the 15 facilities did not provide number of rooms and places available⁵. However these centres do not provide specialised services for the women survivors of violence that apply principles of empowerment and safety. General social services, including homeless shelters do not offer adequate support for women that experience domestic violence.⁶

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
5	60	519	459	4	no data

National Action Plan

Slovakia has worked out a second National Action Plan on Prevention and Elimination of Violence against Women (2009-2012).⁸ Similarly to the first national action plan, this document is only a declaration as the Slovak government has not allocated any funds for its implementation. Also the collaboration of the government and NGOs on its preparation and implementation has been only formal. Although NGOs contributed to drafting the national action plan, they were not invited to the approval of its final version. The NGOs concerned responded to this by filing a joint public comment and proposing 40 amendments to national action plan. The Ministry of Labour fully accepted six minor changes proposed by NGOs, the only significant one being the development of a systematic training of court experts in the field of psychology and psychiatry on violence against women.

Additional Issues

A significant lack of specialised helplines, counselling centres and women's shelters is a long-term serious issue in the area of intimate partner violence against women. Even though the Slovak government has recognised this problem, it has not taken any steps in order to improve the access to specialised help, support and protection for women experiencing violence.

Situation of MM women survivors of violence in Slovakia⁹

By the end of 2008, there were 52,545 documented migrants in Slovakia who had registered or been granted permanent or temporary residence. Migrants are predominantly from Romania, Ukraine, Czech Republic, Hungary, Germany, Vietnam, Korea, China, USA, Brazil and Canada.

Additionally, there are 2,355 undocumented migrants mainly from Moldova, Georgia, Pakistan, Russian Federation, and Afghanistan. In 2008, 70 per cent of all migrants in Slovakia were male.¹⁰ Neither of the two shelters for women's survivors of violence in the Slovak Republic specialise in support for MM women.

SLOVAKIA

1. Access of MM women to women's shelters and other services

MM women generally have access to women's and other shelters in Slovakia. Most of the 19 organisations providing shelter, amongst others, to women survivors of violence, restrict access for individuals engaging in alcohol and drug abuse. Some also restrict access for individuals suffering from a mental disorder.¹¹

Generally, women may bring their children into these shelters. More than a third of the shelters, however, impose restrictions on boys over 15 and mothers with more than four children.

Culturally sensitive services such as native language counselling are provided for MM women. Out of the 19 organisations providing shelter, six claim to be able to provide their services to migrant women not speaking Slovak using English or Hungarian.¹²

Out of 26 organisations providing shelter and counselling services to women survivors of violence (not all of them provide services to women survivors of violence only), 15.4 per cent claim they repeatedly encounter migrant women. Additionally, 61.5 per cent state they repeatedly encounter Romani women seeking help from at organisation and 30.8 per cent report they repeatedly encounter Hungarian migrant women of Hungarian nationality seeking help at their organisation.

2. Right of residence

Migrants who come to Slovakia can ask for three types of residence permits – permanent residence permit, temporary residence permit (for the purposes of studying, entrepreneurship, work) and tolerated residence permit (i.e. for victims of trafficking in human beings under 18 years of age, a minor child found in the territory of the Slovak Republic, if respect for the person's family and private life as defined by the European Convention on the Protection of Fundamental Rights and Freedoms requires it).

In accordance with the law women can apply for permanent or temporary residence in Slovakia for a number purposes including family unification or employment. Women are not able to apply for a residence permit on the basis of a heterosexual or for a same sex partnership or cohabitation, which is not recognised by Slovak family or asylum legislation.¹³

There are no exceptions for MM women experiencing violence.

Residency regulations in Slovakia are governed by Act 480/2002 Coll. of Laws on Asylum and Act 48/2002 on Residency of Aliens. These regulations define the common term 'alien' as any person who is not a citizen of the Slovak Republic. These laws do not recognise categories such as migrant women without documents, migrant women without residence permit or migrant women with insecure or temporary residence permit. The law establishes a legal protection framework, which includes the rights of migrant women, with a view of protecting the interests of state and society.

Violence against women is governed by the individual provisions of the Penal Code and the Civil Code.¹⁴

3. Access of MM women to public funds and services

Healthcare services

Asylum seekers, refugees and minority ethnic groups have access to healthcare services in Slovakia. Asylum seekers and refugees' healthcare is the responsibility of the Migration Office of the Ministry of Interior and is fully funded by the state. Provision of healthcare services to other migrant women is not foreseen by the law on residency.

Although Slovak legislation grants access to healthcare services for Roma, Romani women are likely to experience discrimination in the area of healthcare provision.¹⁵

There are no specific regulations for women survivors of violence.

Social benefits

Only minority ethnic women have access to social benefits in Slovakia.

Integration programmes are carried out within the Conception for Integration of Aliens in Slovakia and are primarily dealt with by the Ministry of Labour, Social Affairs and Family. This Ministry has the authority to grant work permits to migrants. Minor applicants and single women with children are given priority in taking care of these groups dependent on assistance and support from the state. Slovak legislation grants access to social benefits to Roma. Women survivors of violence are not specifically considered.

Housing programmes

Only minority ethnic groups have access to the housing programmes in Slovakia.

Many marginalised Roma communities do not have access to adequate housing.

Women survivors of violence are not specifically considered in relevant regulations.¹⁶

Childcare facilities

Access to child care facilities, as well as other forms of social care, is not covered by the relevant asylum and residency laws in Slovakia. Provision of social care in Slovakia is not determined by gender of applicants and is the responsibility of the Ministry of Labour, Social Affairs and Family of the Slovak Republic.¹⁷

Education/training programmes

Asylum seekers, refugees and minority ethnic groups have access to education and training programmes in Slovakia. Additionally asylum seekers and refugees have access to Slovak language courses. All costs related to these courses are covered by the Ministry of Interior. Slovak legislation grants access to education to Roma people. Women survivors of violence are not specifically considered in relevant regulations.

Many marginalized Roma communities living in settlements without adequate infrastructure may experience difficulties in accessing schools due to the distance between their homes and the nearest school and/or their financial situation (inability to pay for public transport). Furthermore, there is a considerable problem regarding the segregation of Roma immigrants within the education system in Slovakia.¹⁸

Labour market

Asylum seekers, refugees and minority ethnic women have access to the labour market in Slovakia. Asylum seekers and refugees can apply for a job one year after they have submitted their application if the asylum granting procedure is not concluded. Those who have been granted a residence permit in Slovakia have the same access to the labour market as Slovak citizens. Although Slovak legislation grants access to the labour market to Roma people, Romani women are likely to experience discrimination when trying to access the labour market.¹⁹

Women survivors of violence are not specifically considered in relevant regulations.

4. Informing MM women of their rights and available services

Providing information on protection laws and women's services to MM women is not a part of obligations under the Act on Residency.²⁰

The police have an obligation to provide MM women with a list of women's services when the police apply the provision of the Police Forces Act on expulsion of the violent person from shared home for 48 hours. The police can also give women the information on services when they report violence.

There are no information campaigns on VAW particularly for MM women.

SLOVAKIA

5. Legal protection of MM women from violence

The police have the right to expel the person perpetrating domestic violence from their home for 48 hours. In these cases the police file a report that provides information on the support services available and inform the victim that they can obtain a court order. Where the life or health of a child is at risk the police will also file a report with the social affairs and family offices.

The particular problems are not directly related to the protection of MM women from violence and there is no specific training for the police on violence against women in Slovakia. Furthermore, there are no specific directives on procedures and measures in cases of violence against women. The current legislation is not sufficiently applied by the police and courts, therefore women who experience violence often do not get the protection that they are entitled to, meaning they are subject to double victimisation.

The Civil Code defines several temporary court protection orders that women survivors of violence can apply for:

- Temporary court order, which orders the person suspected of perpetrating violence not to enter the home they share with the victim(s).
- Temporary court order, which orders the person suspected of perpetrating violence to hand over a child/children to the other parent or the person determined by the court.

Legal aid

In accordance with the law, free of charge legal aid is provided to asylum seekers and refugees, via Legal aid Centres or relevant NGOs (e.g. Human Rights League, Association of People of Good Will). Additionally, the UNHCR can intervene in the asylum procedure. The Migration Office uses interpreters in all asylum proceedings to ensure asylum seekers are able to communicate with the relevant proceedings officer. For all other migrant women the relevant residency law does not include legal aid provision.²¹

6. Policy measures and statistics

The Border and Aliens Police Office in charge of residency in Slovakia do not have any statistics specifically on MM women and violence available. The Migration Office, which deals with asylum agenda, states that out of the total of 55,696 asylum seekers in Slovakia from 1993 to May 2010, women constitute eight per cent of this number. Thus far, no female asylum seeker has asked the Migration Office for assistance due to intimate partner violence.²²

The Slovakian government has adopted a National Action Plan for Prevention and Elimination of Violence against Women for 2009–2012. The national action plan aims to carry out research on violence in specific groups of women who face multiple threat of violence.

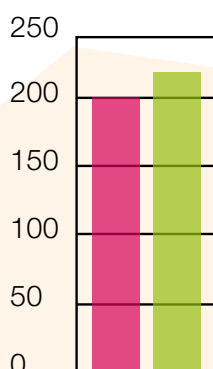
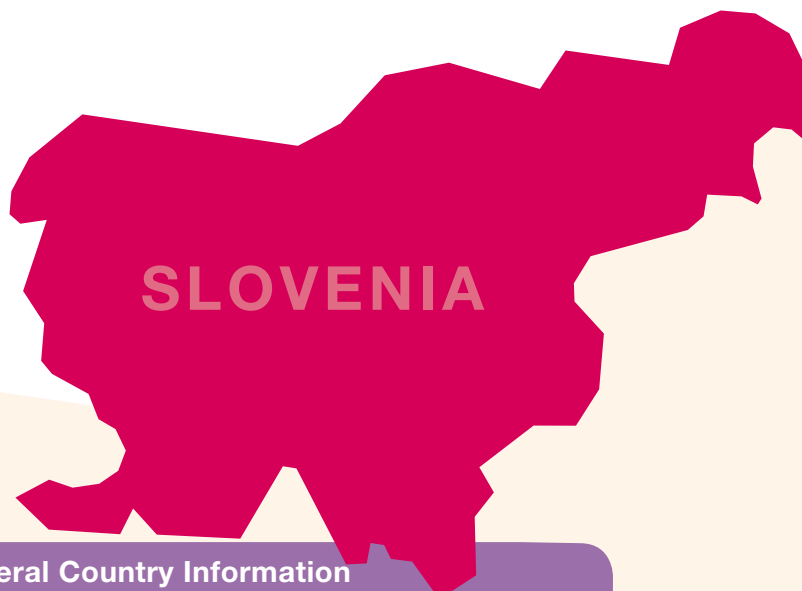
Government has also adopted a National Programme against Trafficking in Human Beings in 2008. However, there are not any specific policies on other forms of violence such as forced marriage, “honour related crimes” and female genital mutilation.

Endnotes

- ¹ Shadow Report to the United Nation Committee on the Convention on the Elimination of all Forms of Discrimination against Women for the Slovak Republic 41st Session 30 June to 18 July 2008; United Nations High Commissioner for Human Rights, <http://www2.ohchr.org/english/bodies/cedaw/cedaws41.htm>, 2008.
- ² Bodnarova, B., Filadelfiova J., Holubova B.: Representative Research on Prevalance and Experience of Women with VAW in Slovakia, Institute for Labour and Family Research, Bratislava, 2008.
- ³ FENESTRA: <http://www.fenestra.sk>, 2008.
- ⁴ Monitoring Research of Services for Women Experiencing Violence, J. Filadelfiova, Open Society Foundation, 2010.
- ⁵ Monitoring Research of Services for Women Experiencing Violence, J. Filadelfiova, Open Society Foundation, 2010.
- ⁶ Rosa Logar: The European Women's Shelter Movement and its contribution to change: New challenges and future perspectives, 2008, p.10.
- ⁷ Monitoring Research of Services for Women Experiencing Violence, J. Filadelfiova, Open Society Foundation, 2010.
- ⁸ National Action Plan on Prevention and Elimination of Violence against Women for years 2009-2012, Ministry of Labour, Social Affairs and Family of the Slovak Republic: <http://www.employment.gov.sk/new/index.php?SMC=1&id=1473>, 2008.
- ⁹ Information in this section has, unless quoted, been provided by FENESTRA Multicultural Women's Association, <http://www.fenestra.sk>.
- ¹⁰ Statistical Office of the Slovak Republic
- ¹¹ Monitoring Research of Services for Women Experiencing Violence, J. Filadelfiova, Open Society Foundation, 2010
- ¹² Monitoring Research of Services for Women Experiencing Violence, J. Filadelfiova, Open Society Foundation, 2010
- ¹³ Migration Office of the Ministry of Interior of the Slovak Republic
- ¹⁴ Migration Office of the Ministry of Interior of the Slovak Republic, Border and Aliens Police Office of the Ministry of Interior of the Slovak Republic
- ¹⁵ Sources on migrant women and asylum seekers/refugees: Migration Office of the Ministry of Interior of the Slovak Republic, Border and Aliens Police Office of the Ministry of Interior of the Slovak Republic, Source on Romani women: comments by Fenestra
- ¹⁶ Sources on migrant women and asylum seekers/refugees: Migration Office of the Ministry of Interior of the Slovak Republic, Border and Aliens Police Office of the Ministry of Interior of the Slovak Republic. Source on Romani women: comments by Fenestra
- ¹⁷ Sources on migrant women and asylum seekers/refugees: Migration Office of the Ministry of Interior of the Slovak Republic, Border and Aliens Police Office of the Ministry of Interior of the Slovak Republic
- ¹⁸ Sources on migrant women and asylum seekers/refugees: Migration Office of the Ministry of Interior of the Slovak Republic, Border and Aliens Police Office of the Ministry of Interior of the Slovak Republic. Source on Romani women: comments by Fenestra
- ¹⁹ Source on asylum seekers/refugees: Migration Office of the Ministry of Interior of the Slovak Republic
- ²⁰ Source: Border and Aliens Police Office of the Ministry of Interior of the Slovak Republic
- ²¹ Migration Office of the Ministry of Interior of the Slovak Republic, Border and Aliens Police Office of the Ministry of Interior of the Slovak Republic
- ²² Migration Office of the Ministry of Interior of the Slovak Republic, Border and Aliens Police Office of the Ministry of Interior of the Slovak Republic

SLOVENIA

(REPUBLIC OF SLOVENIA)



No. of Shelters:	15
Rec. No. of Shelter Places:	199
No. of Shelter Places:	219

General Country Information

Population¹: 1,987,971

Female inhabitants:

1,016,768= 51.15% of total population

CEDAW ratified: 1992

Optional Protocol of CEDAW ratified: 2004

Member of Council of Europe: 1993

Member of European Union: 2004

Facts and Figures

Latest number of femicides: 7 women were killed in 2007 and 5 women in 2008.

Latest number of DV cases reported by police:

In 2009, the police dealt with 2,478 cases of the criminal offence of domestic violence (bodily harm and rape are considered separate criminal offences, gender disaggregated data is not available). In 2009, the police dealt with 4,000 cases of domestic violence as violation of the protection of public peace and order laws.

Latest number of DV cases reported by women's shelters: No data available.

Prevalence of DV: According to the estimate by WAVE focal point Association SOS Helpline for Women and Children – Survivors of violence², at least one in five woman experiences physical domestic violence in Slovenia.

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

In Slovenia, one national helpline for women and children survivors of violence operates free of charge. Due to a lack of funding, a 24 hour all year round service is not provided and multilingual counselling is not offered. The helpline is only available for 10 hours a day during weekdays and four hours a day during weekends and holidays. A part of the costs is covered by the Ministry of Work, Family and Social Affairs and by Municipality of Ljubljana, among others. The remaining amount is financed through private foundations.

Table of Women's HELPLINES:

	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	1	1	0	0	35%
Regional	0	0	0	0	0%

Women's Shelters

As of September 2010, there are 15 shelters with 80 places for women and 139 places for children. There are 219 beds³ and an additional eight places for users of prohibited drugs and for survivors of violence. There are currently two crisis centres with 16 places for women and 19 for children and the third crisis centre has all together 22 places. In 2009, 84.06 per cent of the shelters were occupied.

Women's shelters are not accessible 24 hours a day, during weekends and holidays, and do not accept women at night.

Upon requesting assistance, women first have to attend counselling sessions, where they decide whether they want to be accommodated in a shelter or not. Comprehensive information is provided to support this decision. At this time, a multilingual service is not offered but translators can sometimes be arranged.

50 to 80 per cent of the total costs of Slovenian women's shelters are financed by the Ministry of Labour, Family and Social Affairs, municipalities and donators. State funding does not provide sufficient funding to cover all of the shelters' costs. Thus, managers of shelters have to undertake fundraising activities and solicit private foundations and donations.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
15	219	199		0	0

National Action Plan

In Slovenia, there is a Resolution on National Programmes for the Prevention of Domestic Violence (2009–2014), but no national action plan.

Additional Issues

Despite an increase in legal tools and measures taken by Slovenia on domestic violence, very little has actually changed. Success in preventing domestic violence is still low. There are a number of barriers to progress, including women not feeling able to trust the police and social services. Additionally, women still say that they risk losing money when calling the police. This occurs because of the practice of writing payment orders by the police, as cases of domestic violence are viewed as violating public peace and order.

Although recent cases of attempted murder by partners or ex-partners have decreased, the use of weapons and hate speech against women has increased. However, the state has begun to take a number of positive steps on domestic violence. These include the following:

The police have developed an anonymous online reporting system, so cases of domestic violence can be reported via their website. They have consulted with NGOs about developing and implementing this system and requested the NGOs' support in distributing information.

Police and the Ministry of Interior are cooperating extensively with NGOs in their awareness raising campaigns.

SLOVENIA

Situation of MM women survivors of violence in Slovenia⁴

There are 92,832 migrants registered as residents in Slovenia, of which 68,233 are men and 24,599 are women.⁵

1. Access of MM women to women's shelters and other services

In Slovenia, there are 15 Shelters and 219 beds in these shelters and crisis centres. None of these shelters are specialised for issues related to MM women. MM women have access to the women's shelters managed by the NGOs, however, state shelters led by state institutions accept only citizens of the Republic of Slovenia. Children of MM women are allowed to stay in women's shelters but there is an age restriction for boys over 15 years.

Asylum seekers, refugees and applicants for international protection, after lodging their application, have the automatic right to accommodation in the Asylum Centre in Ljubljana. They are also able to stay in private accommodation across Slovenia. Vulnerable groups and people with special needs are able to stay in shelters, crisis centres, and mothers' shelters.

Female asylum seekers account for 15.9 per cent of the total number of women in shelters.

The women's shelters do not receive direct funds to accommodate MM women. Usually, the NGOs use their own funds to cover the costs. The Ministry of Interior (MOI) funds the accommodation, care and basic supplies provided to asylum seekers staying in the Asylum Centre. All applicants staying in private housing are entitled to financial aid, funded by the MOI.

Multilingual counselling is not generally provided to MM women and their children in women's shelters. The provision of individual services in the shelters ensures appropriate solutions are considered.

In Slovenia, specialised services are only provided for victims of trafficking by an NGO and Caritas. The percentage of trafficked women in Slovenia is low and they receive full access to the therapy and accommodation support available in shelters and crisis centres. In cases involving Post Trauma Stress Disorder (PTSD), they also receive additional assistance including hospitalisation in psychiatric clinics and psychotherapy, among others. In the Asylum Centre, in any cases of suspected abuse, violence, trafficking and PTSD, a meeting of the Standard Operative Procedures (SOPS) Team, which deals with sexual and gender based violence, is immediately convened.

The helplines provide counselling in English, French, Serbian, Russian, Albanian, Farsi, Arab and Turkish. National SOS Helpline does not provide multilingual services but local helplines provide counselling in English and languages of the former Yugoslavia (Croatian, Serbian). Counselling services offered in the Asylum Centre are available in various languages.

2. Right of residence

MM women have to be married to a Slovene citizen for at least five years in order to get an independent residence permit. The experience of violence does not provide any exception for MM women in regards to receiving an independent residence permit.

3. Access of MM women to public funds and services

Healthcare services

All MM women have access to healthcare services. Every person in Slovenia has the right to healthcare in urgent cases. If women in shelters do not have social security, they are directed to the clinic for people without insurance where they receive help (exists only in Ljubljana and Maribor). In a few cases, the Association SOS Helpline covers healthcare costs from donations.

For asylum seeker and refugees, health care is guaranteed under Article 84 of the International Protection Act.

Social benefits and housing programmes

Asylum seekers and refugees, and minority ethnic women have access to social benefits and housing programmes. Minority ethnic women have to have residence permit or citizenship in order to access these benefits. Only in Ljubljana are minority ethnic women given priority access to housing programmes. Survivors of violence are treated on the same basis as others who need housing.

Childcare facilities

All MM women have access to childcare facilities except for asylum seekers. They are not entitled to national day care centres for children. However, in Asylum Centres, daily care of pre-school children is organised by NGOs. Some families however, manage to enrol their children in a day-care centre (kindergarten), but this often depends on the individual kindergarten and if it is willing to make an exception.

Education/training programmes

All MM women have access to education/training programmes. For the asylum seekers and recognised refugees daily language courses take place in the Asylum Centre. School children can go to primary school and can also attend secondary schools. They can also participate in courses outside the Asylum Centre (including English, computer literacy). Adults can also attend evening courses and professional training programmes.

Asylum seekers and refugees have access to the labour market in Slovenia. They are entitled to work after one year of residing in the Asylum Centre. For those still awaiting the decision on their asylum application, in cases where the asylum granting authority is responsible for the delay, right to employment is also granted.

4. Informing MM women about their rights and available services

Association SOS Help Line for Women and Children Survivors of violence is working on developing information materials for women but not specifically for MM women.

The Ministry of Interior is responsible for the legal status of migrant women. For asylum seekers, MOI and the International Protection Division provide information brochures published in relevant languages, containing information on the procedure, house rules, legal aid, Dublin Procedure and healthcare, among others. All information can be accessed on the MOI website. These brochures were written and funded entirely by the MOI. Materials are printed as booklets in English, French, Serbian, Russian, Urdu, Farsi, Romani and Arabic.

In Slovenia, there are no informational campaigns organised to raise awareness among MM women on violence against women.

5. Legal protection of MM women from violence

MM women can report the acts of violence to the police and the police can issue a protection order against perpetrators.

There are actually three different protection orders in Slovenia. One is the police order issued according to the Law on Police, the second one can be issued by the court according to the Family Violence Prevention Act, and the third one can be issued by the court according to the Law on Legal Procedure.

Only data on the number of protection orders issued by the police is available. In 2008, 553 protection orders were issued whereas 1,120 protection orders were issued in 2009.

There has been some improvement by the police in addressing violence against women. The police have received training on VAW and cooperation with NGOs as well as other relevant governmental organisations.

SLOVENIA

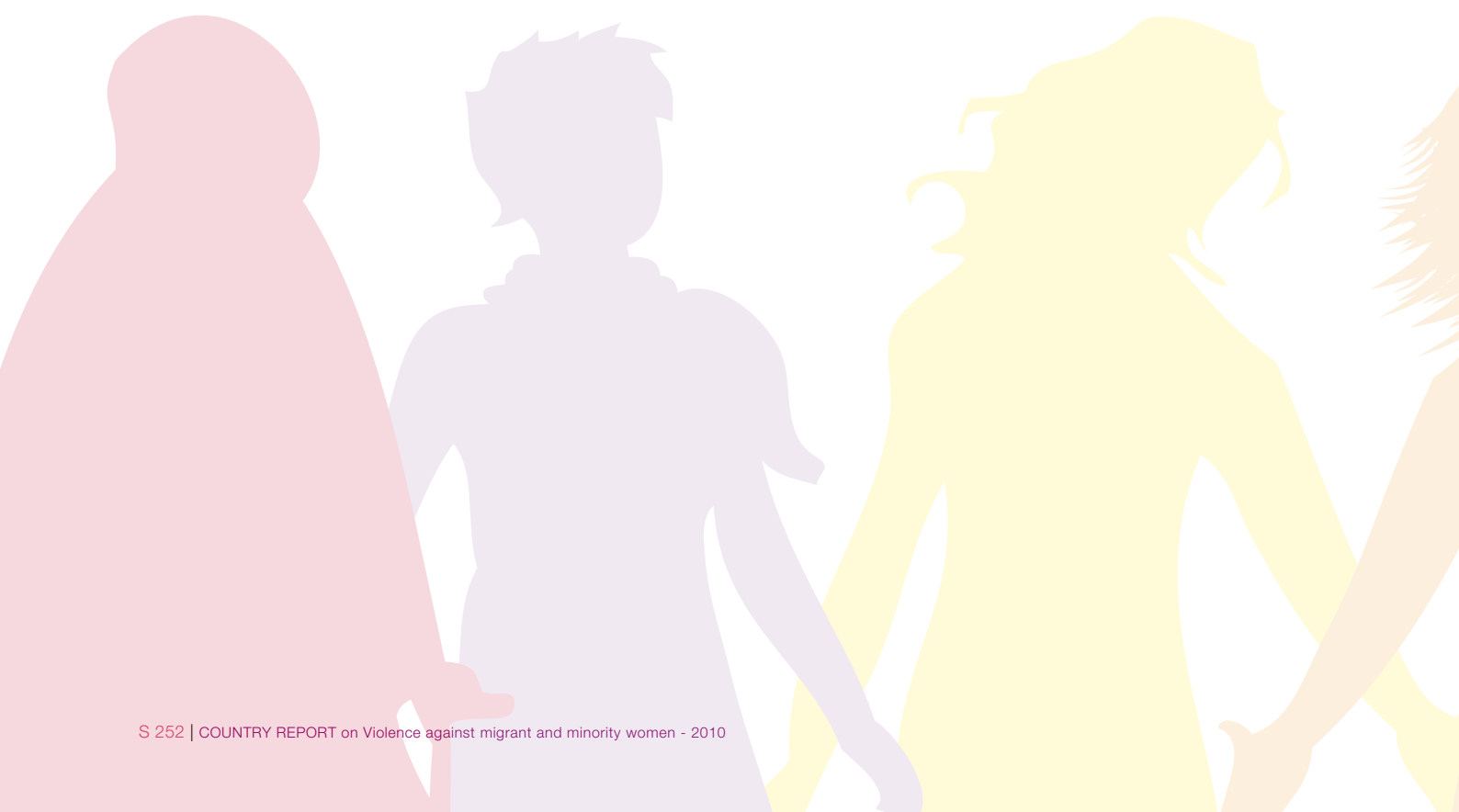
Legal aid

MM women who have a residence permit or citizenship are entitled to free legal advice.

Some organisations offer free legal aid to MM women provided free of charge through the ERF programme⁶ with full translation and materials available in the main languages spoken by the applicants.

6. Policy measures and statistics

Slovenian government has adopted a Resolution on the National Programme for the Prevention of Domestic Violence (2009–2014) and an Action Plan of the Slovenian National Working Group against Trafficking in Human Beings (2010–2011).



Endnotes

¹ Migration Office of the Ministry of Interior of the Slovak Republic, Border and Aliens Police Office of the Ministry of Interior of the Slovak Republic

² United Nations Demographic Yearbook 2008 <http://unstats.un.org/unsd/demographic/products/dyb/dybssets/2008%20DYB.pdf>

³ Association SOS Helpline for Women and Children – Survivors of violence: <http://www.drustvo-sos.si> (2010)

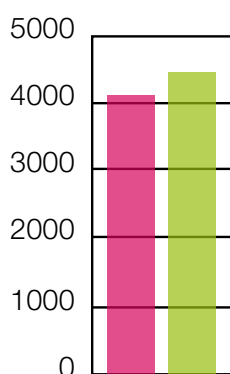
⁴ we separate this data because we want to have a practice that every woman has her own room

⁵ Information in this section has unless quoted otherwise been provided by Association SOS Help Line for Women and Children – Survivors of violence, <http://www.drustvo-sos.si> and the Ministry of Interior of R. Slovenia – Migration and Integration Directorate– International Protection Division– Asylum Center

⁶ <http://www.stat.si/doc/statinf/05-si-007-1001.pdf>, September 2010

SPAIN

(KINGDOM OF SPAIN)



No. of Shelters:	148
Rec. No. of Shelter Places:	4,500
No. of Shelter Places:	4,085

General Country Information

Population¹: 40,847,371

Female inhabitants:

20,834,489 = 51% of total population

CEDAW ratified: 1984

Optional Protocol of CEDAW ratified: 2001

Member of Council of Europe: 1977

Member of European Union: 1986

Facts and Figures

Latest number of femicides:

According to the Third Annual Report of the State Observatory on violence against women 55 women were killed in 2009 (471 femicides between 2003 and 2009).²

Latest number of DV cases reported by police:

According to the above mentioned report, out of a total of 135,540 incidents of domestic violence 106,516 cases were reported by police.

Latest number of DV cases reported by women's shelters: The same report states that shelters reported 1,563 cases.

Prevalence of DV: In 2007, 126,293 cases of domestic violence were reported which was 12.5 per cent less than in 2008 (142,125 reports). In 2009 the number of reports decrease by 4.6 per cent to 135,540 reported domestic violence cases.


SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

Spain has one national women's helpline, 016, which was established under the Real Decreto 903/1997 in June 1997. It is available for women affected by violence and their children 24 hours a day. Clients receive multilingual information services if needed and the phone call is free of charge. In case an intervention is needed urgently, 016 redirects the call to the 112 Helpline. The Spanish national women's helpline is 100 per cent subsidised through state funding. It offers multilingual counselling in Spanish, Catalan, Gallego, Basque, English, French, German, Arabic, Bulgarian, Chinese, Portuguese, Rumanian and Russian.

In addition, 17 regional helplines – the 112 helplines³ – can be contacted by women victims of domestic violence. All of them operate free of charge. Only one regional helpline provides 24-hour service and multilingual counselling to their clients.

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	1	1	1	1	100%
Regional	17	17	1	1	no data

Women's Shelters

According to the Guide for Resources and Centres of Interest for Women 2009, women's shelters in Spain can be categorised as follows: 59 intervention centres, 89 shelter houses and 105 mentored flats. So the number of shelters is 148.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
148	4,500 approx.	4,085		no data	no data

National Action Plan

The Spanish government introduced the National Action Plan on Preventing Violence against Women⁵ in 2006. In 2008 the Ministry of Equality resolved to improve this Action Plan. No deadline has been set for this so far.

On the Ministry website, a virtual map of resources has been created. This website, however, is currently under revision as some information, such as the shelters resources, are missing.

Situation of MM women survivors of violence in Spain⁶

According to the Spanish National Institute for Statistics, the immigrant⁷ population in Spain constitutes 9.9 per cent of the total population, 46,745,807 people (as of December 2009).⁸ 46 per cent of the immigrant population are women.

The most significant problems for MM women survivors of violence in Spain are as follows:

- The language barrier in the host country. In Spain it is particularly difficult as there are several co-official languages such as Basque, Catalan or Gallego.
- Lack of support of social networks.
- Lack of coherence between the foreign law and the Integrated Law against VAW.
- Social and economic vulnerability.
- Lack of knowledge about the available services provided to survivors of violence.
- Fear of deportation.
- Difficulties in entering the labour market.

SPAIN

1. Access of MM women to women's shelters and other services

In Spain, there are around 200 shelters including emergency centres, shelters and flats that are managed by both public and private organisations, with or without public financing.

In the Murcia Region, the Murcia Regional Government (autonomous body for women's matters) is the owner of an emergency centre and responsible for the co-financing of four shelters and one flat; all of these are managed by local municipalities. Also the General Directorate for Gender Based Violence Prevention and Youth Reform directly and fully funds one shelter for women who face social exclusion and for women victims of gender-based violence. While all shelters host women victims of gender-based violence and their children, regardless of their nationality, the shelter funded by the General Directorate for Gender Based Violence Prevention and Youth Reform served mostly migrant women.

In Spain, both native and migrant women are admitted to the shelters, regardless of their status according to immigrant law. There is no difference in treatment of migrant women and asylum seekers/refugees. Except that minority ethnic groups are not treated as a specific community. The Roma people, a minority ethnic group, generally come from other countries and are EU citizens.

However, some shelters do not accept undocumented women. Access restrictions apply to both native and migrant women suffering from mental health problems and/or drug addiction.

When a migrant woman is in an irregular situation, she is hosted in a shelter or in a mentor flat and may apply for a temporary residence permit for humanitarian reasons. Once a woman has filed a complaint to the police against the perpetrator, she is treated as a victim of gender-based violence.

While no difference is made between MM and Spanish women experiencing gender-based violence, there are no specialised shelters specifically targeting MM women, but all existing services are available to them.

The shelters in Spain are not financed by the Central Government but by Regional Governments.

Children below the age of 18 have access to all the shelters in the Murcia Region. Women are encouraged to place older children with relatives or friends while they women themselves stay in the shelter.

In some regions such as Murcia, translation service is also provided during phone conversations with VAW victims who do not speak Spanish. Legal and psychological counselling is thus provided in 51 languages. This service is included in the Emergency Device for Urgent Attention Device by Phone, helpline 112, as well as in the above mentioned shelter. Concerning culturally sensitive services in Murcia Region, there is a pilot project providing psychological support for migrant children.

2. Right of residence

Generally, MM women have to stay in a relationship/marriage for a minimum of five years in order to get a residence permit.

However, if a woman gets a divorce, she has to prove to have cohabitated with her husband for at least two years.

However, a migrant woman victim of gender-based violence, who obtained her residence permit for purpose of family reunification, is eligible for an independent residence and work permit once a protection order has been issued by the police or a report proving DV has been issued by the Prosecution Services.

Once a reunified woman has obtained a work permit, she can immediately apply for an independent residence permit.

The same procedures apply to same sex partnerships/cohabitation. The only difference is that it is more complicated to prove the partnership/cohabitation.

Within the framework of the Law of Foreigners and the Integral Law against the Gender Based Violence, the main problem for MM women is (Article 31/2) that an undocumented migrant woman who reports an abuse to the police risks deportation if the perpetrator is absolved at the end of the case.

Although the following requirements are stated in the Law, there are problems regarding implementation:

- The right to be informed (Article 18 of the Integral Law) and the right to be accompanied by interpreters is not totally guaranteed because the interpreters are usually not specialised in VAW which makes it difficult for women concerned to express themselves properly.

3. Access of MM women to public funds and services

Housing programmes

Women survivors of gender-based violence have priority access to public housing. However, undocumented women survivors of gender-based violence have greater difficulties in getting access.

Childcare facilities

All children who are at least three years old have free access to the educational system.

However, although there are a few public day-care centres for younger children, it is very difficult to find public day-care for children below three years, which, in turn, impedes women from accessing the labour market.

In one of the municipalities of the Murcia Region, a women's shelter has reserved a number of places in a public day-care centre for the children of the women accommodated in the shelter. This constitutes good practice.

Labour market

Undocumented migrant women who are survivors of gender-based violence can only find a job on the black market and often work as domestic workers.

In March 2010, a Coordination Protocol was signed between the Employment Regional Service (SEF) and the General Directorate for Gender Based Violence Prevention and Youth Reform in order to improve the access of women victims of gender-based violence to the labour market. This protocol aims to enhance the employability of these women, to support their economic independence, to enable them to break up with their abusive partners and to recover. In this case no distinction is made between national and foreign women.

4. Legal protection of MM women from violence

The Police have signed the following protocols to protect women from violence;

- Protocol of Intervention for the Forces and Bodies of Security and for the Coordination with the Judicial Organs for the Protection of the Victims of Domestic Violence and Gender-Based Violence (2005)
- Protocol for the Police Assessment of the Level of Risk of Violence against Women

There are special groups within the National Police and the Civil Guard dealing with domestic violence such as:

- SAF: Services of Attention to the Family, of the National Police
- UPAP: Units of Prevention, Attendance and Protection, of the National Police
- EMUMES: Specialists in Woman and Minor, of the Civil Guard

There is only a relatively small number of policemen and policewomen who have specialised in combating domestic violence and who are, as a consequence, assigned to deal with numerous cases.

There is also a Protocol of Implementation of Protection Orders for Victims of Domestic Violence.⁹ The documents and forms to apply for a protection order are provided in English, German, French, Bulgarian, Russian, Chinese, Portuguese and Rumanian.

In 2008, 142,125 cases were reported to the police, 44 per cent of which were foreign victims. 41,420 protection orders were applied for, 36 per cent of which were requested by foreign women. Of all requests (requested by Spanish and MM women), 73 per cent were accepted.

76 women were killed by their partners, of whom 56 per cent were immigrants.¹⁰

SPAIN

Legal aid

The Spanish Integrated Law against Gender based Violence (2004) includes free legal aid for MM women.

5. Informing MM women of their rights and available services

The Spanish Ministry of Equality has published several information materials on protection law and women's services. The national helpline 016 provides information on this law and services.¹¹

The Spanish Ministry of Equality has produced specific publications on MM women and services available to them (which can also be found on the website mentioned before).¹² There is a specific roadmap 2009-2012: Plan for Attention and Prevention of Gender-Based Violence for Immigrant Population.

The Spain's governmental action plan on VAW is also available in English.¹³

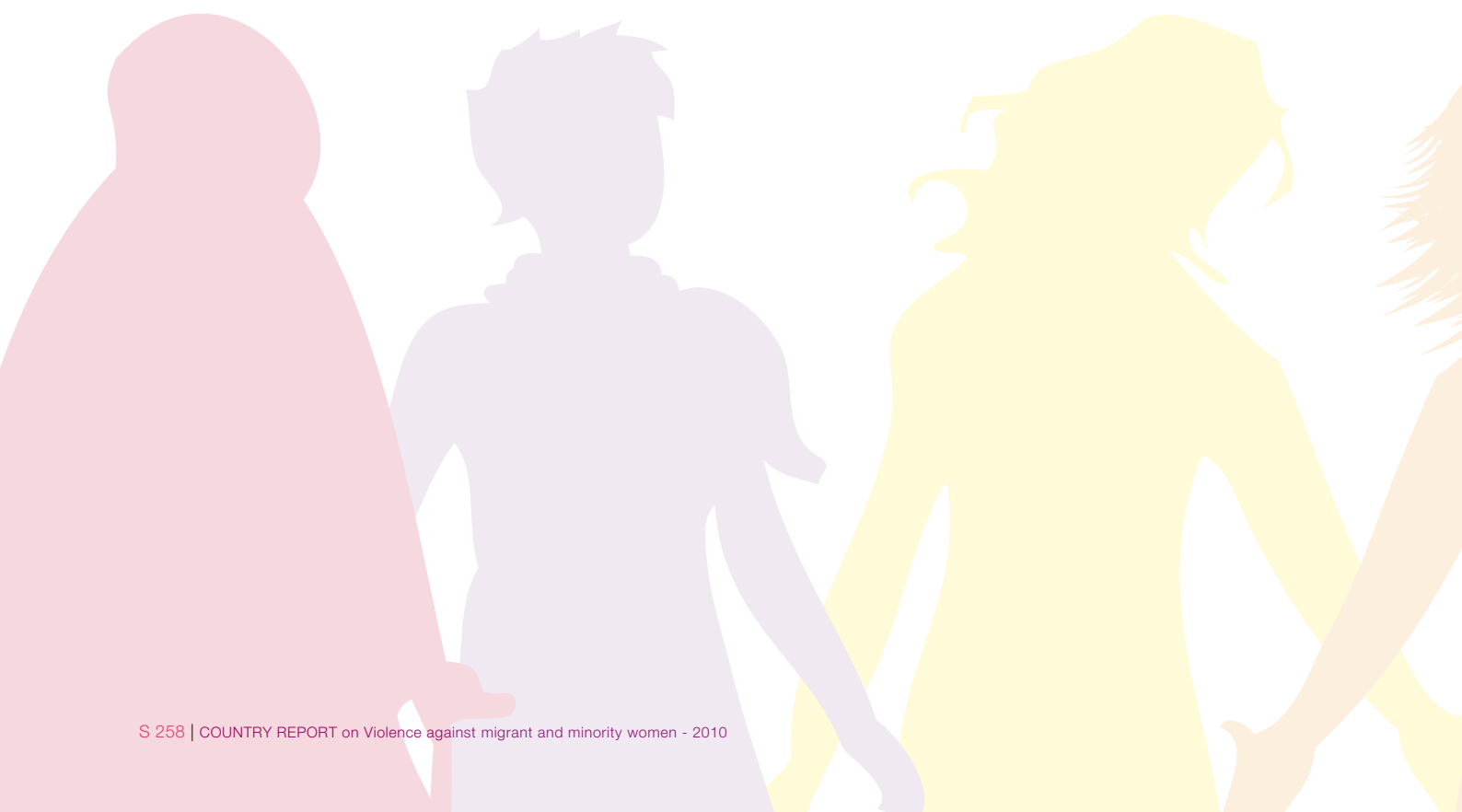
A Protocol of Intervention for cases of Gender Based Violence has been designed for migrants. In 2010, the Spanish Government is expected to approve this Protocol.

In 2006, CEPAIM carried out a research project called *It Is Not Only about Beating: Speeches of Women on Gender-Based Violence*, in which opinions of 148 women from shelters on equality and violence were compiled in order to raise awareness on the subject of violence against MM women. There are also informational campaigns on VAW for MM women.¹⁴

6. Policy measures and statistics

The government has specific policies for specific forms of violence such as forced marriage, so called "honour-related crimes", female genital mutilation and trafficking in women. There are, however, not many cases of honour-related crimes.

There is an organisation which specifically deals with these problems.¹⁵

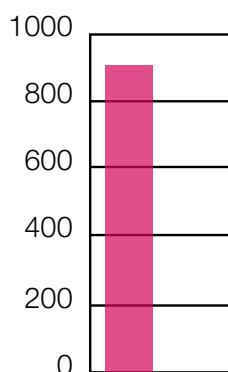


Endnotes

- ¹ United Nations Demographic Yearbook 2008 <http://unstats.un.org/unsd/demographic/products/dyb/dybssets/2008%20DYB.pdf>
- ² See : III INFORME ANUAL DEL OBSERVATORIO ESTATAL DE VIOLENCIA SOBRE LA MUJER 2010, <http://www.migualdad.es/ss/Satellite?blobcol=urldata&blobheader=application%2Fpdf&blobheadervalue1=Content-disposition&blobheadervalue1=inline&blobkey=id&blobtable=MungoBlobs&blobwhere=1244655166379&ssbinary=true>
- ³ <http://www.112.es/> (2010).
- ⁴ Ministerio de Igualdad: <http://www.migualdad.es/> (2010).
- ⁵ Information in this section has, unless quoted, been provided by General Directorate for Gender Based Violence Prevention and Youth Reform (former IMRM), <http://www.cavis.es/sitio/>, and CEPAIM, <http://www.cepaim.org>.
- ⁶ In Spain, the concept of “foreign women” is used instead of “migrant women” however; we will use MM women in order to provide coherence among the country information in the report.
- ⁷ <http://www.ine.es>
- ⁸ <http://www.guardiacivil.org/mujer/ley2.jsp>
- ⁹ <http://www.migualdad.es> (Ministry for Equality)
- ¹⁰ Further information can be found on the http://www.migualdad.es/ss/Satellite?c=Page&cid=1193047406677&pagename=MinisterioIgualdad%2FPagina%2FMIGU_contenidoFinal
- ¹¹ *ibid*
- ¹² http://www.migualdad.es/ss/Satellite?c=Page&cid=1193049890379&language=cas_ES&pagename=MinisterioIgualdad%2FPagina%2FMIGU_listado
- ¹³ http://www.migualdad.es/ss/Satellite?c=Page&cid=1193050057588&language=cas_ES&pagename=MinisterioIgualdad%2FPagina%2FMIGU_SinContenido
- ¹⁴ <http://www.amam.es/>, <http://www.ekrea.org>

SWEDEN

(KINGDOM OF SWEDEN)



General Country Information

Population¹: 8,975,670

Female inhabitants:

4,529,014 = 50.46% of total population

CEDAW ratified: 1980

Optional Protocol of CEDAW ratified: 2003

Member of Council of Europe: 1949

Member of European Union: 1995

No. of Shelters: 150

Rec. No. of Shelter Places: 911

No. of Shelter Places: no data

Facts and Figures

Latest number of femicides: Approximately 20 women were killed in 2009.

Latest number of DV cases reported by police: Approximately 20,000 cases in 2009.

Latest number of DV cases reported by women's shelters: No data available.

Prevalence of DV: An estimated 100,000 women annually are likely to experience domestic violence.

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

The Swedish national women's helpline was established in December 2007. It is operated by the National Centre for Knowledge on Men's Violence against Women. The helpline is available 24 hours a day, 365 days a year and provides help in other languages, depending on the language qualifications of the staff. The staff of the helpline also works with interpreters if needed. The service is free of charge for all clients. The Swedish national women's helpline receives funding from the state. The national helpline provides multilingual counselling including interpreter services in the most spoken languages in Sweden, such as Arabic, Somali, Turkish, Spanish, Thai and Kurdish.

Furthermore, 150 regional women's helplines, operated by women's shelters, are available for women survivors of violence. All of them provide their services free of charge. Women's shelters and helplines have different financing models, although all of them are subsidised by the state through funding coming from municipalities and additionally carry out fundraising activities to fund the helpline.

Table of Women's HELPLINES:

	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	1	1	1	1	no data
Regional	150	150	some	some	no data

Women's Shelters

In 1978, the first Swedish women's shelter was established in Stockholm. Since then 180 more women's shelters have been set up until 2010. There are two umbrella organisations for women's shelters in Sweden which are both WAVE focal points. ROKS - the National Organisation for Women's and Girls' Shelters in Sweden² was founded in 1984. It consists of about 87 women's and girls' shelters with a total of 260 shelter places. In 1996, the second umbrella organisation SKR - the Swedish Association of Women's Shelters³ was founded and it consists of 80 women's shelters. All of the shelters in the country operate women's helplines, several of which offer specialised multilingual service. There are also five community shelters in Sweden that offer 40 shelter places.

It is difficult to estimate the percentage of state funding given to each shelter, since every member organisation works independently applying a variety of financing strategies. Many shelters receive funding from their local and/or regional municipalities, but the extent differs greatly throughout the country.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
180	620	898	78	some	some

National Action Plan

Based on several working meetings and in close cooperation with NGOs such as WAVE focal point SKR, Swedish Association of Women's Shelters, Young Women's Empowerment Centres and ROKS, the Swedish government prepared a national action plan for Combating Men's Violence against Women, Violence and Oppression in the Name of Honour and Violence in Same-Sex Relationships⁴ in 2007. Subsequently, the Swedish government has invested a great deal of money into the area.

Additional Issues

A new research centre, the Regional Centre for Knowledge on Men's Violence against Women⁵ is currently being built on the Swedish west coast. The aim of the Regional Centre is to collect a variety of information about domestic violence against women and to provide education for all professionals working with women affected by violence.

Previously there was only one research centre on the Swedish south coast which was responsible for gathering information about domestic violence for the whole country. This National Centre for Knowledge on Men's Violence against Women (NCK) at Uppsala University has, in government directives, been commissioned to:

- offer advice and information service 24 hours a day
- offer support to women subjected to violence
- spread knowledge about and develop methods for care and treatment of women who have been subjected to battering and rape
- spread knowledge and information about men's violence against women
- educate medical staff and other categories of staff who are likely to meet women subjected to violence
- follow, compile and disseminate research findings within the field of men's violence against women
- carry on research within the faculty of medicine, and
- function as a consulting resource for other organisations and authorities in the country.

SWEDEN

NCK was first established in 1994 as an expert unit within the health and medical services for women subjected to battering and sexual assaults. Physicians, midwives, medical social workers, researchers, information workers and administrators work at the centre.

Situation of MM women survivors of violence in Sweden⁶

13.8 per cent of the Swedish population are migrants. There is no statistic for the percentage of migrant women. But the Migration Board estimates that there is a nearly 50/50 division.

The most significant problems of MM women survivors of violence in Sweden are discrimination and prejudice from the majority in society and the suspicious approach of governmental offices.

1. Access of MM women to women's shelters and other services

Currently, there are 172 women's shelters in Sweden and the numbers are increasing. There are about 10 women's shelters providing specialised support for migrant and minority women in Sweden. These shelters are for Muslims, Roma, Iranians and Finns and for migrant and minority women in general.

MM shelters do not receive state funding and they always need to seek project funding to continue their existence.

Most of the MM women have access to all the women's shelters in Sweden. There are some restrictions such as language or cost, which can result in the social services sending the MM women to cheaper hostels, regardless of protection issues.

Another problem is that MM women may have to remain in women's shelters for a long time because they have difficulty finding their own accommodations. This places shelters in financial dilemmas, if they must support extended long-term stays at the shelter. It is the social services that generally place MM women in the shelters and in order to receive shelters, the women have to pay an accommodation fee per woman/child per day.

Children also have access to shelters with their mothers but boys over 12 are sometimes not accepted in women shelters. These boys and their mothers can rent one of the apartments owned by the women's shelter or the social services.

Most of women's shelters in Sweden cannot provide culturally sensitive services such as counselling in native languages. Most often the shelter will try to get help from interpreters or send the MM women to the specialised shelters. There are a few specialised MM women shelters that provide culturally sensitive services. These can offer help which is sensitive to religious and cultural differences in more than 30 different languages. These types of services are also provided for children when possible.

In order to improve the services for MM women, better knowledge of MM women's cultures, traditions and religion is necessary and there should be more MM women employees working in specialised shelters and of course more funds should be available for providing specialised services for MM women. At the moment there are about 20 to 25 MM women employees working in women's shelters.

Additionally, there are several ethnic based organisations that offer counselling, helplines and other types of intervention. These are for several different groups and in several languages.

2. Right of residence

MM women have to stay in a relationship (heterosexual or same-sex) or marriage for two years in order to get a residence permit. VAW is considered in the residency regulations in Sweden. There is an exception for getting a residence permit for MM women if they experience violence. Women survivors of violence will not lose their residence permit if court proceedings take place against the perpetrator.

However, she has to prove the violence through injunction or documented injuries, or with the help of witnesses. If a MM woman ends her relationship before the two year requirement has been met, she risks being sent back to her country of origin, where in some cases, the women are threatened or killed by their families if they return.

3. Access of MM women to public funds and services

Healthcare services

Everyone has a right to health care. However, asylum seekers and people without documents can get healthcare only in cases of emergencies. There are special clinics set up to help these women with other health problems.

Social benefits

The women with a temporary residence permit, permanent residence permit and minority ethnic groups have no problem in accessing social benefits. However, if they are asylum seekers or refugees they get help from the migration board.

Women, with a temporary residence permit, who lose their permit and become an asylum seeker may face difficulties because they then also lose access to social benefits and housing programmes which require a personal identity number.

Childcare facilities

There are no distinctions between MM women concerning childcare facilities. If there are spaces, anyone can be placed.

Education/training programmes

Migrant women with a temporary residence permit, asylum seekers/refugees and minority ethnic women have access to education/training programmes in Sweden. Asylum seekers can continue education as long as they do not get a definite refusal of their application.

4. Informing MM women of their rights and available services

There is information material on women's rights in Swedish available for immigrants in the governmental offices, hospitals and other public institutions. Information about the women's services is also available in the majority languages spoken in Sweden such as English, Arabic, Somali, Thai, Turkish, Kurdish, Persian, Spanish, Tigrinya, Amharic and French. However, there are no information campaigns on VAW specifically addressing MM women.

5. Legal protection of MM women from violence

Police are trained on VAW and how to deal with survivors of violence via campaigns conducted at the police academy.

Although protection orders are available in Sweden, the numbers including MM women issued by the police are not available.

Women who do not speak Swedish are reportedly neglected by the police because the police may need to take additional steps, when dealing with MM women, including making a request for a translator. As a result, MM women are often discouraged from reporting case of domestic violence.

Legal aid

Legal aid is provided free of charge to women survivors of violence who cannot afford it.

Endnotes

¹ United Nations Demographic Yearbook 2008 <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2008%20DYB.pdf>

² <http://www.roks.se> (2010)

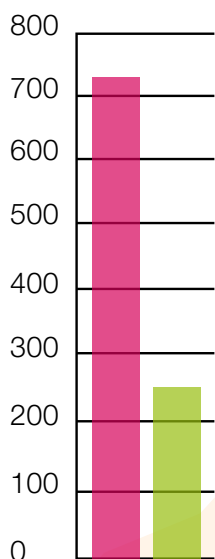
³ <http://www.kvinnojour.com> (2010)

⁴ National Action Plan for combating men's violence against women, violence and oppression in the name of honour and violence in same-sex relationship, Government Office of Sweden: <http://www.regeringen.se> (2010)

⁵ <http://www.valdinararelationer.se>

⁶ Information in this section has unless quoted otherwise been provided by Swedish Association for Women's Shelters and Young Women's Empowerment Center, SKR, <http://www.kvinnojour.com>

SWITZERLAND



General Country Information

Population¹: 7,288,010

Female inhabitants:

3,720,443 = 51.05% of total population

CEDAW ratified: 1997

Optional Protocol of CEDAW ratified: 2008

Member of Council of Europe: 1963

Member of European Union: no

SWITZERLAND

Facts and Figures

Latest number of femicides:

25 women over 14 years old (2000 – 2004)²

Latest number of DV cases reported by police:

No data available. First statistics on domestic violence are planned to be published in 2010.

Latest number of DV cases reported by women's shelters: Approximately 1032 women in 2007.³

Prevalence of DV: No data available.

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

The first Swiss helpline was founded in 1956. There is no national helpline for women affected by domestic violence in Switzerland, but one targeting all people in difficult situations called Die Dargebotene Hand and one especially designed for children and teenagers facing various problems called Pro Juventute. Both offer telephone and email counselling.⁴

Instead of a national women's helpline, there are three internet platforms offering advice to individuals who have been affected by domestic violence. Violencequefaire.ch⁵ and comeva.ch⁶ offer counselling in French, while the website stopit.ch⁷ provides support to German speaking women survivors of domestic violence.

Additionally, about 25 regional women's helplines can be contacted by women in danger. According to WAVE focal point Fachstellen gegen Häusliche Gewalt Schweiz, 18 of them are operated by the Swiss women's shelters free of charge. The remaining regional helplines are run by the seven Opferhilfestellen. Clients do not pay for the phone calls when accessing the services of the latter. All regional helplines offer multilingual counselling in German, French, Italian and English. Most of the helplines are at least partially funded by the state. Introducing a national helpline for women survivors of violence is currently being considered.

Table of Women's HELPLINES:

	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	0	/	/	/	0%
Regional	25 approx.	25	8	25	20-95%

Women's Shelters

The first women's shelter in Switzerland, the Notunterkunft für Geschlagene Frauen, was established in 1979. In 2008, a number of the 18 women's shelters with a total capacity of 247 shelter places in 118 rooms were available for women affected by domestic violence and their children. Due to a lack of sufficient shelter places, women from Switzerland are sometimes accommodated in Liechtenstein. 503 more family places are required in order to reach the number of shelter places recommended by the European Parliament. In Swiss women's shelters the staff are highly qualified to work with survivors of domestic violence. They have a good overview of all the services available in the region. Except in cases of danger, women can only contact a shelter in the region where they reside. Most shelters are available 24 hours a day all year round. Multilingual counselling is usually provided in German, French, Italian and English. If needed, interpreters support the conversation between women and social workers.

According to the announcement of the umbrella organisation of Swiss and Liechtenstein women's shelters, DAO - Dachorganisation der Frauenhäuser Schweiz,⁸ the total budget of all 18 women's shelters was up to 13 million Swiss francs in 2006. The shelters are partly subsidised by state. The funding however does not cover the total costs of operating the shelters. Thus many women's shelters are forced to invest a lot of time in fundraising activities and are dependent on donations.

Table of Women's SHELTERS



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
18	247	729	482	14	18

Further Services for women survivors of violence

10 out of the 18 shelters additionally run counselling centres for women survivors of domestic violence. Furthermore, there are other counselling centres and shelters providing help to survivors of domestic violence such as the FIZ – Fachstelle Frauenhandel und Frauenmigration,⁹ Mädchen Haus Zürich,¹⁰ or Centre d'Accueil Malley Prairie.¹¹

National Action Plan

Switzerland has a National Action Plan on equality of women and men, Gleichstellung von Frau und Mann, which also contains a chapter on violence against women. In 1999, the Action Plan was developed in cooperation with Amnesty International and domestic violence experts, but without any Swiss NGO experts working in the field of violence against women. A Parliamentary motion on preparing a specific Action Plan on Domestic Violence against Women was filed but defeated in 2005.

Situation of MM women survivors of violence in Switzerland¹²

Migrant women constitute about 10 per cent of the total population of Switzerland. This does not include migrant women with a Swiss Passport, women without a residence permit such as asylum seekers and undocumented women.

The most significant problems of MM women survivors of violence in Switzerland include obtaining a residence permit and insufficient victim protection.

According to the Migrant Law (2008), women outside the EU and EFTA states must have been married for at least five years before they can receive an independent residence permit. In cases of domestic violence, if a woman can provide proof of

SWITZERLAND

her partner's violence, is integrated into the Swiss society and gets a divorce after at least three years of marriage, she has the right to apply for a residence permit in Switzerland.

Another problem is the insufficient witness protection for the victims of trafficking or forced prostitution.

1. Access of MM women to women's shelters and other services

The number of shelter places is not sufficient and constitutes a quarter of the number recommended by the Council of Europe.

Violetta is the only women's shelter for migrant women. It is located in Zurich and is also the only shelter that only employs MM women.

In general, all women have access to women's shelters. Approximately 75 per cent of the funds for women's shelters are provided by the state and 25 per cent by other financial sources. Women's shelters do not get any special financial help for MM women.

Women's shelters often support women by providing help in writing an official report about the situation for consideration by the tribunals, for the police and the office of migration.

The MM women can bring their children to the shelters. If a boy is older than 12 years, his ability to stay at the shelter is determined on an individual basis.

Women's shelters provide a variety of culturally sensitive support. Some examples of culturally sensitive services include:

- Femmes Tische is for women from different countries like Albania, Sri Lanka, Russia and Portugal. There, women explain to other women (from the same country) various important information, including information about the Swiss educational system or how the health care system works.¹³
- EFFE is an association for women who are searching for a job.¹⁴
- Multimondo is a special service for MM women and their children, where the children have the possibility to spend time with other children who speak their native language.¹⁵

50 per cent of the women accommodated in women's shelters in Switzerland are MM women.

In 1993, Switzerland introduced the Victim Aid Law which obliges each canton (26 in total) to have specialised counselling services for survivors of violence. Some of these services employ migrant women as counsellors and all of them work with translators from different countries.

2. Right of residence

According to the new Foreigners' Law (2008), women outside the EU and EFTA states have to be married and live together for at least five years in order to get a residence permit in Switzerland. Additionally, officially registered heterosexual and same sex partnerships provide women with the right to obtain a residence permit.

There are, however, exceptions which enable women to obtain an independent residence permit after three years of marriage. These are:

- a) The woman is integrated into the Swiss society.
- b) The woman has been a victim of domestic violence.
- c) Returning to her native country puts her in danger.

The migration office of a canton has to submit the request for an independent residence permit to the Federal Office of Migration (Bundesamt für Migration - BFM). Within the 24 months since the implementation of the new law, there have only been 10 requests to the BMF in the whole of Switzerland.

3. Access of MM women to public funds and services

Healthcare services

All groups of migrants have access to healthcare services. Anyone (including undocumented migrants) who wants to use healthcare services must be member of a health insurance programme.

Sometimes, however, problems regarding costs arise as certain services such as dental care or vision are not covered by the insurance. A number of specialised NGOs may assist undocumented persons and persons without residence permit in individual cases.

Social benefits

Migrant women without a residence permit, migrant women with an insecure or temporary residence permit, asylum seekers, refugees and minority ethnic women have access to social benefits in Switzerland. Lengthy dependence on social welfare, however, may result in the loss of a residence permit. Many migrant survivors of domestic violence renounce their right to financial aid because they fear losing their residence permit.

Housing programmes

Asylum seekers and refugees have access to housing programmes.

Victim Aid Services help survivors of violence find housing.

Childcare facilities

If asylum seekers and refugees have regular employment, they have access to the same facilities as Swiss citizens.

Education/training programmes

Asylum seekers, refugees and minority ethnic persons have access to education/training programmes. Women's NGOs organise programmes for undocumented migrant women and migrant women without residence permits.

The Foreigners' Law (2008) contains an integration article which encourages foreigners to learn the language of the region they live in. People unwilling to integrate can be obliged to follow a language or an integration programme. This gives the victims of domestic violence the possibility of taking a language course even if her husband opposes it. (The integration agreement can also oblige the husband to follow an anti-violence programme.)

Labour market

Asylum seekers, refugees and ethnic minorities have access to the labour market in Switzerland.

4. Informing MM women of their rights and available services

Each canton has its own welcoming practice for migrant women. In Basel, all new arrivals are welcomed and get an information package on domestic violence, women's shelters and counselling services.

From 2002 to 2004, the Swiss Criminal Prevention (SCP) led a campaign against domestic violence. In 2004, it focused on migrants. The SCP published a booklet containing counselling services in the national languages and a few other languages like Turkish, Spanish and Serbian. The booklet was delivered to all police stations in Switzerland and was widely disseminated.

The delivery of information materials about women's services available to MM women varies from canton to canton. Most of them have a lot of information translated into different languages. In some cantons (e.g. Basel and Biel) members of the migrant population have been trained to inform their own communities about domestic violence.

5. Legal protection of MM women from violence

The police may remove perpetrators of violence from the home or prevent the perpetrator from approaching or contacting the victim.

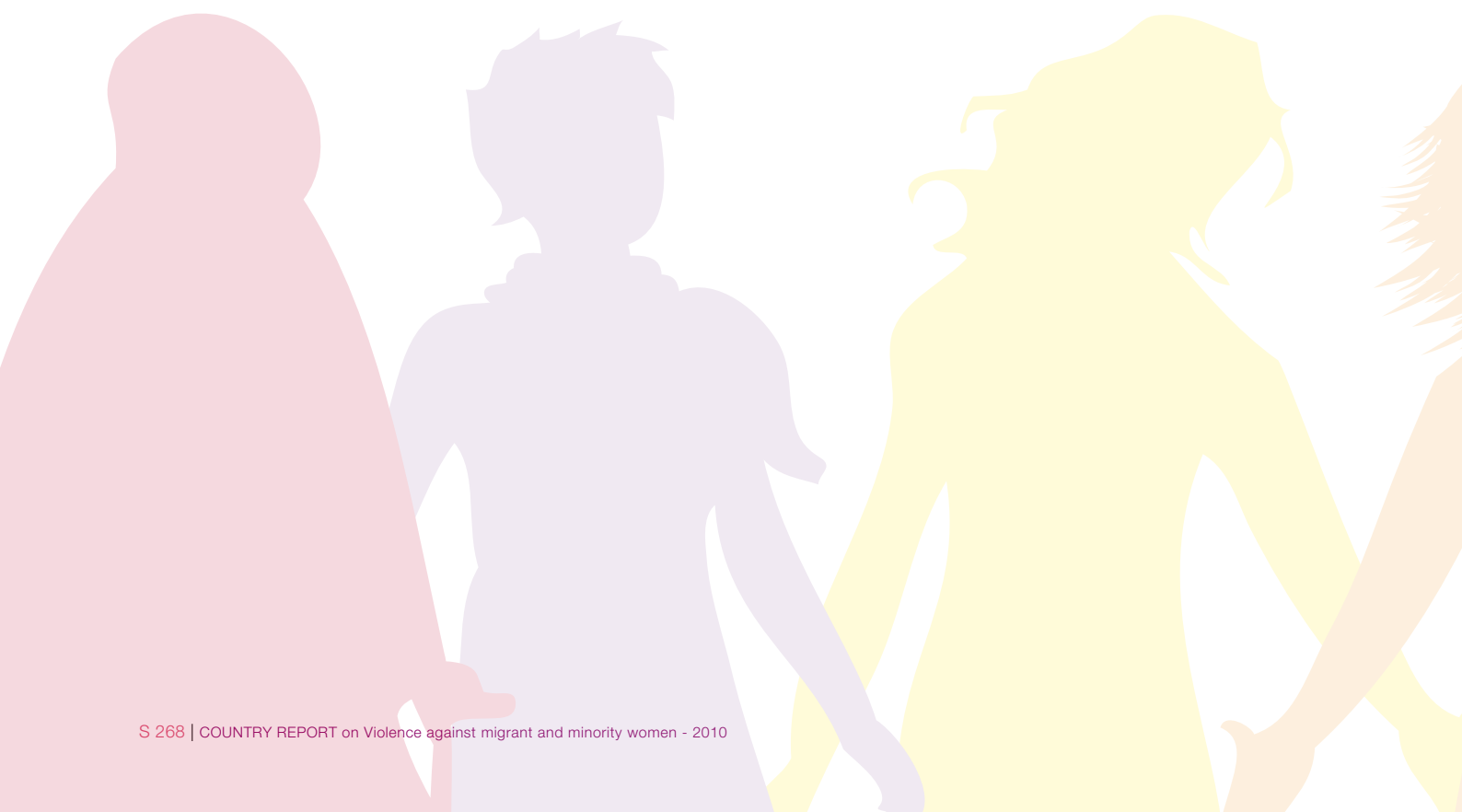
SWITZERLAND

The Swiss Civil Code contains Article 28b which provides for protection orders in cases of domestic violence and stalking. Protection orders are issued by both courts and the police.

16,349 cases of domestic violence were reported in 2009. In 2,670 of these cases, the victim was a MM woman.

Legal aid

The Victim Aid Services offers counselling in legal matters to all women free of charge. They provide and pay for attorneys when a victim has no income. The Victim Aids Services inform women about the legal procedure and accompanies the victim during the legal process, if they request it.

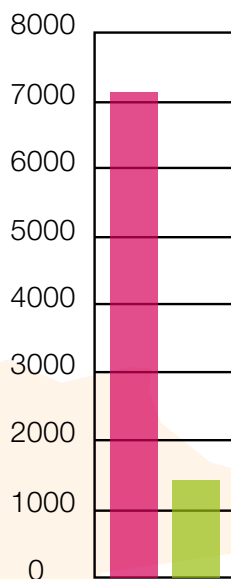


Endnotes

- ¹ United Nations Demographic Yearbook 2008 <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2008%20DYB.pdf>
- ² Tötungsdelikte. Fokus häusliche Gewalt. Polizeilich registrierte Fälle 2000-20004: Bundesamt für Statistik. 2006: <http://www.bfs.admin.ch/bfs/portal/de/index/news/publikationen.Document.83618.pdf>, 2008.
- ³ Data provided by Frauenhaus Thun.
- ⁴ Pro Juventute: <http://www.143.ch>, 2008.
- ⁵ Violencequefaire.ch - informations, réponses et discussions sur la violence dans le couple: <http://www.violencequefaire.ch>, 2008.
- ⁶ Comeva.ch: <http://www.comeva.ch>, 2008.
- ⁷ Stop it: <http://www.stopit.ch>, 2008.
- ⁸ DAO - Dachorganisation der Frauenhäuser Schweiz, <http://www.frauenhaus-schweiz.ch/index.php?id=25>, 2008.
- ⁹ Fachstelle Frauenhandel und Frauenmigration - FIZ: <http://www.fiz-info.ch>, 2008.
- ¹⁰ Mädchen Haus Zürich: <http://www.maedchenhaus.ch>, 2008.
- ¹¹ Centre d'accueil Malley Prairie: <http://www.malleyprairie.ch/fr/index.php>, 2008.
- ¹² Information in this section has, unless quoted, been provided by KIFS-Konferenz der Interventions- und Fachstellen gegen häusliche Gewalt Schweiz, <http://www.halt-gewalt.bs.ch> and DAO and Solidarité femmes region biennoise in Switzerland, <http://www.frauenhaus-schweiz.ch/>
- ¹³ <http://www.effe.ch/fr/> (2010)
- ¹⁴ <http://www.effe.ch/fr/> (2010)
- ¹⁵ <http://www.multimondo.ch/> (2010)

TURKEY

(REPUBLIC OF TURKEY)



No. of Shelters: 62
 Rec. No. of Shelter Places: 7,152
 No. of Shelter Places: 1,478

General Country Information

Population¹: 71,517,100

Female inhabitants:

35,615,946 = 49.80% of total population

CEDAW ratified: 1985

Optional Protocol of CEDAW ratified: 2002

Member of Council of Europe: 1949

Member of European Union: no

Facts and Figures

Latest number of femicides:

No data available.

Latest number of DV cases reported by police:

No data available.

Latest number of DV cases reported by women's shelters: No data available.


Prevalence of DV: No data available.

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

In Turkey there are two women's helplines supporting women affected by domestic violence. One of them is advertised as a national helpline available to all women in the whole country 24 hours a day. However, this helpline is not exclusively for survivors of domestic violence and can be used by children, elderly and the disabled. Services as well as phone calls are free of charge, however multilingual counselling is not offered. The national helpline is 100 per cent state funded. Additionally, one local helpline can be contacted by women in danger. This helpline serves women living in the city of Istanbul (12 million inhabitants), it does however take calls from all over Turkey. This local helpline provides service free of charge 24 hours a day to women and their children affected by domestic violence. Multilingual counselling is not offered. In contrast to the national helpline, the local helpline is mainly financed through non-state funding (e.g. private funding or EU funding) and partially by the municipalities. The local helpline referred to in last year's report is no longer in operation.

Table of Women's HELPLINES:



	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	1	1	1	0	100%
Regional	1	1	1	0	0%

Women's Shelters

As of April 2009, there are 62 women's shelters in Turkey, 38 of which were established by the General Directorate of Social Services and Child Protection (SHÇEK), 19 by other entities such as municipalities, three by governments and two by NGOs for abused women, with a total capacity of 1,478 shelter places.² Eight shelters (with a capacity of hosting 320 women), were planned to be established under the project Shelters for Women Subject to Violence financed by the European Commission, but have not started operating yet. There is still a need to establish new shelters for women according to internationally accepted standards, preferably by or in partnership with municipalities that can ensure their sustainability.

Compared with the numbers of the previous WAVE Country Report, Turkey has nine more shelters run by SHÇEK. This progress is a result of the Municipality Law (the law no. 5393) which requires the establishment of one shelter for each municipality with a population of 50,000. However, only a small number of municipalities have fulfilled this obligation and for those that do not, there is no legal sanction.

However, more shelters are needed in line with the recommendation of the European Parliament which proposes one place in a shelter for each 10,000 people. Based on these recommendations, Turkey still needs 5,674 family shelter places for women survivors of violence and their children. The most challenging problem in Turkey is to establish women's shelters which are managed according to feminist principles. Most of the shelters are state owned and managed as governmental institutions. NGO and state cooperation should be enhanced in the establishment and management of shelters. State should provide funding for shelters managed by women's NGOs.

Services provided by women's shelters in Turkey are far from sufficient. It is important for shelters to fulfil the conditions that will enable women to become independent. This means that women and children who reside in the shelters should get social, legal and psychological assistance and that their needs (which often vary) are met adequately. Already established shelters, as well as those that are planned, should have the capacity to support the empowerment of women. There are international standards for the management of shelters, and all the shelters should be run in accordance with these standards. Women's organisations continue to lobby for the implementation of feminist principles in the shelters.

The shelters do not provide multilingual services. While most Kurdish women living in the country are fluent in Turkish, no special services are available for those who cannot speak Turkish.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
62	1,478	7,152	5,674	no data	0

Further Services for women survivors of violence

The Directorate General on the Status of Women was established under the Prime Minister in 1990. In recent years, this multiagency cooperation has attracted serious attention and several protocols have been signed among the Directorate and other Ministries in order to train professional staff (like police, judicial staff and healthcare personnel) on dealing with domestic violence. The progress towards adopting a multiagency approach has also been supported through the implementation of several EU funded projects in this field.

Turkey has also revised the Turkish Penal Code (5237) in 2004 with a more strict approach to combating violence against women. Moreover, the Prime Ministry's Circular (2006/17) has not only identified the responsibilities of relevant institutions but also served to strengthen multiagency cooperation among these institutions.

TURKEY

Turkey is facing a rapid transition in state-related bureaucratic procedures with the implementation of the so called “e-state system”. This system results in severe security problems for women and children who seek a safe place from violence and reside in the shelters. In the e-state system, to benefit from citizenship rights, each person needs to have an address record. Once the place of residence is submitted into the records, the risk that husbands find the whereabouts of women and children increases. Despite the fact that state institutions are required to provide documents only to the holders of those documents, when a husband submits an application to the population register to ask for information about his children, he can find out the whereabouts of his wife. These records are also open for the use of institutions with large numbers of employees, like police departments or general staff. Additionally, any woman who does not have a residency record is limited in claiming certain social rights like the rights to education, housing, or having a bank account. The obligation to declare a place of residence causes similar problems for women when they leave the shelters. When women apply to official institutions to seek financial support for their children, they are again required to provide their place of residence. A lot of women who cannot risk providing their addresses cannot claim social assistance and hence become deprived of financial support.

Additionally, a significant problem for women in Turkey is the misapplication of the Law No. 4320 on the Protection of the Family (passed in 1998). To make the law more effective and to eliminate femicides, the legal loopholes should be removed and the law should effectively be applied. Judges should agree to a decision on the day when protection for women is demanded, instead of the current practice, where a hearing date is set for some time in the future. In some cases, the court hearings are postponed for a couple of months. This leaves women unprotected in the same location as the perpetrators.

National Action Plan

There are two current National Action Plans. The first one is called the Gender Equality National Action Plan (2008-2013) and the second one is Combating Domestic Violence Against Women National Action Plan (2007-2010).

The first action plan has been prepared covering seven critical areas (education, health, economy, power and decision making processes, poverty, media and environment) in order to promote gender equality in Turkey. The draft action plan was discussed with the relevant parties and finalised by taking the opinions of these parties into account.

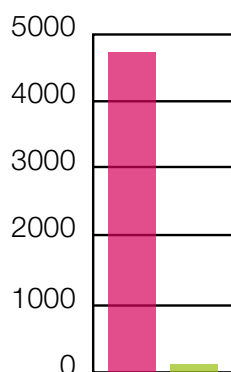
The second action plan has targeted improvements in six areas such as legal arrangements, social awareness and mental transformation, advancement of women’s socio-economic status, protective services, curative and rehabilitation services and inter-sectoral cooperation. There are ongoing meetings to renew this action plan and it is expected to be renewed at the end of 2010. No information has been provided on the situation of MM women in Turkey.



Endnotes

- ¹ United Nations Demographic Yearbook 2008 <http://unstats.un.org/unsd/demographic/products/dyb/dybssets/2008%20DYB.pdf>
- ² General Directorate of Social Services and Child Protection (SHCEK), October 2010

UKRAINE



No. of Shelters:	3
Rec. No. of Shelter Places:	4,824
No. of Shelter Places:	100 approx.



General Country Information

Population¹: 48,240,902

Female inhabitants:

25,924,585 = 53.74% of total population

CEDAW ratified: 1981

Optional Protocol of CEDAW ratified: 2003

Member of Council of Europe: 2005

Member of European Union: no

Facts and Figures

Latest number of femicides: No data available.

Latest number of DV cases reported by police:

According to the Ministry on the Affairs of Family and Youth, 53,785 cases of DV were reported during the first six months of 2010.

Latest number of DV cases reported by women's shelters: No data available.

Prevalence of DV: No data available.

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

In the Ukraine, there is no women's helpline providing specific services to women survivors of domestic violence. Women affected by violence can only contact a general national helpline when in need. This helpline is not available 24 hours a day. The operating costs are entirely covered by international funding allocated by the European Commission, ECPAT, UNICRI and others.

Table of Women's HELPLINES:

	Number of Helplines	Call free of charge	Helplines with 24/7 service	Helplines with multi-lingual service	State funding per %
National	1	1	0	0	0%
Regional	no data	/	/	/	0%

Women's Shelters

In the Ukraine, only three women's shelters provide protection to women victims of domestic violence with a total capacity of approximately 100 shelter places. In consideration of the number of shelter places recommended by the European Parliament, 4,724 family shelter places are missing. In addition, there are 12 shelters for victims of human trafficking, seven of which are operated by NGOs with support from the International Organisation for Migration and other international donors. Five of the shelters are operated by the government.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/7 service	Shelters with multi-lingual service
3	100 approx.	4,824	4,724	no data	no data

National Action Plan

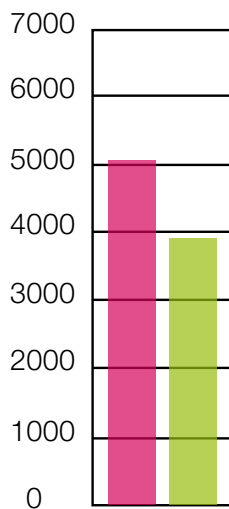
In 2010, the National Programme on Gender Equality (2005 – 2010) came to an end. The draft of the new programme for 2011 – 2015 includes positions on DV in the family programme.

There was no information provided on the situation of MM women in Ukraine.

Endnotes

¹ United Nations Demographic Yearbook 2008 including also Isle of Man, Jersey and Guernsey
<http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2008%20DYB.pdf>

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND



General Country Information

Population¹: 59,016,238

Female inhabitants:

30,325,226 = 51% of total population

CEDAW ratified: 1986

Optional Protocol of CEDAW ratified: 2004

Member of Council of Europe: 1949

Member of European Union: 1973

No. of Shelters: 685 approx.
 Rec. No. of Shelter Places: 5,043
 No. of Shelter Places: 3,890

Facts and Figures

Latest number of femicides:

The latest available figures from 2008-09 state a total of 192 femicides in England and Wales.² Of these, only 12 per cent of the women were killed by strangers.³ 101 women during 2008-09 were reported to have been killed by their partners/ex-partners, and 28 by other family members (sons/daughters, parents, and others). Partner violence (including ex-partner) accounted for 53 per cent of female homicides in England and Wales.⁴

Latest number of DV cases reported by police:

The police in England and Wales do not record domestic violence as a separate category, but according to the British Crime Survey, more than one in four women (28%) have experienced domestic violence (including emotional, financial or physical violence, sexual assault or stalking by a partner or family member) after the age of 16.

In 2009-10, it was estimated that 290,000 incidents of domestic violence were committed in England and Wales.⁵

In 2008-09, the Crown Prosecution Service (CPS)⁶ brought a total of 4,889,000 prosecutions for violence against women in the four Welsh police areas.

Six per cent of women reported having experienced some form of domestic violence in the past years (2008-09). That is an estimated one million female victims of domestic violence.⁷

According to a survey undertaken several years ago, the police in England receive one call every minute asking for assistance because of domestic violence. This equates to an estimated 1,300 calls per day and over 570,000 calls each year.⁸

Latest number of DV cases reported by women's shelters:

An estimated 17,615 women and 17,785 children were given temporary shelter and support

by Women's Aid national network of specialist organisations across England in 2009-10. A further 107,280 women and 36,585 children and young people⁹ received non-shelter based/outreach support from domestic violence organisations in England during the year 2009-10.

Welsh Women's Aid member groups provided emergency shelter accommodation for 1,247 women and 1,044 children and young people in 2009-10. They were unable to provide emergency shelter accommodation to a further 580 women and their families during this period.

Furthermore, Welsh Women's Aid member groups across Wales provided community based support in the form of outreach, floating support and resettlement support to 1,488 women and 1,126 children and young people during this period.

Welsh Women's Aid member groups received an additional 1,592 drop-in visits (on an ad-hoc basis) from women experiencing domestic violence in their local area.

A total of 10,456 telephone calls were made to Welsh Women's Aid member group helplines from women in the community experiencing domestic violence.

Prevalence of DV: As stated above, according to the British Crime Survey, more than one in four women (28%) have experienced some form of domestic violence (including emotional, financial or physical violence, sexual assault or stalking by a partner or family member) after the age of 16.37 per cent of those reporting such incidents were male.¹⁰

The British Crime Survey (BCS – England and Wales)¹¹ showed that seven per cent of women aged 16 to 59 were victims of domestic violence in the past year (compared with 4% of men).

SERVICES FOR WOMEN SURVIVORS OF VIOLENCE

Women's Helplines

In the UK, four national free of charge women's helplines provide help for women survivors of violence and their children 24 hours a day. Contrary to the two Scottish helplines, the Scottish Domestic Abuse helpline and the Rape Crisis Scotland helpline, the English women's helpline service is multilingual. Wales has a dedicated bilingual, national 24 hours domestic abuse helpline providing help for anyone experiencing or being concerned about domestic violence. The service is also available in TypeTalk and through the Languageline (telephone interpreter service).

Table of Women's HELPLINES:

	Number of Helplines	Call free of charge	Helplines with 24/hour service	Helplines with multi-lingual service	State funding per %
National	4	Landlines only	4	2	no data
Regional	20 approx (England) 16 (Wales)	no data	Most (England) 15 (Wales)	20 (England) 1 (Wales)	no data

Women's Shelters

In 1972, the first women's shelter was founded in London. Two years later, women formed the autonomous and feminist women's organisation and WAVE focal point Women's Aid. Within a few years, over a 100 women's shelters were established in England, Scotland and Wales. In the United Kingdom, with a population of about 59 million, four Women's Aid umbrella organisations in Northern Ireland, Wales, Scotland and England support a network of more than 900 services for survivors of domestic and sexual violence.

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

In England, with a population of nearly 60 million, the Women's Aid Federation of England, as the umbrella organisation, supports a network of more than 500 different services for survivors of domestic and sexual violence. As reported by Women's Aid, in 2009 in England alone there were approximately 685 women's shelters (run by 263 separate organisations) to protect women and their children. A total capacity of 3,890 shelter places are available, which is not enough to fulfil the recommendation of the European Parliament, suggesting the total need for 5,901 family places in England.

375 (55%) of these shelters are accessible around the clock, 365 days a year and 91 per cent of the shelters offer multilingual services to their clients. In England, women's shelters are usually state funded on a local government level.

Table of Women's SHELTERS:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/hour service	Shelters with multi-lingual service
685 approx.	3,890	5,043	1,153	375	623 approx.

In Wales, also in the early 1970s, local Women's Aid groups were set up to offer shelter to women experiencing domestic violence. This was in part a result of the rise of feminism and the belief that women had a right to be protected from harm. In 1978, these groups came together to form a national umbrella body, Welsh Women's Aid. The primary objective of Welsh Women's Aid was to coordinate the work and campaigns of local Women's Aid groups in Wales.

As reported by Welsh Women's Aid, in 2010 an approximate number of 30 women's shelters, staffed by 139 paid staff and 119 volunteers protected women and their children. A total capacity of 358 shelter places are available, with an additional 17 bed spaces. These shelter places are available in over a total of 242 bedrooms.

Table of Women's SHELTERS in Wales:



Number of Shelters	Shelter Places available	Shelter Places needed	Shelter Places missing	Shelters with 24/hour service	Shelters with multi-lingual service
30	358	300	0	30	2

National Action Plan

The UK has a national action plan on domestic violence. The plan was originally written in 2005 and is reviewed each year. Governmental organisations such as WAVE focal point Women's Aid Federation of England were involved in developing the plan.

In February 2008, the government published their first violent crime action plan, which is designed to enable local authorities to meet central government priorities on serious violent crime over the next three years.

The action plan's objective in relation to domestic violence is to roll-out good practice developed in tackling domestic violence. Key actions to meet this objective are:

- to double the number of Specialist Domestic Violence Courts (SDVCs) by 2011

- national roll-out of Multi-Agency Risk Assessment Conferences (MARACs) by 2011, more than doubling the number currently in operation

Other actions included are the establishment of Independent Domestic Violence Advisers (IDVAs) guided by the evaluation which will be concluded in early summer 2008, continued funding of a matrix of helplines for domestic violence, survivors development of a cross-government communications strategy for domestic and sexual violence, roll-out of Multi-Agency Public Protection Arrangements, which aim to risk-manage the most serious sexual and violent offenders, introduction of Violent Offender Orders (subject to parliamentary approval) to manage most dangerous offenders at the end of their sentence, improved information-sharing within and between agencies and development of a national action plan on so-called “honour-based violence”, including female genital mutilation and forced marriage.¹²

Wales has a national domestic violence strategy, the All Wales Domestic Abuse Strategy (2005). In 2010, the Welsh Assembly Government also launched its first violence against women strategy, The Right to be Safe. Both the new six-year strategy and the previous domestic abuse strategy will be delivered by a three-year Implementation Plan (2010–13). The Implementation Plan has five strategic aims:

1. Prevention and raising awareness of violence against women and domestic violence
2. Provide support for victims and children
3. Improve the response of criminal justice agencies
4. Improve the response of health services and other agencies
5. Supporting and monitoring delivery of the strategy including performance framework and research and evaluation.

Welsh Women's Aid has been actively involved in the development, delivery and monitoring of both the above strategies, and other policy concerning women and children affected by domestic violence.

Additional Issues

Following the changes noted above to planning, commissioning and funding of services and the ending of any ring-fenced funding for local supported housing services like shelters, it is estimated by the National Housing Federation that there will be severe reductions in the number of shelter bed spaces and outreach services over the coming year. Continued funding from national level of £3.5 million has been announced for direct funding of local Independent Domestic Violence Advisers (IDVAs) and Multi-Agency Risk Assessment Conferences (MARACs). However both of these initiatives are aimed at the most high-risk victims (top 10%) and focus on improving victim engagement with the criminal justice system. Funding for specialist, independent domestic violence support services (both shelter and community-based) continues to be short-term and decided at a local level. Without any ring-fenced or dedicated funding streams from central government, there are real concerns about the future funding of specialist services, and the availability of local outreach and support services for the 90 per cent of victims who need other forms of help and support to prevent future abuse and injury.

Cuts and reductions in funding of all areas of government and statutory agencies, including the police are also likely to lead to poorer responses to vulnerable women and children, as well as the need for increased activity to defend hard-won legal rights to protection and housing.

Due to the complex nature of devolution and recent political changes in the UK, it is unclear how new policy introduced by the new Conservative—Liberal Democrat Coalition Government (in the UK) will impact upon domestic violence service.

In Wales, the Welsh Women's Aid is working with the Welsh Assembly Government to look at ways to provide sustainable funding for children's workers in shelters.

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

The Welsh Assembly Government uses the UN Convention on the Rights of The Child as the basis for all of its policymaking in relevant areas. The Assembly Government has a goal to end child poverty by 2010, and Wales still has a Children's Commissioner in place. A post has also recently been established in the Welsh Assembly Government for a Trafficking Coordinator.

Situation of MM women survivors of violence¹³

The majority of the UK population in 2001 were white (92%). The remaining 4.6 million (or 7.9%) of the population belonged to other ethnic groups. Indians were the largest of these groups, followed by Pakistanis, those of mixed ethnic backgrounds, Black Caribbeans, Black Africans and Bangladeshis. The remaining minority ethnic groups each accounted for less than 0.5 per cent of the UK population and together accounted for a further 1.4 per cent.

There were almost 691,000 white Irish persons in Great Britain accounting for one per cent of the Great Britain population.¹⁴

1. Access of MM women to women's shelters and other services

There are 685 women's shelters in England. 17 of them are independent specialist Black, Asian, Minority Ethnic, Refugee (BAMER)¹⁵ women's shelters. Of the independent specialist shelters that still exist, 13 shelters provide service for Asian women; one each for African women, Latina American women and Jewish women.

With regard to the funding situation for women's shelters specialised in assisting MM women, a survey has been carried out and 23 organisations that deliver services to BAMER women, who have experienced gender based violence, took part. It was a part of research on the sustainability of BAMER women's services, carried out earlier in 2010. Responses in relation to funding in 2009-10 were as follows:

- 48 per cent of the services were dependent on state funding (local authorities).
- 17 per cent depend on funding from the central government.
- 33 per cent depend on trust foundations.
- Two per cent depend on funding from the corporate sector.¹⁶

While some organisations may be receiving adequate levels of funding, IMKAAN's research has highlighted the detrimental impact of an increase in local authority funding cuts to specialist services in recent years, which has forced several BAMER VAW services to close, or merge with larger organisations that have no expertise or history of delivering services to BAMER women and children experiencing VAW (IMKAAN 2008a).

MM women have access to shelters but it is more difficult for women with an insecure immigration status, as women in such a position would not be able to acquire public funds assistance. Unless a woman, who is in this position, is receiving assistance from social services, shelters would need to be able to support such women financially using their own resources.

In general, asylum seekers are not accepted by shelters, and this is because the shelter workers are not certain how best to assist and support the asylum application process.

Some BAMER women with British citizenship,¹⁷ who have recently returned to the UK and who are not habitual residents could have difficulty accessing shelters as well, if they are not able to pay for the shelter place themselves and need to apply for social security benefits. Essentially, claimants need to satisfy four inter-linked conditions in order to be able to access benefits: (1) are voluntarily in the UK, (2) are residents in the UK, (3) have an intention to settle in the UK, and (4) have been in the UK for an appreciable period. Hence, whether or not someone is habitually in the UK is a question of fact.

Some shelters will not allow male children to stay in the shelter beyond the age of 16, while for some, the maximum

age for a male child to stay in a shelter ranges from 11 to 17, but more commonly the age is 14. A few shelters will continue to allow the male child to stay until he reaches the age of 18. Some shelters carry out a risk assessment on male children at the age of 16. Some will allow male children to stay until the age of 16, and very few will allow the male child to stay up until the age of 18. Some shelters stipulate that the male child is only able to stay until the maximum age, provided he is enrolled full-time in school.

Culturally sensitive services are offered by mainstream shelters, although not all services provide counselling. Some staff members might be proficient in another language, for example, Urdu, Punjabi, Bengali, Croatian, Dutch, Farsi, French, German, Gujarati, Hindi, Kikuyu, Konkani, Somali, Swahili, Turkish, Yoruba, Mirpuri, Romanian, Russian, Japanese, Malay, Nepalese. Usually there is access to interpreters or telephone interpreter service (Languageline).

There is a lack of provision of culturally specific counselling or therapeutic intervention within the specialist BAMER sector as well as the mainstream sector.

Not all specialist services offer counselling and not all services deliver native language counselling. Where native language counselling is not provided, the specialist shelter would usually be able to assist with an interpreter.

It is not clear from the information available whether the native language counselling, if available, would also be provided for the women with an insecure immigration status.

The needs of the women with an insecure immigration status and the financial circumstances of shelters and service provision vary across shelters. However, most often shelters tend to consult their clients about service provision, which gives staff opportunities to ensure that service provision is appropriate and of a certain level of quality. Examples of other specialist and specific services available to women with an insecure immigration status include “drop in centres” which are services for women with mental health or drug/alcohol dependency support needs.

In addition to shelter provision, for all black women and children experiencing domestic violence, children’s workers offer individual and emotional support, activities, outings and play therapy.

2. Right to residence

Women who are in the UK with a spouse or civil partner visa can apply for indefinite leave to remain after being in the UK for a minimum of two years with a spouse or civil partner who is present and settled in the UK. Both applicant and sponsor would need to be at least 21 years of age at the date of arrival of the applicant in the UK or on the date on which the leave to enter or variation of leave would be granted.

Should the relationship breakdown within the period for which the visa has been granted (two-years), then the woman can apply for Indefinite Leave to Remain (ILR) in her own right as long as it falls within the two-year period. ILR applications can be submitted to the Home Office if she has overstayed her visa but this becomes very difficult especially when her visa has been expired for several months and usually requires the intervention of specialist legal support.

There is an exception for MM women to get a residence permit, if they experience violence.¹⁸

3. Access of MM women to public funds and services

Healthcare services

Certain emergency treatment, but not follow-up treatment, is free for everyone. This includes family planning services, treatment for certain communicable diseases or compulsory psychiatric treatment.

Social benefits and housing programmes

Entry to the UK is conditional on the ‘no recourse to public funds’ rule which means that entry is granted on the

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basis that the couple can maintain themselves financially without any access to state support. To remain in the UK, any woman in such a position should not seek assistance in relation to any services or benefits defined as public funds, usually housing benefit, among others.

In an emergency situation, social services might offer assistance under certain circumstances, although seeking assistance from social services could also mean that the woman's long term stay in the UK could be jeopardised.

Certain social benefits, including housing benefits, are public funds. This means that a breach of immigration conditions occurs when a MM woman in certain circumstances accesses such funds. Housing benefit, which provides financial assistance to someone living in rented accommodation and is responsible for paying rent, does take into account the situation of someone experiencing domestic violence, who is not able to continue to stay in her usual accommodation.

Public housing is sponsored through public fund, and is therefore not available to migrant women without documents, without a residence permit and with an insecure or temporary residence permit in general. However, some women might be able to acquire assistance from social services, which could include temporary housing.

Minority ethnic women, who are able to access public funds, emergency housing assistance is possibly available to them, although it is more difficult for single women to acquire emergency housing assistance from a local authority.

Asylum seekers are assisted under a different system.

Childcare facilities and education/training programmes

In general, parents who are working or are returning to work and have children are able to acquire financial and practical assistance with childcare.

There are two factors to consider in relation to access to education programmes. First, the immigration status of the MM woman is particularly important in this situation, since the immigration rules do not permit certain categories of people to study. For example, someone who has entered the UK with a general visitor visa should not intend to embark on a course of study. Second, the fee structure applied to the potential student is an issue. The rules in relation to fee structures are complex in publically funded institutions, whereas in private institutions, everyone is charged the same fees. In the former situation, whether someone is entitled to the lower 'home' rate fees might also be dependent upon immigration status, among other factors.

Asylum seekers who have been waiting for longer than six months for the Home Office to decide their asylum case, or who have been refused asylum but granted "section 4 support," because they are destitute and cannot yet leave the UK, will be charged a 'home' fee rate.

Labour market

The access is possibly difficult for migrant women, who possess no documents, without residence permit and with an insecure or temporary residence permit. Asylum seekers are not normally allowed to work while their asylum case is being considered. If an applicant has waited for longer than 12 months for an initial decision on the asylum application, a request for permission to work can be made. If an initial asylum application has failed and a further asylum-based submission is made and this decision has been outstanding for more than 12 months then a request for permission to work can be made. There are no restrictions on employment for those granted full refugee status (including those granted humanitarian protection and discretionary leave to remain as a result of an asylum application).

4. Informing MM women of their rights and available services

Information materials on protection laws and women's services are not routinely handed out as a matter of course unless the issue arises in an assessment interview during the application process. The problem is that women are

most likely to access this sort of information once they have left the violent relationship and on the premise that they manage to access external support, but not before.¹⁹

NGOs are more likely to run information campaigns on VAW specifically addressing women with an insecure immigration status. Organisations such as Asylum Aid, IMKAAN, Southall Black Sisters (with Women's Resource Centre) have run campaigns against the 'no recourse to public funds' requirement.

In general, local authorities might make available information on women's services that are delivered within the authority's catchment area. There might be a number of languages that authorities use to translate information for members of the public. Translated information might also be available on the authority's website and in printed format.

For example, the basic leaflets that Islington Council has made available on its website for survivors of domestic violence are in the following languages: Arabic, Bengali, Chinese (full form), Farsi, French, Kurdish, Lingala, Portuguese, Somali, Spanish, Swahili, Tigrinia and Turkish.

The individual women's services might translate their own publicity materials into different languages. The languages used will depend very much on the perception of which communities might use their services or which communities are being targeted.

5. Legal protection of MM women from violence

Overall, the police are more pro-active in terms of arrests and response to violence against women. Often, responses do vary on the ground. Efforts appear to have been made for more internal training to be available on so-called "honour-based violence" and forced marriage. However, there are problems that women encounter on a local level, where women are still not taken at their word and are judged. Where there is an immigration issue, the police tend to focus on that rather than the violence. In addition, racism continues to be an issue in some cases.

Information gathered from ongoing cases in a three-month period indicated that where details were given for 106 of the 124 women, a formal report to the police was made in 37 per cent of cases. This data is in line with national data, and a fifth of women were supporting a prosecution (See IMKAAN 2010, Vital Statistics).

Potential civil remedies that exist include the following:

The Family Law Act (1996) as amended by the Domestic Violence Crime and Victims Act (2004) makes available two types of injunctions to protect women from further abuse. There are two types of domestic violence injunctions that are available: Non-molestation Order and Occupation Order.

The Protection from Harassment Act (1997) creates criminal and civil remedies to protect women from harassment and stalking. It is possible for a woman to apply for a restraining order, a criminal law remedy, in the situation where a conviction has already been secured either for harassment or threat of violence. The purpose of the order is to protect any other person from further conduct which could amount to harassment or will cause a person to fear that violence will be used against them. For example, see also the work of the Family Justice Council.²⁰

In 2008-09, there were 56,085 successful prosecutions for acts of violence committed against women.

Reasons for unsuccessful prosecutions include:

- Insufficient evidence
- Prosecution not in public interest
- Defendant acquitted at trial
- Cases unable to proceed because of non-attendance or retraction by a victim or witness

The authors of the Criminal Prosecution Service Report (CPS) state that data on the ethnicity of victims is not yet available. In terms of the gender of victims, 85 per cent were women in the time period 2008-09.²¹

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Legal aid

Legal Help is for people with low income. This enables someone to acquire free legal advice and help from an experienced legal advisor. Legal Help does not pay for the costs involved in starting or taking on a court case, nor pay for representation from a lawyer in a tribunal, which might be available through the Help at Court scheme. Two other schemes are available to assist people who need representation: Controlled Legal Representation (includes free representation for those who need assistance for a First-Tier asylum or immigration case) and Legal Representation (for certain types of civil cases).

Depending upon the circumstances of the woman with an insecure immigration status and the area of law concerned, legal aid is available to MM women. The main criteria are financial means and the merits of her case. Cuts are due to be made in public expenditure on civil legal aid, which will impact access to legal services and remedies (particularly under Family Law) for women.

For women who do not meet the criteria to receive free legal aid, they would need to pay privately for legal advice and representation or represent themselves. Special rules may apply for people who receive benefits from the National Asylum Support Service.

Interpretation should usually be available but information on face to face interpretation is not readily accessible on the Community Legal Services website. Information in key areas of law is available on the Community Legal Services (civil legal services) website in the following languages: Urdu, Chinese (full form), Bengali, Punjabi, Gujarati, Hindi, Arabic and Turkish.

Free legal aid is available to someone who has been arrested and is at a police station.

6. Policy measures and statistics

The Violence against Women and Girls (VAWG) Strategy has been adopted under the last government. There were specific measures only in relation to women with no recourse to public funds and in terms of the government's Sojourner Scheme, operational until the 31st of March 2011. This scheme is for those who were admitted or granted an extension to their stay in the UK on a spousal or partner visa, and are eligible to apply for Indefinite Leave to Remain under the domestic violence rule. There was no mention in the VAWG Strategy of dealing specifically with refugee and asylum seeking women.²²

The VAWG Strategy did make a commitment towards addressing so-called "honour based violence" and forced marriages.²³ The VAWG Strategy under the previous government was launched in 2009.

Situation of MM women survivors of violence in Wales (UK)²⁴

1. Access of MM women to women's shelters and other services

There are three shelters in Wales especially for black and minority ethnic women.

The funding situation for women's shelters specialised in dealing with issue facing MM women is as follows:

17 per cent are core funded from the Welsh Assembly Government (WAG) and a further 58 per cent by the Supporting People Revenue Grant (a funding structure of WAG). 13 per cent receive restricted funding and 12 per cent have a rental income.

Only women with secure immigration status are accommodated in these shelters. Women are normally excluded if they have no recourse to public funds. WAG has allowed two bed spaces to women with no recourse to public funds. Children are also allowed to stay in the shelter with their mother until the age of 16.

BAWSO offers culturally sensitive services for MM women, provides purpose built accommodations which cater to various cultural needs. For instance, they have halal and non-halal kitchens in all shelters. They also provide prayer rooms. The majority of the workers (80%) come from BME backgrounds/communities, but they also have

a language support project which provides interpreters in more than 20 languages. There are culturally sensitive services available for children as well.

2. Right of residence

MM women have to stay for two years in a relationship/marriage in order to get an independent residence permit where both, heterosexual partnership/cohabitation and same sex partnership/cohabitation, provide a woman with the right to apply for an independent residence permit. The spouse has to sign the application form indicating that the union is still valid.

There is also an exception for survivors of violence to stay in Wales. These women are able to apply for an indefinite leave to remain in the UK under the Domestic Violence Rule, if they experience violence. However, the number of refusals for indefinite leave to remain is quite high.

3. Access of MM women to public funds and services

Healthcare services

All MM women have access to healthcare services in Wales.

Social benefits, housing programmes and childcare

Only minority ethnic women have access to social benefits, housing programmes and childcare facilities in Wales. Asylum seekers also have access to National Asylum Support Service (NASS) accommodation which is responsible for supporting and accommodating people seeking asylum while their cases are being handled.

Education/training programmes

MM women with or without an insecure residence permit, as well as asylum seekers/refugees and minority ethnic women have access to education/training programmes in Wales.

Labour market

MM women, with or without an insecure residence permit, and minority ethnic women have access to the labour market in Wales.

4. Informing MM women of their rights and available services

There are school initiatives for raising awareness on forced marriage and female genital mutilation foreseen in the Welsh Assembly Government Strategy and Action Plan²⁵ and The Right to be Safe,²⁶ a six year integrated strategy for tackling all forms of violence against women.

The information materials about women's services are available to MM women in several languages like Somali, Urdu, Sylheti and Arabic.

5. Policy measures and statistics

There is a governmental action plan on VAW in Wales. It is an integrated strategy for tackling all forms of violence against women in Wales.

Welsh Government also have a specific policy on specific forms of violence such as forced marriage, so called "honour related crimes", female genital mutilation, which can be seen in the relevant Government Strategy and Action Plan.

Situation of MM women survivors of violence in Northern Ireland²⁷

1. Access of MM women to women's shelters and other services

There are currently over 400 bed spaces in 14 shelters throughout the Province. These provide immediate safety

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and temporary accommodation to women and their children during times of crisis. In addition, there are 19 'move on' houses for families who move out of the shelter, but who require an intermediate level of support with living independently, but with the resources of the shelter as a back-up. They are accessible for MM women, but there are no specialised shelters for them. Therefore, about 20 per cent of the women staying in shelters are migrants.

Some of the shelters have employed women from different nationalities and there is also a small number of volunteers from a variety of countries (e.g. Finish, Pakistan, Polish) who work in the shelters and the 24-hour helpline, who can provide culturally sensitive services. Additionally, the shelters and helpline work with interpreters (depending on funding) and the Language line.

2. Right of residence

MM women have to stay for two years in a relationship/marriage, also same sex civil partnership, before they can get an independent residence permit.

Women survivors of violence can apply under the domestic violence exemption, if they can provide some evidence including a letter from an approved shelter or police report.

3. Access of MM women to public funds and services

Health services

Women survivors of violence are entitled to the same health care as other people living in Northern Ireland. Sometimes there are difficulties accessing an interpreter, if needed, even though it is a statutory right.

Housing programmes:

If MM women have no recourse to public funds they have access to housing programmes.

4. Informing MM women of their rights and available services

Women's Aid has produced posters for their information campaign on violence against women addressing specifically MM women. They also provide leaflets in 16 languages informing women about services for abused women. They are distributed to a variety of public arenas, e.g. doctors' offices and hospitals.

The Law Centre prepares leaflets with advice on immigration law that are freely available at the Airport.

5. Legal protection of MM women from violence

The police in Northern Ireland receive culturally sensitive training in the specific needs of migrant women. Feedback by survivors of violence given to women's shelters regarding the work of the police is usually positive.

Access to legal aid depends on the benefits that MM women receive.

Situation of MM women survivors of violence in Scotland (UK)²⁸

1. Access of MM women to women's shelters and other services

Currently Scottish Women's Aid has 41 affiliated member groups that provide shelter for up to 531 households (a household is a woman on her own or a women with children). There are two women's shelters that provide specialised services for migrant and minority women. Altogether they can accommodate 13 households. However, women have to be able to pay accommodation costs. For some migrant women with insecure immigration status (and therefore no access to public funds) this could exclude them from accessing a shelter.

If shelters accommodate women without documents, they lose rental income.

In some areas boys over 16 years of age may not be accommodated. Boys over the age of 16 and under the age of 21 may be considered to be 'vulnerable' and therefore, the social work department may have a responsibility to accommodate them.

There are also specialist services for MM women but these are very limited, including counselling provision, helplines and intervention centres.

There is only limited access to native language support workers, other than in the specialist shelters for minority women. However, even they may not be able to provide a native language service across the range of languages needed. Mostly, services could be provided in Urdu, Punjabi and Arabic, which are the main minority community languages in Scotland. However, it is worth noting that there are migrant women from much more diverse countries in Scotland now and there is very limited first language support for them.

2. Right of residence

MM women have to stay for two years in a relationship/marriage, also same sex civil partnership, before receiving an independent residence permit.

There is a Domestic Violence Concession in immigration law. This means that when the relationship breaks down within the two year probationary period and there is sufficient evidence of violence, the woman can get indefinite leave to remain in the UK.

The problem is about the level of evidence required to make an application. It can also be difficult to access a suitably qualified lawyer to assist with filing of the application.

3. Access of MM women to public funds and services

Healthcare services

For urgent or emergency healthcare, including emergency room treatment, health staff has no regard for the immigration status of the patient.

However, primary care (including public health services, general practitioners, clinics) might treat patients differently. For example, people who are not residents in the UK might be asked to pay for treatment.

Social benefits and housing programmes

Only minority ethnic women and sometimes asylum seekers/refugees have access to social benefits and housing programmes. The determining factor is again the immigration status of the woman.

Education/training programmes and childcare facilities

All women can access language classes, some courses are only accessible upon payment of a fee, which may limit women's ability to participate.

The lack of childcare facilities is a problem that affects MM women, who experience violence as it is true for all women survivors of violence.

4. Informing MM women of their rights and available services

Information issued in form of public relations is typically accessible in different languages. This informational material is available in different languages such as Urdu, Punjabi, Kurdish, Arabic, Polish, Chinese. These are different resources in different parts of the country.

Lobbying and campaigning by NGOs is currently focused on the situation of women who have no recourse to public funds.

5. Legal protection of MM women from violence

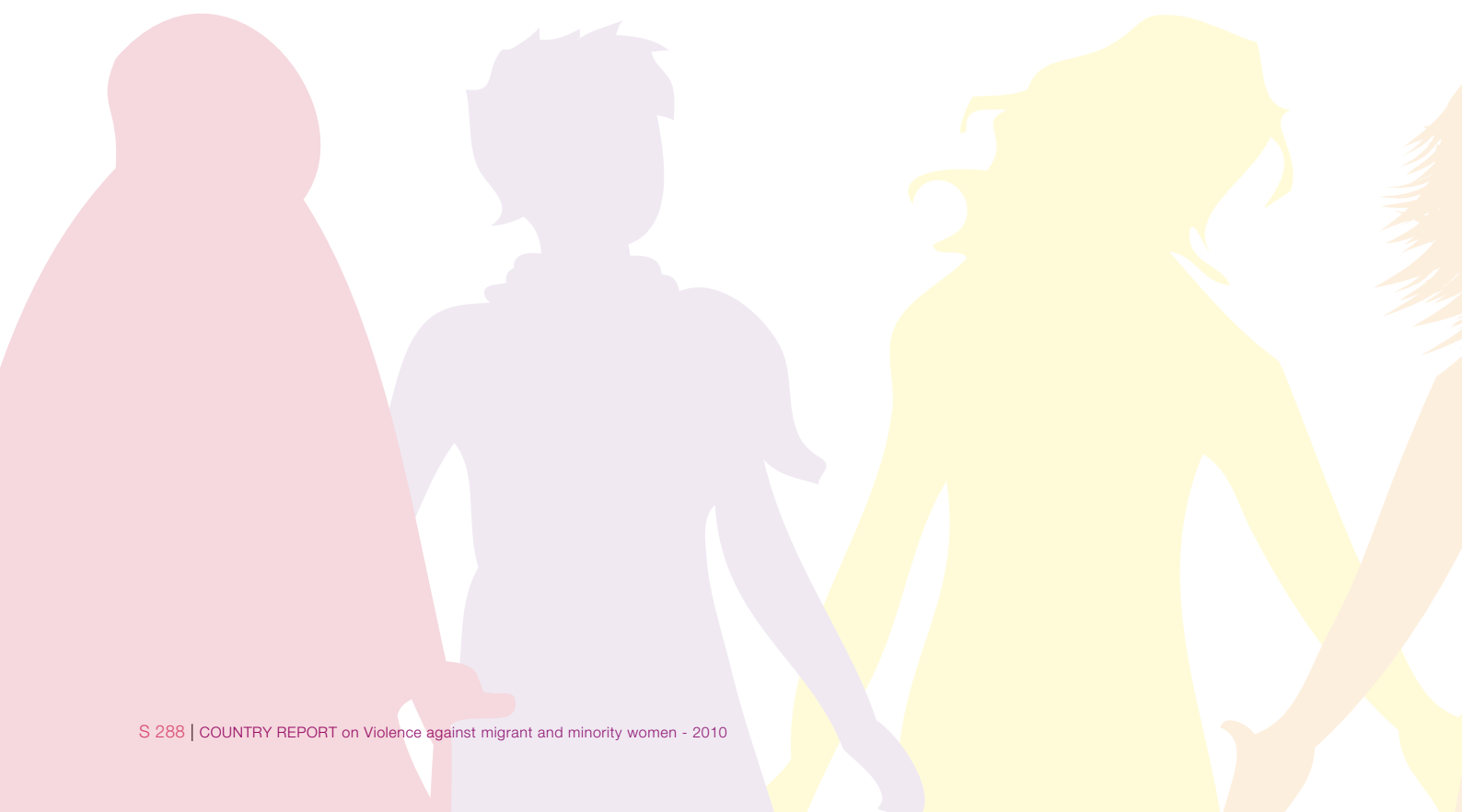
To protect women from violence, the police have the authority to arrest the perpetrator and prepare evidence for the prosecutor, but are unable to issue orders in Scotland. There are specialist officers in all police forces in Scotland with additional training on how to respond to women who have been sexually assaulted or women who have been abused by their partner.

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Nevertheless, the police sometimes lack understanding of the VAW issues and of how to engage with the minority community. Therefore, migrant women are sometimes reluctant to go to the police. Language barriers also prevent them from asking for help from police.

Many minority women may not know about the protective orders available or about the possibility of receiving free legal aid.

Legal aid is provided free of charge although depending on the income level, women may have to make a financial contribution.



Endnotes

- ¹ United Nations Demographic Yearbook 2008 including also Isle of Man, Jersey and Guernsey <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2008%20DYB.pdf>
- ² Coleman, Kathryn and Osborne, Sarah (2010) "Homicide" in Smith, Kevin et al. (ed.) Homicides, Firearm offences and intimate violence. 2008-9 Supplementary Volume 2 to Crime in England and Wales 2008/9 (London: Home Office). Scotland collect their own figures.
- ³ The relationship between the victim and the perpetrator is not always known. All unknowns have been put in the "stranger" category. In the remainder of cases, (12%) there was no suspect.
- ⁴ <http://www.equalityhumanrights.com/key-projects/triennial-review/online-summary/life/>
- ⁵ Flatley, J., Kershaw, C., Smith, K., Chaplin, R., and Moon, R.; Crime in England and Wales 2009/10 – Home Office Statistical Bulletin (Second Edition) <http://rds.homeoffice.gov.uk/rds/pdfs10/hosb1210.pdf>
- ⁶ CPS Violence Against Women crime report 2008 – 09; Management Information Branch http://www.cps.gov.uk/publications/docs/CPS_VAW_report_2009.pdf
- ⁷ Figures from the British Crime Survey reported in Kevin Smith and John Flatley (eds.) (Jan 2010) Home Office Statistical Bulletin 01/10: Homicides, Firearm Offences and Intimate Violence 2008/09 Supplementary Volume 2 to Crime in England and Wales 2008/09 (3rd edition) (London: Home Office)
- ⁸ Stanko, Elizabeth (2000). "The Day to Count: A Snapshot of the Impact of Domestic Violence in the UK". Criminal Justice 1:2.
- ⁹ These children and young people received direct support from non-refuge services. A further 69, 320 children and young people were indirectly supported as a result of the direct support given to their mothers.
- ¹⁰ Smith, K. et al. (2010) Op. Cit..
- ¹¹ Flatley, J., Kershaw, C., Smith, K., Chaplin, R., and Moon, R.; Crime in England and Wales 2009/10 – Home Office Statistical Bulletin (Second Edition) <http://rds.homeoffice.gov.uk/rds/pdfs10/hosb1210.pdf>
- ¹² <http://www.womensaid.org.uk/domestic-violence-articles.asp?section=00010001002200430001&itemid=1548>
- ¹³ Information in this section has unless quoted otherwise been provided by IMKAAN, <http://www.imkaan.org.uk>
- ¹⁴ Office for National Statistics, <http://www.statistics.gov.uk/cci/nugget.asp?id=455>
- ¹⁵ BAMER is the abbreviation used by IMKAAN, it stands for Black, Asian, Minority Ethnic.
- ¹⁶ Forward & IMKAAN (2010) The Road to Sustainability. A Review of Black, Asian, Minority Ethnic and Refugee Organisations Working with Women on Health and Gender based Violence in England – due to be published
- ¹⁷ this also affects all British Citizens
- ¹⁸ Immigration Rules, paragraphs 289A – 289C
- ¹⁹ Forced Marriage Unit: <http://www.fco.gov.uk/en/travel-and-living-abroad/when-things-go-wrong/forced-marriage/>
- ²⁰ http://www.family-justice-council.org.uk/docs/Diversity_Forum_Report_June_09.pdf
- ²¹ Criminal Prosecution Service Report 2008/09, http://www.cps.gov.uk/publications/docs/CPS_VAW_report_2009.pdf
- ²² The new VAWG Strategy under the current Conservative-Democrats coalition government is not yet available.
- ²³ <http://www.mpa.gov.uk/committees/cep/2010/100311/09/>
- ²⁴ Information in this section was unless quoted otherwise provided by Black Association of Women Step Out (BAWSO) in Wales, <http://www.bawso.org.uk>
- ²⁵ <http://wales.gov.uk/topics/housingandcommunity/safety/domesticabuse/marriage/?lang=en>
- ²⁶ <http://wales.gov.uk/topics/housingandcommunity/safety/domesticabuse/?jsessionid=q1JBMhjGBH2LGV0ngFs9G8LstXF4znxs1Py8vnh5NQD1ntP1GD8LI-1457351574?lang=en>
- ²⁷ Information in this section was unless quoted otherwise provided by Women's Aid Federation NI, <http://www.womensaidni.org>
- ²⁸ Information in this section was unless quoted otherwise provided by Scottish Women's Aid, <http://www.scottishwomensaid.org.uk>

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