

ANNEX 3
PREVENTING AND COMBATING
VIOLENCE AGAINST WOMEN
IN THE OSCE REGION

DISCUSSION PAPER
For the 2020 Gender
Equality Review Conference

2020 Gender Equality Review Conference

Discussion Paper

This series of four discussion papers was prepared to inform the Third OSCE Gender Equality Review Conference, co-organized by the Albanian OSCE Chair-in-Office, the OSCE Secretariat, and the OSCE Office for Democratic Institutions and Human Rights (ODIHR), scheduled to take place on 27-28 October 2020. The papers aim to provide a brief overview of the current state of progress with respect to the implementation of OSCE's commitments to gender equality. These working papers, inclusive of proposed recommendations, are meant to provide initial stimuli for discussion and debate at the Conference.

The first discussion paper provides a snapshot of major achievements, remaining challenges, and examples of good practices and recommendations in attaining key OSCE's commitments related to women's political participation. It is based on data contained in various ODIHR's resources on women's political participation, the OSCE's "Internal Report - "Mapping Beijing +25 Implementation and OSCE Commitments", and other relevant sources.

In the second discussion paper, the levels of women's participation in conflict prevention, crisis management and post-

conflict reconstruction are examined on the basis of OSCE's studies, data from the United Nations Development Programme (UNDP) and the United Nations Economic Commission for Europe (UNECE) as well as from other UN reports.

Equal opportunities for women in the economic sphere are the main focus of the third discussion paper, which relies on data from the World Bank, the World Economic Forum and regional reports by the UNECE for the Beijing Platform for Action+25 review.

The fourth discussion paper gives an overview of the main achievements and remaining challenges in preventing and countering violence against women in OSCE participating States. It is based on data contained in country and regional review reports for the Beijing Platform for Action+25 review and other secondary sources.

All four discussion papers were prepared by gender advisers and staff in the OSCE Secretariat and ODIHR. They highlight good practices, which were drawn from information provided by gender focal points in OSCE executive structures.

OSCE commitments on preventing and combating violence against women

The 2004 OSCE Action Plan for the Promotion of Gender Equality (MC.DEC/14/04) identifies the prevention of violence against women (VAW) as a priority area for all OSCE participating States. The OSCE Ministerial Council has adopted three decisions on preventing and combating violence against women in 2005 (MC.DEC/15/05), 2014 (MC.DEC/7/14) and 2018 (MC.DEC/4/18). The OSCE commitments cover most of the core international standards on violence against women, such as:

- The recognition of all forms of VAW as a human rights violation, including harmful practices, trafficking in human beings, violence using information and communication technology (ICT), VAW in the public sphere and sexual harassment.
- The criminalization of VAW, and investigation and prosecution of perpetrators.
- The protection of victims—including in the form of emergency barring and protection orders—and the provision of shelters.
- A range of quality support services for victims.
- Access to justice for victims.
- Prevention, involving awareness-raising, capacity-building, and engaging men and boys in efforts to counter VAW.

As a cross-cutting issue, VAW is referenced in several other OSCE Ministerial Council decisions, including on Enhancing OSCE Efforts to Implement the Action Plan on Improving the Situation of Roma and Sinti within the OSCE area, with a Particular Focus on Roma and Sinti Women, Youth and Children (MC.DEC/4/13), and on the Safety of Journalists (MC.DEC/3/18).

International Conventions and documents referenced in OSCE commitments include the:

- Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW 1979) (ratified by 55 OSCE participating States)
- Declaration on the Elimination of Violence against women (DEVAW 1993)
- Beijing Declaration and Platform for Action for the Advancement of Women (1995)
- United Nations Security Council Resolution 1325, on Women, Peace, and Security
- Council of Europe Convention on combating violence against women and domestic violence (2011 ‘Istanbul Convention’) (signed by 45 participating States and the European Union, ratified by 34 OSCE participating States)
- Sustainable Development Goals (SDG), in particular SDG 5 (Achieve gender equality and empower all women and girls, and SDG 16 promote just, peaceful and inclusive societies.

Scope of violence against women and girls (VAWG)

VAW is a form of discrimination against women and a violation of their fundamental human rights. It is *“one of the crucial social mechanisms by which women are forced into a subordinate position compared with men”*.¹ The OSCE recognizes VAW as a threat to human security.²

Participants of the Beijing +25 Regional Review meeting, organized by the UN Economic Commission for Europe (UNECE) in 2019, observed that despite the advances and the priority placed on the issue in the states of the region, VAWG remains far from being fully and effectively addressed. Instead, in the words of the UN Special Rapporteur on Violence Against Women, *“[VAW] is persistent and systemic, normalized and tolerated”*.³

The COVID-19 crisis affecting all OSCE participating States has increased the risks of VAW, especially of intimate partner violence. The social isolation measures and restrictions on freedom of the movement put in place to contain the spread of the virus have increased social and economic stress. Together with negative coping strategies— including substance and alcohol abuse by the perpetrators—, the disruption of social and protective networks, as well as limited access to essential services such as the police, courts, health centres, hotlines, crisis centres, shelters, legal aid and protection services, the ‘lockdown’ has left many women at the mercy of their abusers.

Many states have increased data collection on VAW thereby contributing to a better understanding of trends. However, gaps in comprehensive, disaggregated data on its various forms hinders a full comprehension of its scale.

¹ United Nations General Assembly (1993): Declaration on the Elimination of Violence against Women (A/RES/48/104)

² OSCE Ministerial Council Decision on Preventing and Combating Violence Against Women (MC.DEC/15/05)

³ Beijing +25 Regional Review Meeting, Geneva, 29 October 2019.

Impact of VAWG

The 2018 OSCE-led Survey on the Well-being and Safety of Women covering seven countries in South-Eastern Europe and Eastern Europe found that an approximate 3.25 million women were subjected to violence and suffered bodily injuries including bruises, wounds, broken bones, internal injuries and damage to sexual and reproductive health.

Eighty percent of the women who experienced serious physical and/or sexual violence developed a longer-term psychological condition, such as anxiety or depression.⁴ In addition to the profound personal impact at the individual level, there is a lasting impact on the society as a whole in terms of economic impact, including due to lost economic output of survivors and costs associated to the provision of key of services (health, psychosocial, legal, etc.).⁵



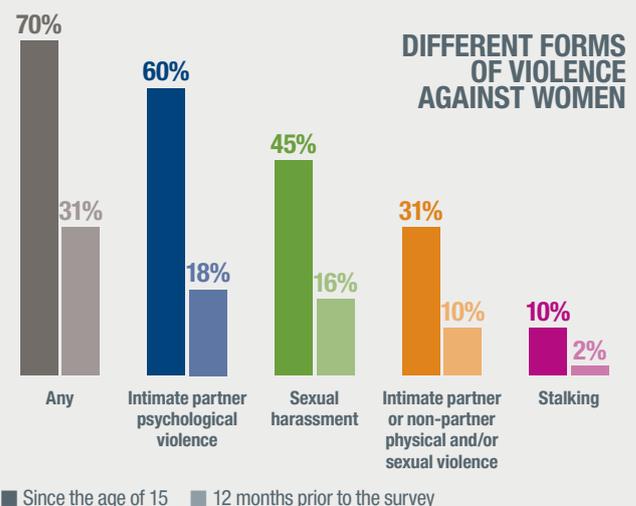
3.25 million* women in the region covered by the survey were left with an injury or physical consequence considering only the most severe cases of violence they identified during their adult lifetime.

***Approximate figures**

Base for psychological and physical consequences: All women aged 18-74 who identify a most serious incident of each form of violence - sexual harassment (3,514), stalking (885), current partner (1,068), previous partner (1,079), non-partner (1,298), any intimate partner/non-partner (2,763)

Forms and prevalence of VAWG

VAWG takes many forms, including domestic violence, sexual violence, harmful traditional practices, trafficking in human beings, sexual and other types of exploitation, and sexual harassment. Women belonging to specific groups may face multiple forms of discrimination, which increases their risk of being exposed to gender-based violence (GBV). OSCE commitments related to Roma and Sinti issues⁶ place particular emphasis on the need for states to ensure the security, well-being and health of Roma and Sinti women, youth and children.



OSCE-led VAW Survey figures for seven countries in South-East Europe and Eastern Europe, representative prevalence data collected from women aged 18-74, 2018

⁴ OSCE (2019): Main results report – OSCE-led Survey on the Well-being and Safety of Women, Vienna: OSCE (<https://www.osce.org/secretariat/413237?download=true>).
⁵ European Institute for Gender Equality (EIGE) (2014): Estimating the costs of gender-based violence in the European Union (<https://eige.europa.eu/gender-based-violence/estimating-costs-in-european-union>)
⁶ In particular the Ministerial Council decision on Enhancing OSCE Efforts to Implement the Action Plan on Improving the Situation of Roma and Sinti Within the OSCE Area, With a Particular Focus on Roma And Sinti Women, Youth and Children (MC.DEC/4/13).

National reports submitted in the context of the Beijing Platform for Action+25 (BPFA+25) reveal the persistence of harmful practices such as child and forced marriage in Central Asia, South-Eastern Europe, Turkey, and the South Caucasus. Child marriage disproportionately affects girls in rural areas, within ethnic minority groups, and among the poorer segments of society. Other forms of harmful practices which put women in the OSCE region at risk include female genital mutilation (FGM) and so-called ‘honour’ crimes. There is, however, little reliable data on the prevalence and characteristics of these practices in the OSCE region.

Abuse, threats, and harassment (including sexual harassment) increasingly take place in the digital domain. Both young and adult women experience cyberstalking, as well as violence perpetuated through the use of technology at work, school, and in relation to their participation in politics and the public sphere. Forms of such violence include verbal abuse, threats of sexual violence, doxing, sextortion, trolling, upskirting and bullying.⁷ Growing attention must also be paid to VAW in the public sphere. Female politicians, artists, journalists, and women’s human rights defenders across the OSCE region experience high levels of violence related to their occupation, both online and offline.⁸

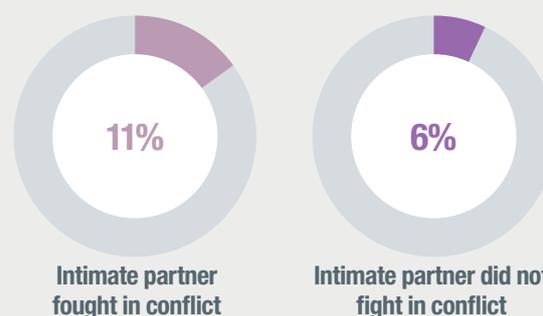
Gender-based violence and conflict

Conflicts, natural disasters, and other humanitarian crises exacerbate the already existing patterns of gender-based violence and introduce new forms of abuses. The OSCE-led survey on VAW, for example, revealed that refugee and displaced women are more likely to experience physical violence (37% versus 29% for the general female population). The data shows that conflict-related violence includes more than sexual violence by a non-partner; it covers all forms of violence such as threats of violence, humiliating practices on the part of armed groups and sexual exploitation. The impact of armed conflict on women’s safety and wellbeing persists long after the conflict has finished: women whose current or previous partners have fought in conflicts and suffer from a resulting psychological consequence are twice as likely to experience sexual

and physical violence by their partner.⁹ The 2018 annual report by the United Nations Secretary-General on Conflict-Related Sexual Violence confirms that sexual violence continues to be used as a tactic of war that significantly affects women and girls.¹⁰

Prevalence of intimate partner violence is higher when partner fought in conflict

% who experienced physical or sexual violence at the hands of a current or previous partner in the 12 months prior to the survey



OSCE-led VAW Survey figures for seven countries in South-East Europe and Eastern Europe, representative prevalence data collected from women aged 18-74, 2018

⁷ ‘Doxing’ refers to the publication of private information on the Internet with malicious intent; ‘sextortion’ to the use of ICT to blackmail a victim; ‘trolling’ is the posting of messages for the purpose of annoying, provoking or inciting violence against women and girls. For more information, please see the Report of the UN Special Rapporteur on violence against women, its Causes and Consequences on online violence against women and girls from a human rights perspective (2018) (<https://digitallibrary.un.org/record/1641160?ln=en#record-files-collapse-header>). The term ‘upskirting’ refers to people using cell phones cameras or any small camera to surreptitiously take pictures up women’s skirts (<https://dictionary.cambridge.org/dictionary/english/upskirting>).

⁸ For more information on violence against women in politics, see also the Briefing Paper on Promoting Women’s Participation in Political and Public Life.

⁹ OSCE (2020): Violence against women in conflict – thematic report, OSCE-led Survey on the Well-being and Safety of Women, Vienna: OSCE (<https://www.osce.org/secretariat/444157?download=true>).

¹⁰ United Nations Secretary-General (2019): Conflict related sexual violence – Report of the United Nations Secretary-General, (S/2019/280) (<https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2019/04/report/s-2019-280/Annual-report-2018.pdf>).

Legal and policy frameworks

The introduction and adoption of the Council of Europe Convention on preventing and combating VAW and domestic violence (“Istanbul Convention”) was a major drive for the improvement of the related national legal and policy frameworks in countries in the OSCE region. The Istanbul Convention has been ratified by 34 OSCE participating States.¹¹ Several countries that have signed but not yet ratified the Convention did engage in legislative and policy reform to align national law and practice with its provisions.¹²



**NO LAW ON
DOMESTIC
VIOLENCE IN
PLACE IN
16.4%
OF PARTICIPATING
STATES**

Source:
<https://genderstats.un.org/>,
consulted on 23 September 2020.
NB: based on information on 55 out of 57 pS.

Criminalization and prosecution of all forms of VAWG

Despite references to growing resistance by conservative and religious groups to the Istanbul Convention in Eastern Europe and the Caucasus in their national Beijing Platform for Action+25 reports, a clear trend was discernible in the last few years in countries’ efforts to improve laws, policies and programmes related to VAW. Several countries adopted new legislation, amended the existing one or introduced laws for the first time that criminalize domestic and intimate partner violence, including Andorra, Armenia, Croatia, Iceland,

Kyrgyzstan, Mongolia¹³, North Macedonia, Serbia, Ukraine, and the United Kingdom. Several countries made efforts to harmonize their laws and policies with the Istanbul Convention’s definition of violence. A few countries adopted national policy frameworks on VAW in the form of action plans and national strategies.¹⁴

At least five OSCE participating States do not have specific legislation on domestic violence or other forms of VAW (Azerbaijan, Belarus, Liechtenstein, Turkmenistan, and Uzbekistan).

45 participating States
signed

34 participating States
signed and ratified

The Council of Europe Convention on preventing and combating violence against women and domestic violence is the most comprehensive legal framework to tackle violence against women and girls.

Source:
<https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210/signatures> consulted on 23 September 2020.

¹¹ <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210/signatures>, accessed on 10 September 2020.

¹² Including Armenia, the Czech Republic and Ukraine.

¹³ [https://asiapacificgender.org/sites/default/files/documents/Mongolia_\(English\).pdf](https://asiapacificgender.org/sites/default/files/documents/Mongolia_(English).pdf), accessed 7 Sep 2020.

¹⁴ Such as Denmark’s National Action Plan on Physical and Psychological Violence in Close Relations, 2019-2022; Italy’s National Strategic Plan on Male Violence against Women 2017-2020; and Sweden’s National Strategy to Combat Men’s Violence against Women 2016-2026.

Two countries have in recent years decriminalized offences commonly invoked in domestic violence cases, reducing them to administrative offences. Legal reform is ongoing in these countries as the law is being reviewed. The gendered nature of domestic and intimate partner violence is neither captured in the titles of national policies, nor in the content of national legislation in several countries in Eastern Europe, the South Caucasus, and Central Asia. Instead, these laws contain gender-neutral definitions of family violence, do not identify gender discrimination as a root cause of violence, do not extend protection to non-cohabitating and/or (ex)-intimate partners, and do not address stalking.

Some progress was made in recognizing and addressing specific forms of VAWG in national legal and policy frameworks:

- While **femicide**¹⁵ is not considered as a separate criminal offense in most countries within the OSCE region, several participating States have updated their legal frameworks or created special monitoring bodies on gender-related killings, including Croatia, Georgia, Italy, Portugal, Spain, Turkey and the United Kingdom.
- Several countries took steps to criminalize **gender-based violence perpetrated through the use of technology**. For example, a few countries¹⁶ criminalized the non-consensual distribution of intimate images, upskirting, online child grooming, sexting directed at minors, cyberbullying and cyberstalking. Many countries address cyber violence as a national security threat

and/or as related to child pornography and sexual exploitation, but do so without a gender perspective and thereby ignoring the fact that women and girls are more likely to be affected by sexualized cyberbullying.

- Different legislative and policy reform initiatives addressed **harmful practices** as several countries across the region criminalized child and forced marriage thus harmonizing their legal frameworks with the Istanbul Convention.
- A few participating States in the OSCE region indicated in their national reports that **Female Genital Mutilation (FGM)** was not practised in their territory. Yet, it remains important to ensure that effective legislation is in place.
- Specific policy documents on addressing **customary forms of violence** were adopted in some States¹⁷, including action plans related to honour-related conflicts, social control, and harmful traditional practices.

The legal rights available to victims of diverse forms of VAW were bolstered in OSCE countries that are also members of the EU due to the implementation of the EU victims' rights directive. Several countries reformed legislation related to victims' procedural rights that were gender-neutral, which may obstruct the consideration of the specificity of gender-based violence.

¹⁵ The term 'femicide' refers to the gender-related killing of women and girls.

¹⁶ Including Austria, Belgium, Canada, Estonia, France, Ireland, Spain, Sweden, and the United Kingdom.

¹⁷ Including Denmark, Norway, and the Netherlands.

¹⁸ Ministerial Council decisions on Preventing and Combating Violence against Women (MC.DEC/15/05, MC.DEC/07/14 and MC.DEC/4/18).

¹⁹ Beijing +25 Regional Review Meeting, 29 October, Geneva, 2019.

Comprehensive institutional frameworks for VAW

As set forth in the relevant OSCE commitments¹⁸, combating VAW requires a comprehensive institutional framework involving interagency co-ordination, adequate financing, capacity-building, and data collection. Gaps still remain though:

- Monitoring of the implementation of the Istanbul Convention by the Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) has revealed that few countries in the region **disaggregate statistical data** by all relevant factors.¹⁹ Data gaps mask the true scale and nature of gender-based violence.
- Progress has been made in some countries in the allocation of adequate **human and financial resources** for the provision of services for victims and interagency co-ordination, including support for the work of civil society organizations (CSOs). However, state funding for such services remains insufficient in many countries.
- **Comprehensive and co-ordinated national policies** on combating all forms of VAW and encompassing all relevant actors were strengthened in some countries, though this remains a gap in most. Numerous countries across the region have fostered their collaboration with CSOs to prevent and combat VAW.

Capacity-building - key to implementation

The lack of capacity among professionals and frontline actors in responding to VAW is a significant barrier to the effective protection, prosecution, and provision of services. This includes not only a solid understanding of the nature and diverse forms of VAW and the cycle of domestic and intimate partner violence, but also the required gender sensitivity and victim-centered approach. Where these are lacking, survivors can be re-traumatized and experience secondary rights violations by the very actors designated to assist them. Among the primary obstacles to the implementation of laws and policies on

gender equality and VAW in particular, are existing bias, stereotypes and the prevalence of often-discriminatory informal social norms among those responsible for implementing these laws. Numerous countries²⁰ reported significant capacity-building efforts for a diverse range of stakeholders, including criminal justice sector staff, primary healthcare centres, family-planning centres, social services providers, school health services, mother and child protection services, HIV support centres, centres for migrant families, asylum officers, etc.

²⁰ Albania, Andorra, Armenia, Austria, Bosnia and Herzegovina, Canada, Cyprus, Czech Republic, Estonia, Finland, Georgia, Latvia, Sweden, Switzerland, Ukraine..

Responses to VAWG: protection and services

SPECIAL MEASURES TO PROTECT WOMEN AND GIRLS FROM VIOLENCE DURING THE COVID-19 CRISIS

In response to the increased risk of domestic violence as a result of the COVID-19 crisis, the participating States most affected by the crisis, including Austria, Italy, Portugal and Spain, put in place special protection measures, including:

- the expansion of existing and introduction of new helplines, online support platforms and shelters
- public information and campaigns on how to report violence
- increased funding for providers of victim support, helplines and shelters

Concerns remain, however, that women and girls—especially the most disadvantaged such as women with disabilities, migrant and internally displaced women and women living in rural areas—are unable to access emergency protection and medical services, also because these services are not marked as essential in all participating States. Another concern relates to the redirection of funding for essential support services towards other COVID-19 crisis-related areas.



ACCESS TO JUSTICE

A few countries, including Armenia, Georgia, Latvia, and Switzerland have amended legislation to ensure that cases involving VAW are prosecuted *ex officio* (whether or not the victim withdraws her complaint). Many countries noted a rise in convictions though some also saw a decrease. Several countries expanded women's access to free legal aid.

PROTECTION

Several countries²¹ established emergency barring and protection orders for victims of gender-based violence during the reporting period. Others extended existing protection orders by widening the scope of persons entitled to seek protection. A few countries noted an increase in the issuance of protection orders since they had become available. The effective implementation of emergency barring orders requires that priority be placed on the safety of the victim and her/his children. Yet in several countries the removal of perpetrators from the home depends on whether they have access to

²¹ Including Armenia, Latvia, Georgia, Ukraine, Kyrgyzstan and Romania.

²² Including Albania, Andorra, Armenia, Cyprus, Georgia and Ukraine.

NATIONAL INQUIRIES

A public national inquiry is a transparent, public investigation into systemic human rights violations. It involves the general public, and expert stakeholders, including from the government and civil society. Two countries reported on national inquiries into systemic human rights violations related to violence against women: Canada initiated a National Inquiry into Missing and Murdered Indigenous Women and Girls. Ireland formed a Commission of Investigation into Mother and Baby Homes and Certain Related Matters. Australia, an OSCE Partner for Co-operation, conducted a national inquiry into sexual harassment in workplaces in 2019.

another accommodation and not on the victim's safety needs. Several states have not yet criminalized the violation of emergency barring and protection orders.

Between 2014 and 2019, several countries²² adopted protocols to guide the implementation of emergency barring and protection orders, including risk assessments and sanctions for non-compliance in line with the Istanbul Convention. Risk assessment protocols are life-saving tools which also help to ensure the efficient and effective use of limited resources because they support prioritization and prevent more violence with higher cost implications.

CO-ORDINATED MULTI-SECTORAL SERVICES²³

OSCE commitments related to combating VAW task the participating States to provide a wide range of services, including adequate protection, rehabilitation and reintegration support for women and girls who are victims of violence.²⁴

Important advances were made throughout the region in expanding the scope and quality of services available to victims of

gender-based violence, including in countries without a related legal framework. In some countries, services are now provided free of charge to victims of gender-based violence including legal aid, health care and social welfare assistance. Others developed standards for service provision and co-operation, as well as referral mechanisms for service providers. It should be noted that in most countries assistance is provided by civil society organizations with varying degrees of financial state support.

- **Shelters and crisis centres:** Not all participating States have temporary shelters for victims of domestic violence in place. Where they are available, service provision is often challenged by inadequate and short-term funding, a limited scope of services, poor physical condition of facilities and a lack of professionally trained staff. At least four countries²⁵ established specialized sexual violence crisis centres, but their geographical distribution remains limited.

- **Hotlines:** 24/7 hotlines were established in several countries and accessibility was broadened by offering the service in different languages. Still, professionalized responses and referrals are often only available during

²³ The multi-sectoral model for the fight against gender-based violence calls for holistic interorganizational and interagency efforts that promote the participation of people of concern, interdisciplinary and interorganizational co-operation and co-ordination across key sectors, including health, psychosocial, legal/justice and security. The multi-sectoral model explicitly highlights responsibilities unique to each sector.

²⁴ MC.DEC/4/18, para 1.

²⁵ Including Albania, Belgium, Hungary, and Kyrgyzstan.

standard working hours and not all operators have received the necessary training. Some countries established helplines for specific forms of violence, such as for revenge porn (United Kingdom) and violence and harassment in public transport (France).

- **Specialized services** for at-risk groups that take into account their specific needs and vulnerabilities were set in place in several countries within the EU. These are tailored to women with disabilities, the elderly, adolescents, migrants, lesbian, gay, bisexual, trans and intersex individuals, and victims of specific forms of violence, such as sexual

violence, stalking, or online violence. Several countries noted advances in formalizing effective co-operation and referral mechanisms for assistance and services to victims. In South-Eastern and Eastern Europe, Central Asia and the Caucasus, these systems have advanced, but several aspects remain under development and require institutional strengthening and stakeholder capacity-building.

In spite of the advances made, services remain inadequate in most countries in the OSCE region, both in terms of scope and quality.

Prevention of VAWG

VAWG is rooted in gender-based discrimination, social norms, gender stereotypes and systematic and pervasive gender inequality. While protection and response are required to address both imminent and ongoing violence, the prevention of violence is the best and most cost-effective policy for tackling the phenomenon.

The prevention of VAWG is set forth in several OSCE documents. The 2004 OSCE Action Plan for the Promotion of Gender Equality for example commits OSCE executive structures to assist participating States “*in developing programmes and activities aimed at the prevention of all forms of gender-based violence*”.²⁶ Around 90 percent of the OSCE participating States conducted public awareness campaigns, including on changing attitudes and behaviours.

Almost half of the countries also provided perpetrator programmes and specialized primary and secondary education programmes.

AWARENESS- RAISING AND EDUCATION PROGRAMMES

The 2014 and 2018 Ministerial Council decisions on Preventing and Combating VAW call on participating States to address negative stereotypes, attitudes, and prejudices which contribute to all forms of VAW and to organize awareness-raising campaigns on the risks of specific forms of violence facing women and girls, including through digital technologies, and on their rights and the support available for victims.²⁷

Many of the public awareness campaigns mentioned in Beijing Platform for Action+25 national reports refer to the UN-sponsored global campaigns “16 Days of Activism against Gender-based Violence” and

²⁶ MC.DEC/14/04, para V,44(c).

²⁷ The 2014 and 2018 Ministerial Council decisions on Preventing and Combating Violence Against Women also call on States to “[t]ake measures to raise awareness of the vicious cycle of violence that might emanate from physical, sexual, and psychological violence experienced in childhood and adolescence” (MC.DEC/07/14 para 3, MC.DEC/4/18 para 4).

GOOD PRACTICES FOR ENGAGING MEN & BOYS

The Permanent Missions of Iceland and Suriname to the UN in New York developed the “barbershop” concept in the context of the 20th anniversary of the Beijing Platform for Action.

The concept examines innovative ways for men to mobilize and motivate other men to address discriminatory stereotypes of masculinity. Ireland funds a national “MANUP” campaign aimed at engaging men to stand up against domestic and sexual violence, and a White Ribbon campaign focusses on engaging men as advocates against such violence.

Albania developed a national action plan for the involvement of men and boys for the period 2014-2019.

“HeForShe”. In many countries, national authorities also engaged in country-specific prevention campaigns to address diverse forms of violence. Almost all country-specific campaigns targeted youth. Several countries have engaged in awareness-raising on specific forms of violence, including cyberbullying, targeting youth in particular, child marriage and sexual violence. Specific education programmes on cyber violence with a dedicated gender component, and on gender stereotypes were also developed in some countries. There is, however, no information available on the impact and sustainability of these awareness-raising and education programmes.

WORKING WITH PERPETRATORS

The 2014 Ministerial Council Decision on VAW calls on participating States to develop programmes to work with the perpetrators of VAW, both during and after their sentence in order to avoid repeat offenses.²⁸ Several countries established perpetrator programmes during the reporting period, including Albania, Belarus,

and Bosnia and Herzegovina. Similarly, in the Czech Republic, legal amendments now require the participation in anger management programmes for domestic violence perpetrators. Only few countries run programmes for sex offenders.

ENGAGING MEN AND BOYS

The 2018 Ministerial Council Decision on Preventing and Combating VAW calls on participating States to incorporate initiatives into relevant national level policies and strategies to promote the engagement of men and boys in preventing and combating VAWG, and addressing negative attitudes, behaviours, and gender stereotypes that perpetuate such violence.²⁹

Involving men and boys and tackling harmful masculinities are important strategies to prevent and counter VAW. While several countries explicitly recognize the need for such programmes, only few have introduced concrete initiatives.

²⁸ MC.DEC/07/14, para 3.

²⁹ MC.DEC/4/18, para 8

OSCE-LED SURVEY ON VIOLENCE AGAINST WOMEN

The OSCE-led survey, implemented by the Gender Section in seven countries in South-Eastern Europe and Eastern Europe, provides unique and comparable data on the different forms of violence against women. The survey also covered gender-based violence in the context of conflict.

The project website contains all the local and consolidated results reports, as well as thematic reports on the experiences of disadvantaged women and violence against women and conflict. An interactive data explorer and links to online resources containing help and information are made available. A targeted regional social media campaign “End the Silence” reached more than 35 million persons at the end of 2019.

<https://www.osce.org/projects/survey-on-the-well-being-and-safety-of-women>

Good practices by OSCE executive structures

The Ministerial Council decisions on combating and preventing VAW task OSCE executive structures to support participating States with the implementation of their commitments. This section provides a non-exhaustive snapshot of how OSCE executive structures contribute to national efforts to combat VAW.

IMPROVING LEGAL AND POLICY FRAMEWORKS

Several OSCE executive structures support national stakeholders in drafting legal provisions on gender-based violence. The OSCE Mission in Skopje, for example, supported the drafting of the new **Law on Violence against Women and Domestic Violence and the new Criminal Code** (both in 2019), ensuring that commitments of the Istanbul Convention are incorporated.

TRIAL MONITORING

The OSCE Mission to Bosnia and Herzegovina supports local women’s NGOs in **conducting trial monitoring of gender-based violence cases, including conflict-**

related sexual violence in both entities of Bosnia and Herzegovina in order to assess the judicial response by courts. This kind of trial monitoring has contributed to improving the technical aspects of investigation, prosecution, and adjudication, as well as the approach of investigators, prosecutors and judges to survivors of sexual violence.

PROMOTING CO-OPERATION AND CO-ORDINATION

In Moldova, the OSCE Mission organized a series of events and trainings to **bring together different actors working on combating violence** such as NGO representatives, shelter staff, social service providers, psychologists and lawyers from both banks of the Dniester/Nistru River. The events provided opportunities to discuss common challenges and build confidence between the Sides of the Transdniestrian settlement process.

These initiatives have led to an increase in the number of referrals of victims of violence to support services. They also contributed to

the inclusion of domestic violence issues in the negotiation agenda of the Human Rights sub-Working Group within the framework of the settlement process.

STUDIES AND TOOLS

In August 2019, OSCE/ODIHR released a publication focused on preventing and addressing sexual and gender-based violence in places of deprivation of liberty. The booklet is for use by state actors, civil society organizations and the international community and improves their understanding of how such violence manifests in places of deprivation of liberty and how relevant safeguards can be created.

AWARENESS-RAISING

In 2019, the Mission to Skopje in collaboration with local CSOs, initiated an **anti-rumour campaign** to break down negative prejudices and stereotypes on grounds of sex and gender. Emphasis was placed on Roma women, women with disabilities and rural women. The campaign reached some 980,000 people online and 15,000 participants during live events.

The Mission to Moldova held a **public lecture series** on gender equality and domestic violence for 1,200 teachers and students of vocational schools throughout Moldova, which addressed beliefs, behaviours and attitudes. ODIHR organized two expert roundtables on gender-based hate crimes and on intersectionality and hate crimes with a focus on their gender dimensions in 2019.

The roundtables produced guidance for CSOs, governments, and international organizations on how to address gender-based hate crimes and apply an intersectional approach to these crimes.

CAPACITY-BUILDING AND TRAINING OF PROFESSIONALS

Several OSCE executive structures built the capacities of police and criminal justice sector actors in addressing gender-based violence. The Strategic Police Matters Unit of the Secretariat's Transnational Threats Department **developed a training or trainers package** which was delivered to police officers, prosecutors, judges, and social workers to better respond to gender-based violence cases in Bulgaria, Hungary, and Romania.

The Project Co-ordinator in Ukraine supported the national police to **form and train multi-disciplinary domestic violence response teams** named "POLINA". In addition, local police hotline operators, covering nearly half the country, underwent training in identifying domestic violence cases.

The Mission to Bosnia and Herzegovina supports **capacity-building** and organizes regular trainings for police officers, focusing on how to address domestic violence and other forms of gender-based violence and how to deal with gender-based discrimination in police structures.

PROVIDING SUPPORT FOR SURVIVORS OF VIOLENCE

The Project Co-ordinator in Uzbekistan supports a leading women's rights NGO in **providing personalized support, information about resources and services**, free legal aid and psychological counselling for women who have experienced violence.

In Tajikistan, the OSCE Programme Office in Dushanbe has supported the **establishment and running of Women Resource Centres** that provide free legal aid and

support to victims of domestic violence and women at risk. The Women Resource Centres have reached 60,631 persons between January 2017 and the end of 2019.

ADVOCACY AND CAMPAIGNING

The OSCE Representative on Freedom of the Media implemented different activities in

the context of 'Safety of Female Journalists Online' project to **highlight the experiences of women journalists who have been affected by online harassment**. The campaign included the production and screening of a documentary on the topic, as well as workshops and conferences.

Gaps and challenges

Based on the national reports to the Beijing Platform for Action Review and the findings of the OSCE-led survey on the Well-being and Safety of Women, several gaps and challenges significantly contribute to the continued prevalence of VAWG in the OSCE region.

GENDER-NEUTRAL LEGAL AND POLICY FRAMEWORKS fail to take into account the root causes of domestic violence and do not adequately recognize their disproportionate impact on women and girls. This also applies to national responses to cyber violence, which often fail to adopt a gender perspective despite the fact that this kind of violence disproportionately affects women and girls.

IMPLEMENTATION OF LEGAL AND POLICY FRAMEWORKS REMAINS WEAK Ensuring the effective implementation of protection measures has been and remains a challenge for many countries, both in the initial and the more advanced stages of developing systematized forms of victim protection.

Capacity-building with an emphasis on gender-sensitivity training remains an ongoing need. The effective implementation of risk assessment protocols by law enforcement

officers was noted as a significant challenge in many countries and some countries have not yet adopted risk assessment protocols.

GROWING RESISTANCE AND BACKLASH

Resistance to initiatives to combat VAW and promote gender equality were particularly noted by countries in Eastern Europe and the South Caucasus. This has, among others, prevented some countries from ratifying the Istanbul Convention.

LACK OF RELIABLE AND DISAGGREGATED DATA

Reliable data remains difficult to obtain in many countries in the region. The information provided by existing data is also limited due to significant under-reporting. Additional concerns relate to the protection of survivors in data collection and exchange of practices. There is a particularly glaring data gap related to femicide and gender-related killing despite calls by the UN Special Rapporteur on Violence Against Women, its Causes and Consequences for such data to be collected. Most States still fail to comprehensively disaggregate data on violent crimes.

SOME FORMS OF VIOLENCE ARE NOT ADEQUATELY ADDRESSED

- OSCE commitments have not specifically addressed the issue of femicide yet, albeit they do explicitly cover all forms of VAW as well as hate crimes, which can result in murder based, inter alia, on sex/gender bias.
- Gender-based hate crimes are not fully conceptualized and addressed by OSCE participating States.
- Combating VAW perpetrated through technology poses a distinct challenge for those countries in the region that have

yet to criminalise form of violence, and in those countries where evidence derived from technological communications remains inadmissible in court.

- Gender-based violence in places of deprivation of liberty is not adequately researched, reported and prevented

MULTI-SECTORAL SERVICES REMAIN INADEQUATE AND UNDERFUNDED in many countries in the region, both in scope and in quality. Ineffective response and services of poor quality serve to further re-victimize beneficiaries, resulting in secondary rights violations.

Recommendations for consideration

STRENGTHENING OSCE COMMITMENTS TO PREVENT AND COMBAT VAW

Even though OSCE commitments explicitly cover all forms of VAW, they do not specifically address the issue of femicide, including hate crimes that can result in murder motivated by, inter alia, sex/gender bias. Similarly, gender-based hate crimes are not fully conceptualized and addressed by OSCE participating States. In addition, gender-based violence in places of deprivation of liberty is not adequately researched, reported and prevented.

Participating States should consider including explicit provisions related to femicide gender-based hate crimes and gender-based violence in places of deprivation of liberty in future OSCE commitments. The OSCE has an opportunity to fill an important gap with respect to the legislative framework, data collection and specialized services related to femicide.

STRENGTHENING LEGAL AND POLICY FRAMEWORKS

- All forms of VAWG should be defined and criminalized in the law and appropriate criminal sanctions applied. Participating States should either introduce new or improve existing legal and policy frameworks to cover all forms of VAW, including—but not limited to—femicide, gender-based hate crimes, violence perpetrated through the use of technology and sexual harassment. Combatting VAW perpetrated through the use of technology poses a distinct challenge for those countries in the region that have yet to criminalise this, and in those countries where evidence derived from technological communications remains inadmissible in court.
- Gender-neutral legal and policy frameworks fail to consider the root causes of domestic violence and do not adequately acknowledge the disproportionate impact

they have on women and girls. This is equally relevant for national responses to cyber violence, which do not always adopt a gender perspective despite the fact that women and girls are disproportionately affected by that kind of violence.

Participating States should include a gender perspective in their national approaches to cyber violence. With a strong collaboration across executive structures, the OSCE is poised to play an important role in addressing the current gap in most States in approaching cyber violence from a gendered perspective.

- The issue of VAW and gender-based violence should be integrated into the OSCE's work on Security Sector Governance and Reform and across the conflict cycle.
- All OSCE participating States should strengthen and expand their respective commitments (including protection) related to violence and harassment at work. The 53 OSCE participating States that are also Members of the International Labour Organization (ILO) should consider ratifying the 2019 ILO Convention on Violence and Harassment Convention (No.190).
- The ratification of the Istanbul Convention should be considered by participating States not having done so yet.
- OSCE participating States should step up measures to prevent gender-based violence and specifically intimate partner violence in conflict and other crisis situations, including when addressing the Covid-19 pandemic.

ACCESS TO AND QUALITY OF MULTI-SECTORAL SERVICES

- Multi-sectoral services remain inadequate and underfunded in many countries in the region, both in scope and in quality. Ineffective responses and services of poor quality re-victimize beneficiaries and result in secondary rights violations. Systematic co-operation and co-ordination of multi-sectoral support services should be ensured and overseen by relevant national institutions, including by establishing standard operating procedures.
- Comprehensive and specialized services for victims/survivors of VAWG should be expanded in each participating States, ensuring that women from disadvantaged groups and minority women have access to appropriate support.
- The provision of sufficiently resourced psychological and rehabilitation assistance based on international best practice should be strengthened as an essential component of enabling women to escape violence permanently and to rebuild their lives, especially in times of emergencies.
- Increased national budgetary allocations to combat VAW are needed, including through gender-responsive budgeting.
- The establishment of sexual violence crisis centers should be supported in countries where they do not yet exist.

CAPACITY-BUILDING AND TECHNICAL ASSISTANCE

- Ensuring the effective implementation of protection measures has been and remains a challenge for many countries, both for those in the initial and the more advanced stages of developing systematized forms of protection for victims of VAW. Capacity-building, with an emphasis on gender sensitivity training, remains an ongoing need. The effective implementation of risk assessment protocols by law enforcement officers was noted as a significant challenge in many countries and some have not yet adopted risk assessment protocols. Increased capacity-building for legislators, security and justice sector, and service providers is needed on the application of international standards and in particular on applying a victim-centred, human rights-based, and gender-sensitive approach. Specialized units on VAWG should be established in each institution.
- In collaboration with other intergovernmental organizations as well as national and international NGOs, OSCE executive structures should support the ongoing capacity-building of frontline actors in gender-based violence response and the effective implementation of national legislation in line with international standards.

PREVENTION

Addressing the root causes of VAW and gender bias by promoting equality in education and through public campaigns with the aim of changing the mindsets and attitudes of boys and girls, women and men requires a systematic approach. The OSCE can support participating States in developing transformative and innovative strategies, programmes, and initiatives to promote the engagement of men and boys and to tackle discriminatory stereotypes of masculinity and femininity.

DATA COLLECTION

Reliable data remains difficult to obtain in many countries in the OSCE region. The information provided by existing data sets is also limited due to significant under-reporting. The collection and publication of data on VAW should be improved, e.g. through increasing the capacity of national statistical agencies to conduct surveys, by developing a set of national indicators and creating a consolidated database on all forms of VAWG. Additional concerns relate to ensuring the data protection rights of survivors of violence in data collection and sharing practices. There is a particularly glaring data gap related to femicide and gender-related killing despite repeated calls by the UN Special Rapporteur on Violence Against Women for such data to be collected. In addition, most OSCE participating States fail to comprehensively disaggregate data on violent crimes. OSCE participating States should consider closing the data gap by collecting data related to femicide and gender-related killings and disaggregate data on violent crimes.