



## Organization for Security and Co-operation in Europe

### Experts Seminar on innovative approaches to combating violence against women, Dushanbe 20 to 22 October 2008

#### Brief assessment on the VAW situation in countries subject of presentation in the seminar<sup>1</sup>

##### **Bosnia i Hercegovina**

In Bosnia and Herzegovina there is no official data on violence on women. Any available data is from NGO sector. It is more than a reason to worry that the State does not try to collect data on this issue, even though NGOs are alerting them for many years that violence against women is on rise. From available data, it is possible to conclude that all forms of violence against women, sexual, physical and mental exists. It is also more then obvious that victims are scrutinized and not ready to talk about their problems or to ask for a help.

Available statistics from NGOs indicate that every fifth women is a victim of violence in her home.

##### **Finland**

Reducing intimate partner and domestic violence is a priority for the Government in Finland. Finland is determined to adequately address the remarks and recommendations received recently on the issue from both the UN Human Rights Council Universal Periodic Review (UPR) Process in February 2008 and CEDAW comments on Finland's 6th periodic report in July 2008. As per the reporting done, on the basis of surveys carried out, most recently in autumn 2005, the prevalence amounts to 5,3%, with a total victimization of 19,9% of Finnish women.

The Government's new Internal Security Program was adopted in May 2008. This program includes the aim to reduce domestic violence especially against women and children and strengthen the resources and co-ordination of preventing domestic violence. Since the end of 1990's several national programmes aiming to reduce violence or to develop services for victims of violence have been implemented.

In recent years the focus has been in particular on development of cooperation. Cooperation across the ministries and professional boundaries is most important to prevent domestic violence. The Ministry of Social Affairs and Health set up an inter-ministerial (coordinating body) working-group in spring 2008 with a mandate to coordinate, develop and internally monitor and evaluate polices on domestic violence and violence against women.

There are proposals to strengthen the work to prevent domestic violence and violence against women by setting up a national research and development body (unit) linked to the sectoral research institution under the Ministry of Social Affairs and Health. The aim of the unit is to coordinate the work to prevent domestic violence and violence against women, to reinforce the knowledge and skills and to support the regional and local work.

In the course of the last four years, different agencies in the municipal levels have purposefully created co-operative structures. In May 2008, the Ministry of Social Affairs and Health and the Association of Finnish Local and Regional Authorities provided municipalities

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<sup>1</sup> The OSCE is not responsible for the content of the country information submitted by the experts. The information does not necessarily reflect the position of the OSCE.

with recommendations for the prevention of interpersonal and domestic violence. The recommendations stress the importance of strategic planning and a comprehensive approach. The recommendations emphasize that appropriated services and care models are needed especially for people with disabilities, immigrant people and elderly people suffering from violence. The implementation of the recommendations will be assessed during the year 2011.

It is important to influence the situation also by increasing the expertise of e.g. health and social care staff and the police. There is an example of tackling violence in a Finnish handbook dealing with prevention of violence. The handbook describes that “the reaction to intimate partner and domestic violence should be similar to that to a heart attack. When a patient has a heart attack every hospital staff member knows at once what it is about and what is needed to help the person. We have still much to do to reach such preparedness.

In Finland, cooperation is also being carried out in the campaign stop domestic violence against women started at the initiative of the Council of Europe. The group appointed for it consists of representatives of a wide range of stakeholders: nine NGOs, the Council for Gender Equality, the Ministry of Social Affairs and Health, the Ministry of Justice and, in addition, the Parliament and the Association of Finnish Local and Regional Authorities. The campaign aims to influence in particular men and decision-makers at different levels: in municipalities, State Provincial Offices and Government ministries. Men’s role and significance in the prevention of violence against women should be greater than it is now. The burning question is indeed how to motivate men to take part in the prevention and reduction of violence.

## **France**

Statistics for the year 2007:

166 women died under the blows of their partner

1 woman every 2.5 days dies victim of her partner or ex-partner

65,000 women and girls are mutilated or threatened with mutilation

130,000 have been the victims of rape in 2005 and 2006

70,000 girls between the age of 10 and 18 were potentially threatened with forced marriage

17 % of women suffered harassment at their work place

Since 1994 and the new Code Penal, considers being the husband or common law husband an aggravating circumstance of crimes against physical integrity. The perpetrator risks a punishment of detention until 20 years in case of rape. Since 2004, the law authorizes the eviction of the violent spouse from the marital home

In 2006 the law strengthened the prevention and the prosecution of violence between partners or committed against children and increased the sanctioning for VAW, notably by widening the field of application of the aggravating circumstance.

## **Georgia**

Despite the fact that based on the survey of international organizations, the situation of violence against women in Georgia is not so critical, violence is considered as one of the topical and actual problems, especially because the vector of this problem is not gender-neutral and women are very often a victim of different forms of violence. Institutionalization of violence has become a subject of study in each sphere of life – social, political, economical, and first of all, legislative.

Conducting of public survey in Georgia is not possible because of the fact that this topic is tabooed and, on the other hand, violence is considered as norm of behaviour not as a

problem by the society, including women – victims of violence. Only the hardest results of violence are exception in terms of reaching the focus of attention.

Research of women's social-economic status has revealed that victims of violence are mainly those women, who are economically dependent of violators and have not higher social status. One fifth of the respondents have been subject to physical violence. At the same time, psychological violence is also widespread form as priority way of gaining control and power over women. Restrictions also have systematic character in relation to women, such as: restrictions at work places; women's professional activity is regarded as additional source of income for family and less as a source of personal self-realization. Approximately 3,5% of surveyed women admit being victims of sexual violence.

In 2006, the parliament of Georgia adopted the "Law of Protecting and Supporting Victims of Violence". This law has been accepted positively by the society. Non-governmental organizations criticize the fact that the above mentioned law, unfortunately, is not fully implemented until today. The state could not find funds to establish shelters for victims and rehabilitation centers for violators.

The institute of social worker has not yet been created, which would have key functions if prevention of violence and protection of victims at different stage. Social institutes do not cooperate in the matter of settling this problem and representatives of legislative organs and mass-media lack special knowledge with regard to VAW.

It is worth mentioning that there are NGOs that put efforts in carrying out informational campaign, conducting public discussions in order to change public awareness and legal mechanisms in relation to violence in family. There are also "hot lines" and centers of psycho-rehabilitation.

### **Russian Federation**

Although statistics on domestic violence in particular and violence against women in general are inconsistent, existing data reveals an increase in domestic violence. Reportedly, 80 per cent of violent crimes against women are cases of domestic violence. Between 1994 and 2005, number of reported cases increased by 230 per cent to 170,000. The increased number is an evidence of the fact that domestic violence is becoming less latent: more women are aware of the problem and ready to report about the cases of violence to police and to seek justice. There are no official statistics or systematic data collection on and registration of cases of violence against women. The data collected on domestic crimes by the Ministry of Interior are gender-neutral. The situation is the same in the health care system. The only available official data may be found in the state party's report to the Committee on the Elimination of Discrimination against Women (CEDAW) acknowledged in 1999 that 14,000 women were killed annually by their husbands or other family members.

After the Beijing Conference in 1995, some national mechanisms on improvement of the status of women in the Russian Federation were established. All national mechanisms for improving the situation of women in the country were eliminated. The Presidential Commission for Women, Family and Demography does not exist any longer. The only governmental multi-agency commission on domestic violence, sexual violence and trafficking that was working under the Ministry for Internal Affairs ceased to exist in 2005.

Today, the Russian Federation does not have a specialized government body with the authority and resources to function as gender equality machinery. There are several institutions established to address women's issues in Russia, such as the Committee on Women, Family and Youth of the State Duma, and the Interagency Commission on Equality between Men and Women. However, violence against women is still not on the agenda of

these institutions, they do not have special tasks regarding this phenomenon, nor are they allocated an appropriate budget for this work.

There are only 20 shelters with 200 beds available for women and children suffering from domestic violence in Russia. It is remarkable there are no shelters for domestic violence victims in Moscow, the capital of Russia.

Violence against women, particularly domestic violence, is not recognized by the Russian Criminal Code as a separate offense. The only applicable criminal procedures are the criminal law articles on bodily injuries or other crimes.

## **Scotland**

Scotland is unique in that its government has taken a consistent and strategic national approach to tackling domestic abuse and more recently VAW which has included:

- Adopting a definition of domestic abuse which has at its core a clear gender analysis which views domestic abuse as sitting within a continuum of VAW and views this as a cause and result of gender inequality.
- A National Strategy to address domestic abuse (recently expanded to include all forms of VAW);
- Multi-agency VAW partnerships in each of its 32 geographical areas;
- VAW training consortia in every Health Board Area in Scotland;
- Significant funding to implement DA and VAW strategies (£44 million recently announced for the next 3 years)
- A National Domestic Abuse Delivery Plan for Children and Young People (£10 million of funding earmarked to implement this)
- Changes to legislation protecting women, children and young people experiencing domestic abuse.
- A good track record and recent commitment and funding to promote the meaningful participation of children and young people in shaping policy, services and research on domestic abuse.

The UK Map of Gaps report 2007

[http://www.endviolenceagainstwomen.org.uk/data/files/map\\_of\\_gaps.pdf](http://www.endviolenceagainstwomen.org.uk/data/files/map_of_gaps.pdf) said:

'The experience of Scotland proves that investment in frontline voluntary sector support services produces a significant return. Scotland should, therefore, be regarded as a benchmark with respect to its strategic approach, its recognition that violence is a cause and consequence of women's inequality and its commitment to enhancing capacity and diversity of provision. National and regional governments should follow the model of the Scottish Government in developing VAW strategies which have a core commitment to funding specialised support services. This should also be considered as part of their legal obligations under the public sector equality duties.

## **United Kingdom**

Whilst domestic violence has a high rate of under-reporting, the statistics nevertheless show the scale of the problem:

- On average, two women a week are killed by a male partner or former partner.
- 89 per cent of those suffering four or more incidents are women.
- One in four women and one in six men will be a victim of domestic violence in their lifetime with women at greater risk of repeat victimisation and serious injury.
- The Children and Family Court Advisory Support Service (CAFCASS) reports that domestic violence is an issue in 75 per cent of the public law workload and 65 per cent of the private law caseload.

Men who are using violence outside of intimate relationships and are already responding to perceived threats from others with violence have an increased likelihood of using domestic violence but the range of men using domestic violence is far broader than this group. Prevalence studies indicate that domestic violence occurs across all class, race, age and social status and explorations of incidence demonstrate that it varies significantly with gender – men commit the majority of incidents. However the dominant pattern of male violence towards women can mask other much less common forms, including: women's violence, violence in same sex relationships, and relationships where both the woman and the man use violence.

Policy on domestic violence has largely focused on the criminal justice system; policing, prosecution, the identification of risk and multi-agency structures to respond to this risk. For example, the Sexual Offences Act 2003 modernised the legal framework for sexual offences and made it easier for prosecutors to meet the legal requirements for proving their case. The Domestic Violence, Crime and Victims Act 2004 also created a number of new powers to strengthen the case brought by victims. The 'National Domestic Violence Delivery Plan', published in 2005, is seeking to: reduce the number of domestic violence-related homicides; reduce the prevalence of domestic violence; increase the rate of reporting for domestic violence; increase the rate of reported domestic violence offences that are brought to justice; and ensure that victims of domestic violence are adequately protected and supported nationwide. To achieve these outcomes, the Government has committed itself to, among other things, building more capacity within the domestic violence sector, improving the way the criminal justice system responds, and better supporting victims and managing perpetrators through the criminal justice system.

In practice, policing has improved through the provision of specialist domestic violence officers and the higher profile given to domestic violence within the police, although this is not consistent across the country. The result of all this activity is a steady rise in the effectiveness of the criminal justice system in bringing perpetrators of domestic violence to justice with the successful prosecution rate for domestic violence rising from 46 per cent in 2003 to 69 per cent by December 2007. The message from Government has been that domestic violence is a crime and that offenders will be brought to justice and this is vital if we are to create a climate of intolerance for domestic violence. However, there are limitations to this approach if improvements in criminal justice response are not matched by improvements in the response of other agencies, (e.g. housing, children's services and voluntary sector). The criminal justice system is used by a minority of victims and is just one mechanism to address domestic violence. Other options like prevention work have not seen the same levels of investment.

It remains the case that most perpetrators of domestic violence are not brought into the criminal justice system. There is a significant role for health and social care agencies in engaging with perpetrators of domestic violence both in terms of prevention work but also in holding these men accountable for their behaviour.

Services for convicted domestic violence offenders are delivered by the Prison and Probation Service. Those outside of the criminal justice system are delivered through a mixture of voluntary sector organisations and multi-agency partnerships. The Nation Service Standards, applicable to Prison and Probation Services and those working outside the criminal justice system, state that they are interventions that focus on risk management, structured group work with the perpetrator and have a women's safety service to promote the safety of their victims and current female partners.

Provision of services outside of the criminal justice system is very patchy and inconsistent, with significant parts of England and Wales having none at all. The result is that many men who wish to access services to address their use of domestic violence do not have this

option and children's services wishing to engage with fathers who are using violence towards their partners do not have access to an appropriate service to refer such men. Access to these services is also compromised by the lack of engagement with men around their violence by maternity, child health and family services.

Austria, Pakistan and Spain: contributions will be added later