

Intercultural Dialogue on Violence against Women



 **MEDITERRANEAN
INSTITUTE OF
GENDER STUDIES**


EUROMED

Final results of a
Euro-Mediterranean
project

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This document has been produced with the financial assistance of the Anna Lindh Euro-Mediterranean Foundation for the Dialogue between Cultures. The contents of this document are the sole responsibility of The Mediterranean Institute of Gender Studies and can under no circumstances be regarded as reflecting the position of the Anna Lindh Foundation.

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Preface



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This report is a result of collaboration between five partner countries. The collaboration was made possible through funding from the Anna Lindh Euro-Mediterranean Foundation for the Dialogue between Cultures.

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Abbreviations

VAW - Violence against Women
 HRV - honour related violence
 FGM - female genital mutilation
 CSO - civil society organisation
 NGO - non governmental organisation
 EMP - Euro-Mediterranean Partnership

Introduction

Violence against women and girls is a fundamental violation of human rights, representing one of the most critical public health challenges as well as a major factor hindering development. It is estimated that one in three women worldwide will suffer some form of gender-based violence during the course of her lifetime. Despite efforts from the international community and the commitment by the vast majority of states to combat discrimination against women, notably by means of the ratification of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), women still remain victims of violence and discrimination in all regions of the world. Violence against women takes various forms including domestic violence; rape; trafficking in women and girl; forced prostitution; and violence in armed conflict, such as murder, systematic rape, sexual slavery and forced pregnancy. It also includes honour killings, dowry-related violence, female infanticide, female genital mutilation, and other harmful practices and traditions.

“Violence against women is perhaps the most shameful human rights violation. And it is perhaps the most pervasive. It knows no boundaries of geography, culture or wealth. As long as it continues, we cannot claim to be making real progress towards equality, development and peace.”

-- Kofi Annan, Secretary General of the United Nations, March 8th, 1999

Violence against women is inextricably linked to unequal gender norms and socio-economic power structures both in the public and private spheres. It serves to reinforce and perpetuate the unequal power relations between women and men. Thus, violence against women is a key issue in addressing gender inequality and discrimination against women as well as in effectively addressing key development issues such as health, poverty, HIV/AIDS, and conflict.

In recent years, violence against women has been internationally recognised as a violation of human rights and a form of discrimination against women. This is largely thanks to the long and persistent lobbying by women’s and human rights organisations across the globe that tirelessly fought to put VAW on the human rights agenda. The Declaration on the Elimination of Violence against Women, adopted by the United Nations General Assembly in 1993, and General Recommendation 19, adopted by the CEDAW Committee, testify to this recognition. Furthermore, The Platform for Action, adopted by the Fourth World Conference on Women held in Beijing in 1995, identified violence against women as one of the 12 critical areas of concern requiring the special attention of governments, the international community and civil society.

“Violence against women both violates and impairs or nullifies the enjoyment by women of their human rights and fundamental freedoms... In all societies, to a greater or lesser degree, women and girls are subjected to physical, sexual and psychological abuse that cuts across lines of income, class and culture.” --Beijing Declaration and Platform for Action, paragraph 112

Violence Against Women in the Euro-Mediterranean

Despite significant developments in relation to gender equality and violence against women in the Mediterranean countries of the Euro-Mediterranean Partnership (EMP), significant challenges remain for the full realisation of women's civil, political, economic and social rights in the region. Violence against women is a key issue to establishing gender equality that has not yet been addressed properly. There is consistent lack of research as well as lack of quantitative and qualitative data on the extent, forms and manifestations of violence against women in the Mediterranean region. This lack of information creates significant obstacles and enables states to avoid taking necessary measures and to deny that such a problem even exists in the region.

Despite the lack of statistical information, one must assume that violence against women in the region is as endemic as in the EU. Most of the southern countries do not have legislation on violence against women and attitudes to gender violence are extremely conservative and it is largely considered a private rather than a public matter.

Even though there is a growing women's movement in the MEDA region, women's organisations still face serious obstacles given limitations in capacity and access to resources, limitations on freedom of expression, restrictive laws, and lack of funding. Furthermore, in most Southern Mediterranean countries there is a top down approach to women's rights, with state authorities monopolising women's issues with little or no participation from women's groups or NGOs, as well as a lack of dialogue and cooperation between government and non-governmental actors across the Euro-Mediterranean region.

Despite these obstacles, associations promoting women's rights in the region have succeeded in breaking the silence surrounding this subject and the issue is gradually being brought out of the private sphere into the social and political field.

Recent developments on the political level include the Rabat Declaration on Violence against Women and Young Girls 2005, which called for the establishment of clear national policies to eradicate all forms of abuse that prevent women from fully enjoying their human rights as well as for public and media campaigns to raise awareness on the issue. More recently, as a result of the Euro-Mediterranean Ministerial Conference on Strengthening the Role of Women in Society that took place in November 2006, the EMP member states committed to combat all forms of violence against women, especially domestic violence, trafficking in human beings, harmful traditional practices and violence against migrant women.

The Project

This booklet is the culmination of a year long project entitled “Intercultural Dialogue on Violence against Women” undertaken by the Mediterranean Institute of Gender Studies (MIGS) and funded by the Anna Lindh Euro-Mediterranean Foundation for the Dialogue between Cultures. The project partners include ANTIGONE - Information Centre on Racism, Ecology, Peace and Non Violence (Greece), the Alliance for Arab Women [AAW] (Egypt), HEURA (Spain) and the ISIS Centre for Women and Development (Morocco).

The overall aim of the project was to promote the active participation of women in intercultural dialogue on violence against women and the exchange of information and experience on the issue among the partner organisations. The project brought together five organisations and 25 women from diverse backgrounds across the Euro-Med region to discuss and identify areas of common concern, exchange experiences, and highlight best practices in the fight against violence against women.

The project explored innovative ways and means to further its objectives, including artistic and creative exchange. Specifically the project activities consisted of the organisation of a *photo competition* with the theme “Violence against Women in the Euro-Mediterranean Region” which targeted young women photographers from the five partner countries. The photographs of the short-listed candidates were later publicly displayed at an exhibition that took place at the University of Nicosia in Cyprus and are also included in this booklet. Other activities included the preparation of state-of-the-art reports on the situation of violence against women in the partner countries as well as the organisation of a *two-day workshop* that focussed on sharing experience and best practice among 25 women from diverse backgrounds in the five partner countries. Participants included NGO activists, journalists, women from minority groups, as well as the short-listed candidates of the photo-competition. The idea was to encourage the participation of young women who otherwise might not have had the opportunity to do so, and promote their cultural expression in an area that urgently needs to be addressed in a comprehensive and multifaceted way.

We would like to take this opportunity to thank our project partners and all the young women that participated in the activities of this project for their dedication and their enthusiasm in achieving our objectives. We look forward to future cooperation through joint projects and activities that will address violence against women as a shared problem that affects the Euro-Mediterranean region as a whole.

Mediterranean Institute of Gender Studies (MIGS)

CYPRUS



State-of-the-Art Report

Mediterranean Institute of Gender Studies

CYPRUS

1. Introduction

A brief history of Cyprus

Cyprus is a small Mediterranean island located 800 kilometres from continental Greece, 75 kilometres south of Turkey, and 370 kilometres north of Egypt. The island was a British colony before gaining its independence in 1960. In 1974 Cyprus was invaded by Turkey and as a result 37% of the island is under military occupation. Since then the island has been divided by a ceasefire line under the control of the United Nations (U.N.), which separates the country and its capital Nicosia into two parts. The two main indigenous communities, Greek Cypriots [G/C] and Turkish Cypriots [T/C], live separately north and south of the 'Green Line'. The south part of the island is internationally recognised as the Republic of Cyprus. While in May 2004 the Republic of Cyprus successfully joined the European Union, the application of the EU acquis is suspended in the northern part of the island, which is not under the control of the government of the Republic of Cyprus, until a solution to the Cyprus problem can be reached. The Republic of Cyprus has a full presidential system of government with the official languages of the state being Greek and Turkish. The population was 837,300 in January 2005 (the 160,000 settlers from mainland Turkey are not included in this count), of whom 77.8% are Greek Cypriots (including the minorities of Latins, Maronites and Armenians), 10.5% are Turkish Cypriots and 11.7% are foreigners. The majority of Greek Cypriots are Orthodox Christians while the majority of Turkish Cypriots are Muslims. Cyprus's economy is mainly based on the provision of services and on the tourist sector.

2. Statistical Data on Violence Against Women

Between 1999 and 2003, 1,402 reports on family violence have been made to the Office of the Attorney-General of the Republic. It is very clear that the number of cases is rapidly increasing each year, from 77 in 1999 to 258 in 2000, 381 in 2001, 499 in 2002 and 669 in 2003. Very few cases have resulted in convictions but there are no statistics available regarding the number of spousal abuse convictions.

According to a 2002 investigation by the Cypriot Ombudsman, about 2,000 foreign women enter the island every year as 'artistes' or in other words as 'cabaret artists'. There is nevertheless a general lack of adequate and systematic statistical data which would provide a clear picture of the current situation. According to the U.S. Department of State report on trafficking in persons, Cyprus is currently on the TIER 2 Watch List. This list includes governments that do not fully comply with the minimum standards set forth in the Trafficking Victims Act of 2000 and have failed to show evidence of increasing efforts to address the problem of serious trafficking for sexual exploitation in their countries.

Cyprus is primarily a destination country for victims of sexual exploitation who usually come from countries of the former Soviet Union and the Philippines. In 2004, 66 victims were recognised by the Police most of them coming from Ukraine and Moldavia. Among the 42 victims that were recognised in 2005 most women come from the same countries. In 2006 the Police recognised 81 victims of sexual exploitation most of them again originating from Ukraine and Moldavia. Most persons accused of trafficking are citizens of the Republic of Cyprus.

According to the Ombudsman, there were 51 cabarets in 1982, 57 in 1990, and 108 in 2002 reflecting a 111% increase¹. The Government also allows the operation of establishments considered 'high-risk' for trafficking and the issuing of visas for the purpose of working in such 'high-risk' establishments. The government issued 4,000 new 'artiste' visas in 2005 which amounts to a 13% decrease from the previous year. Although the issuing of 'artiste' visas decreased slightly in 2005, the Government failed to correspond to its commitment by completely abolishing this visa category.

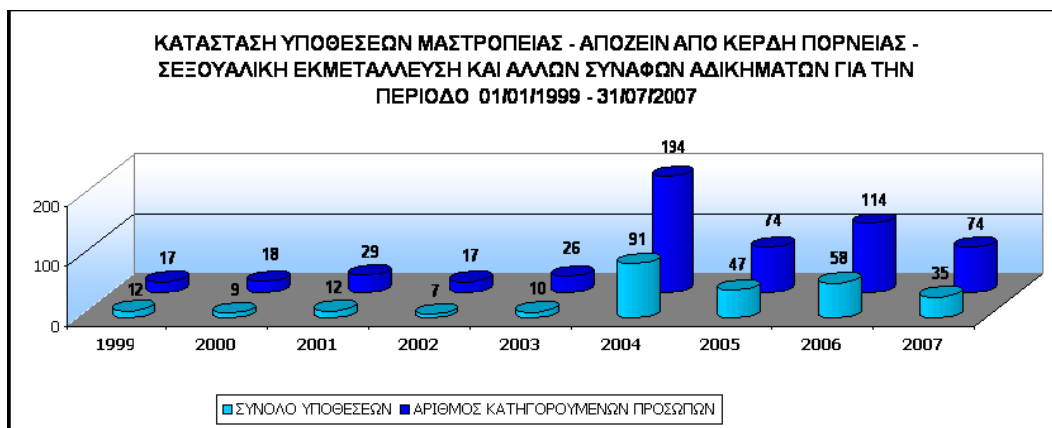
According to statistics of the NGO Association for the Prevention and Handling of Violence in the Family, the latter received 1,084 calls in 2006. Among these, 349 concerned new incidents while 194 involved old cases. In 477 cases the perpetrator was male and in 292 cases the perpetrator was the husband of the victim. In 464 cases the victim was a woman.

According to the Mediterranean Institute of Gender Studies, the Cyprus legislative framework to combat trafficking in human beings fails to address the particularities and specificities of the gender dimension and the important issue of demand for services of sexual exploitation. Also, trafficking prevention strategies, although in accordance with human rights norms, do not incorporate a gender-sensitive perspective and do not prioritise the protection of the women affected.

2.1 Tables

The figure below indicates the increase of cases that were investigated or are still under investigation by the Police, for the years 1999-2007. This statistical information relates to the offences of sexual exploitation, procuring, living on earnings of prostitution, suppression of brothels, procuring defilement of a woman by threats and indecent acts.

¹ Source: Commissioner for Administration [Ombudsman's office 2005] presentation at the conference entitled Trafficking in Human Beings organised by the Swedish Embassy, October 2005



*Source: Cyprus Police

E. CRIME

Table E1. Persons Convicted by Sex in the years 1980, 1990, 1995, 1999 and 2000

	1980	1990	1995	1999	2000
Women	42 (9,3%)	55 (8,7%)	53 (8,4%)	70 (7,6%)	61 (7,2%)
Men	411	577	575	849	791
Total	453	632	628	919	852

Table E2. Number of Victims of Serious Assault by Sex in the years 1990, 1995, 1999 and 2000

	1990	1995	1999	2000
Women	7 (9,3%)	16 (10,1%)	29 (20,1%)	23 (20,9%)
Men	68	142	115	87
Total	75	158	144	110

Table E3. Number of Victims of Sexual Assault by Sex in the years 1990, 1995, 1999 and 2000

	1990	1995	1999	2000
Women	8 (100%)	17 (100%)	16 (88,9%)	36 (83,7%)
Men	0	0	2	7
Total	8	17	18	43

Table E4. Clear up rates for Rape and Attempted Rape⁸ in the years 1980, 1990, 1995, 1999 and 2000

	1980	1990	1995	1999	2000
%	100,0	200,0	133,0	143,0	146,2

⁸ Clear up rates are the number of cases solved by the police as a % of the total number of cases known to the police for the year in question, regardless of whether the case came to the attention of the police in that year or in previous years. Clear up rates thus exceed 100% in some cases.

*Source: CEDAW-Combined third and fifth periodic reports 2004.

3. Legislative Framework

3.1 Domestic Violence

The Violence in the Family (Prevention and Protection of Victims) Law, 1994(L. 47(I)/1994) condemns any act of violence within the family and substantially raises the penalties in cases of family violence. In order to protect the victims, it empowers the Court to issue restraining orders prohibiting the aggressor from entering or staying in the marital home. Furthermore the Law clarifies that rape can be committed within marriage; it contains provisions for speedy trial; and it provides for the appointment of Family Counsellors and for the setting up of an Advisory Committee to monitor the implementation of the Law. Also, it provides for the setting up of a Multidisciplinary Group of Experts to give the necessary assistance to children and young victims.

The L. 47(I) of 1994 was restructured and substantially improved by the Violence in the Family (Prevention and Protection of Victims) Law of 2000 (L. 119(I)/2000). Some important innovations referred to:

- Provisions for the taking of statements by the use of audiovisual electronic means in order to produce evidence without any need to re-examine the witness in chief who would be nevertheless available for cross-examination
- The setting up of a fund to meet certain immediate needs of victims
- The establishment of a shelter for victims of family violence. Any person who harasses a person residing in a shelter commits an aggravated offence and is sentenced to up to 5 years of imprisonment. If the harassment or intimidation occurs somewhere else, the punishment is up to 3 years of imprisonment.
- The making the spouse a compellable witness if the victim is another member of the family.

Furthermore the new law lists offences of the Criminal Code which, when committed within the family, are prescribed with increased penalties. The law also provides for restraining orders to be issued in specific cases against a person accused of violence ordering that person not to enter or stay in the marital home.

Regarding witness protection, under the Law 119(I) 2000 a victim may in confidence report a crime to a family counsellor who will then take all the measures and steps for bringing the case before the Court. The above law is complemented by a special law on witness protection which was enacted in 2001 (L. 95(I)/2001).

3.2 Trafficking in Human Beings

The Combating of Trafficking in Persons and Sexual Exploitation of Minors Law enacted in 2000 (L. 3(I)/2000) criminalises the trafficking and sexual exploitation of adults and children and the use of children in pornography. Furthermore, the production, display, showing or transmission of such productions could be extraditable and could also form predicated offences for the purposes of confiscation of the illicit proceeds under the Anti-Money Laundering Law (L. 61(I)/96). Recently a new law entitled Combating Trafficking and Exploitation of Human Beings and Protection of Victims Law (L.87(1/ 2007] was drafted and published in 2007 that effectively completes the previous law. However, the new law still fails to address the particularities and specificities of the gender dimension and the important issue of demand for services of sexual exploitation.

According to a 2007 report on trafficking by the Mediterranean Institute of Gender Studies, “the new Law Combating Trafficking and Exploitation of Human Beings and Protection of Victims Law (L.87 (1/ 2007] does not include a clause emphasising the irrelevance of the consent of the victim, a serious deficiency which is not in line with the Council of Europe Convention on Action against Trafficking in Human Beings Article 4 (b) and the Palermo Protocol. More importantly, the legal framework is inconsistent with the Government’s policy of allowing the operation of establishments considered ‘high-risk’ and the issuing of visas for the purpose of working in such ‘high risk’ establishments”.

According to Law 3(I)2000 the Director of the Department of Social Welfare is appointed as the Guardian of Victims of Sexual Exploitation and he/she is responsible for the provision of humanitarian support and assistance to the victims. The Guardian is also responsible for channelling complaints to the competent authorities for investigation. Under L. 3(I)/2000 the victim is entitled to compensation that would be determined by the Court in accordance with the specific circumstances of each case. Furthermore the Protection of Witnesses Law (L. 95(I)/2001) which corresponds to EU resolutions on the fight against organised crime empowers the Court to protect vulnerable witnesses from any kind of threat or intimidation. Victims of the crimes included in L. 3(I)/2000 are considered vulnerable according to the Witnesses Law.

Another law which penalises trafficking and provides for increased sentences in the case of minor victims is the Law (L. 11(III)/2003), which ratifies the United Nations Convention against Transnational Organised Crime and the Supplementary Protocols. This law also includes provisions which refer to participation in organised criminal groups, coverage and corruption.

Another relevant law is the Aliens and Immigration Law, Cap. 105 and Regulations, which inter alia includes provisions for residence and employment permits for foreign nationals, provisions for violation of residence and employment conditions, and for the registration of foreign nationals in the Aliens Register.

A more positive development on the legislative level is that the Cyprus Government has ratified the Council of Europe Convention on Action against Trafficking in Human Beings which came into force in February 2008. However, the national legal framework is still not in line with this new law.

3.3 Sexual Harassment

The Equal Treatment of Men and Women in Employment and Vocational Training Law, 2002 (L. 205(I)/2002) includes in the definition of 'discrimination based on sex' any action or omission which constitutes or entails unfavourable treatment based on sex, including sexual harassment at the workplace. The employers have the duty to protect their employees, trainees or candidates for employment, vocational education or training from any act of their superiors or colleagues and also to take all appropriate measures against sexual harassment and ensure that it does not re-occur.

3.4 Genital Mutilation

Genital mutilation is criminalised with the Criminal Code (Amendment) Law 2003 (L. 48(I)/2003).

3.5 Rape

Punishments for rape and other sexual offences defined by the Cyprus Criminal Law sound very strict on paper but in reality only very few cases of rape proceed to trial. Section 144 of the Criminal Code CAP.154 states that "Any person who has unlawful carnal knowledge of a female, without her consent, or with her consent, if the consent is obtained by force or fear of bodily harm, or, in the case of a married woman, by personating her husband, is guilty of the felony termed rape." Section 145 of the Criminal Code CAP. 154 states that "Any person who commits the offence of rape is liable to imprisonment for life." Section 146 of the Criminal Code CAP. 154 states that "Any person who attempts to commit rape is guilty of felony, and is liable to imprisonment for ten years." Section 153 of the Criminal Code CAP. 154 ("Defilement of girls under thirteen (13) years of age") states that "(1) Any person who unlawfully and carnally knows a female under the age of thirteen (13) years is guilty of a felony and is liable to imprisonment for life" and "(2) Any person who attempts to have unlawful carnal knowledge of a female under the age of thirteen (13) years is guilty of a misdemeanour and is liable to imprisonment for three years."

3.6 Honour Related Violence

There is no specific law covering victims of Honour-Related Violence in Cyprus. Related legislation is the 119(1)/2000 Law on Domestic Violence which nevertheless does not refer or define specifically Honour-Related Crimes.

4. Government Measures to Prevent and Combat VAW

4.1 Domestic Violence

- Appointment of 10 Family Counsellors (trained Welfare Officers) in 2001 by the Social Welfare Services following a provision included in Part III of the Law 119(I)/2000. Their role is to support and counsel the family members experiencing domestic violence.
- An Advisory Committee on Family Violence has been established with competence to monitor the effectiveness of related services and the application of the relevant legislation, to run public awareness and educational seminars and to promote research and services that will deal with all aspects of violence in the family. The Committee also has the responsibility to advise the Government on all issues that need to be considered for the better handling of cases of domestic violence and for anything further related to the services which are provided. The Committee's members have knowledge and experience on issues relating to violence in the family and are selected from public and private sectors. Public sector appointees are selected by the Ministry of Health, Social Welfare Services, Legal Service and the Police. The Committee is very closely cooperating with the Ministry of Justice and Public Order. The Ministry participates in the Committee via its representative who occupies the position of Vice-President in the Committee. Private sector appointees are selected by associations/organisations involved in combating family violence.
- The Ministry of Justice funds and supports the shelter for battered women, which is operated by a number of NGOs.
- A manual of interdepartmental procedures concerning family violence was drafted by the Advisory Committee and distributed to the Social Welfare Services, the Police Force, the Health Services, the Law Office of the Republic and relevant NGOs.
- Since December 2002 the Police operate a Central Bureau for Handling Issues of Prevention and Combating of Violence in the Family and of Child Abuse. It also operates a 24 hour Police Headquarter helpline for victims.
- The National Machinery for Women's Rights (NMWR), which is the instrument of the Ministry of Justice and Public Order responsible for the protection of women's rights, has carried out a series of training programmes/seminars for members of the Police force and the Police Academy relating to issues of domestic violence. The aim of the seminars is to train police officers in how to handle effectively incidents of domestic violence and provide the best possible protection for the victims. A training seminar on domestic violence was also organised for judges and lawyers in October 2002.
- The NMWR encourages and promotes research relating to gender issues and in 1999 has subsidised a project called Women and Violence in the Family (conducted by the Advisory Committee for Domestic Violence). It has also contributed to the awareness campaign

regarding international laws and instruments in the field of women's rights and circulated publications like a booklet on 'Violence in the Family Law' and a translation of the Beijing Platform for Action in Greek.

The following measures are included in the National Action Plan for the Prevention and Handling of Delinquency 2005-2010 and relate to the prevention and combating of family violence:

- Creation of Centres for Parental Guidance in all the provincial areas of Cyprus. These Centres will provide educational programmes to parents concerning their parental role, family planning, and handling and resolution of various issues within the family. They will more specifically deal with interpersonal relationships among members of the same family.
- Development of programmes which aim to support new forms of family types within Cypriot society, for example single-parent families, families that are created between two divorced persons, and families that are created by marriages with foreigners who live in Cyprus.
- An expert will be recalled to examine the sufficiency of the services provided by the Social Welfare Services to families that face difficulties which endanger the psychological, social and physical growth of their children.
- Social Welfare Officers that deal with programmes for support of families and child protection in order to avoid or handle delinquency will continue to receive special training in new methods on family counselling and new ways for handling young offenders.
- Employment of psychologists in the Social Welfare Services who will be located in the District Welfare offices in order to provide psychological evaluation and treatment to families and children and furthermore to handle a variety of issues like domestic violence and trafficking in human beings.
- Creation of a network in order to locate as soon as possible families or children in need of help and support. The detection of the above will be made at local level in order to achieve a direct response from the welfare services. Permanent predetermined groups must be created that will function according to a Plan of Action.
- Creation of a specialised bureau within the Police Service that will deal exclusively with issues relating to domestic violence and sexual maltreatment of minors.

The following measures are included in the National Action Plan for Gender Mainstreaming 2007-2013 and relate to the combating of all forms of violence against women:

- The completion and implementation of a National Action Plan for the Prevention and Handling of Family Violence.
- Awareness raising campaigns aimed at public on the extent and consequences of violence against women as well as motives to encourage women to report incidents of violence.

- Programmes to empower women-victims and to promote their re-integration in the labour market.
- The training/sensitisation of all relevant stakeholders involved in prosecution of VAW cases including the law enforcement services, the judiciary, and other professionals.
- The creation of Electronic Observatories for the collection, analysis and suffusion of information related to trafficking, family violence and other forms of VAW.
- The implementation of the National Action Plan to combat Trafficking in Persons and the Sexual Exploitation of Minors.
- The implementation of awareness raising campaigns aimed at professional groups such as journalists, psychologists, doctors, tourist agencies as well as state employees on the identification and handling of cases of forced prostitution and trafficking in women.
- Research on all forms of VAW including sexual abuse, rape, sexual harassment, and others.

4.2 Trafficking in Human Beings

- A Group of Experts has been set up in 2001 after a decision of the Council of Ministers in order to deal with actions that need to be taken on combating trafficking in persons and sexual exploitation of minors. However, although a National Plan of Action has been created by this group it has not yet been implemented.
- The Law Office of the Republic has drafted a new legislation in relation to Aliens and Migration issues which includes provisions on temporary residency permits issued to third-country nationals who are victims of human trafficking or have been subjects of an action to facilitate illegal immigration and who cooperate with the authorities.
- In April 2004 an Office against Trafficking in Persons was established at the Police Headquarters with the aim to collect process and evaluate information relating to trafficking and to coordinate action in combating this phenomenon.
- Upon arrival of aliens in the Republic of Cyprus, members of the Aliens and Migration Service hand out leaflets to everyone coming to Cyprus for employment, including artistes (cabaret artists) with necessary information regarding their rights and contact numbers to call in case of need. The leaflets are available in several languages.
- Police Officers make frequent visits to entertainment establishments in order to check on the living and employment conditions of female migrant workers.
- For prevention purposes, the number of visas issued by the competent authorities for the purpose of working in places that are considered high risk is limited.
- The National Action Plan for the Prevention and Handling of Delinquency 2005-2010 provides for the empowerment of the personnel of the Office for Prevention of Trafficking in Human Beings which is located in the Office for Combating Trafficking in Human Beings at the Police Headquarters.

5. Non-Governmental Actions to Combat Gender Violence

Association for the Prevention and Handling of Violence in the Family

The Association for the Prevention and Handling of Violence in the Family provides shelter for up to six weeks to women (with their children) who have been victims of domestic violence. The shelter, which is based in Nicosia, can accommodate up to 12 people, including children. The Association also maintains a legal assistance fund for the support of the victims. Furthermore the Association maintains a hotline through which victims are provided with psychological support and any emergent assistance that they might need. In addition the Association organises educational seminars in order to train volunteers in issues relating to domestic violence and campaigns for raising public awareness on these issues. Educational seminars are also provided by the Association to members of the Police Academy and to other relevant institutions and organisations.

The Lion's Foundation

The Lion's Foundation for the reinstatement of the unprotected child offers shelter in Nicosia but only to young people referred by the Social Services. It is able to temporarily accommodate eight children until a foster family can be found.

A shelter for female immigrants who have been victims of trafficking operates in Limassol under the unregistered NGO 'You are not Merchandise' Hotline.

The Centre for the Study of Childhood and Adolescence

The Centre for the Study of Childhood and Adolescence is participating in a project focussing on family violence funded by the Cyprus-Slovenia Bilateral Cooperation Programme. The project will compare the situation of family violence, including violence against children, in Cyprus and Slovenia. Furthermore the Centre, in collaboration with the School of Humanities and Social Sciences at Cyprus College, organised a public lecture on Worldwide Efforts to End Human Trafficking and Child Sex Tourism.

The Cyprus Family Planning Association (CFPA)

Among its other activities, the NGO Cyprus Family Planning Association (CFPA) engages in public awareness campaigns in order to promote human rights in the area of sexual and reproductive health and in cooperation with the Ministry of Health it organised educational seminars for alien cabaret artists on the prevention of sexually transmitted infections, including AIDS, in their mother language. It also maintains a hotline through which counselling services are provided in relation to issues regarding family planning, marriage and sexual and reproductive health. Furthermore the CFPA offers

clinical services at a minimal cost available to all women in Cyprus. Young women of 16-25 years of age who are members of CFPA's youth group can be provided with clinical services free of charge. In addition, during 2007 the CFPA organised a programme including seminars and workshops on issues of sexual harassment and maltreatment at the workplace.

Mediterranean Institute of Gender Studies (MIGS)

The NGO Mediterranean Institute of Gender Studies (MIGS) participates in a number of European projects which aim to investigate and promote women's rights in the Mediterranean region. Currently MIGS is coordinating a transnational project entitled 'Date Rape Cases Among Young Women and the Development of Good Practices for Support and Prevention' funded by the Daphne II Programme of the European Commission. The aim of this project is to investigate the incidence of date rape among female students 18-24 years of age and to make policy recommendations as well as to promote awareness of the problem to relevant target groups. Furthermore MIGS has recently completed a research project entitled 'Mapping the Realities of Trafficking in Women in Cyprus' funded by the National Machinery for Women's Rights. The main aim of the project was to raise awareness of the phenomenon of trafficking in women for sexual exploitation as well as to disseminate information on the living conditions of trafficked women in Cyprus. MIGS has further published public awareness-raising leaflets and posters on trafficking in women also funded by the National Machinery for Women's Rights. MIGS participated as a partner in a two-year project titled 'Prevention of Violence against Girls and Women in Patriarchal Families'. The main aim of the project was the prevention of violence against girls, women and boys in patriarchal families.

6. Examples of Good Practices

Listed below is a selection of activities carried out by Cypriot organisations in the area of violence against women that can be considered best practice examples covering research and data collection, awareness raising, and support services.

Rape and Sexual Assault

The Mediterranean Institute of Gender Studies (MIGS) is coordinating a transnational project entitled “Date Rape Cases Among Young Women and the Development of Good Practices for Support and Prevention”, funded by the European Commission Daphne II Programme. This is the first project tackling sexual assault and rape in Cyprus. The project involves partners from Greece, Latvia, Lithuania, and Malta. The project aims to measure the prevalence and incidence of date rape among female college students and to assess the attitudes, behaviours and level of awareness among beneficiaries and target groups. To view the research results please visit: <http://www.medinstgenderstudies.org/wp/?p=396>.

Trafficking in Women for Sexual Exploitation

The Mediterranean Institute of Gender Studies (MIGS) has also conducted a research project on the issue of trafficking in women for sexual exploitation, the first ever to be conducted by a Cypriot organisation on the issue, entitled “Mapping the Realities of Trafficking of Women in Cyprus”. The main aim of the project was to gain and share awareness, knowledge and understanding of the phenomenon of trafficking in women in Cyprus for the purpose of sexual exploitation. To view the research results please visit: <http://www.medinstgenderstudies.org/wp/?p=322>.

MIGS has also published awareness raising leaflets and posters on trafficking in women. This effort has been funded by the National Machinery for Women’s Rights with the aim to inform and sensitise the public and relevant stakeholders on trafficking in women for the purpose of sexual and labour exploitation. To view the leaflets please visit: <http://www.medinstgenderstudies.org/wp/?p=25>.

Three organisations [KISA - Action for Equality, Support, Antiracism, The Cyprus Family Planning Association and the Association for the Prevention and Handling of Violence in the Family] participated in a joint initiative on Trafficking in Persons for the purpose of sexual exploitation by conducting an awareness raising campaign involving a television spot and the publication of awareness raising leaflets.

Family Violence

The Association for the Prevention and Handling of Violence in the Family operates a Crisis Centre Phone Line that operates on a 24-hour basis. The Crisis Centre is staffed by scientific personnel (psychologists and a social workers) trained in crisis intervention, listening and referral techniques

who provide psychological support, information and briefing to victims, regarding their rights, possibilities and options. They also provide information about other services and cooperate with other services that deal with problems of domestic violence.

The Association also operates a shelter for victims of family violence. The shelter is a safe environment for battered women, who are in immediate physical and psychological danger from their familial environment. All programmes aim to strengthen battered women so that they can freely identify their needs and make their own decision to break the cycle of violence. In order for women to stay in the shelter, they will have to participate in all the shelter's programmes. For more information please visit <http://www.domviolence.org.cy/?lang=EN>.

The Women's Socialist Movement has produced a short movie dealing with the issue of family violence titled "Let's Knock down the Wall of Silence" which can be viewed online at: http://www.familyviolence.gov.cy/cgi-bin/hweb?-A=451&-V=videos&_VCATEGORY=0000.

The *Advisory Committee for the Prevention and Handling of Family Violence* produces awareness raising leaflets and posters on family violence. The Committee also commissions research on the issue of family violence and has produced a handbook on interdepartmental procedures for handling family violence incidents. For more information please visit <http://www.familyviolence.gov.cy>.

7. Useful Country Contacts

Cyprus Family Planning Association
25 Mpoumpoulinas Street, 1061 Nicosia, Cyprus
Tel: 22 751093, Fax: 22 757495
E-mail: famplan@spidernet.com.cy
Website: <http://www.cyfamplan.org/>

Mediterranean Institute of Gender Studies (MIGS)
46 Makedonitissas Avenue, P.O.Box 24005, Nicosia 1703, Cyprus
Tel: 22 351274, Fax: 22 353682
E-mail: info@medinstgenderstudies.org
Website: www.medinstgenderstudies.org

The Association for the Prevention and Handling of Family Violence
53 Aglantzia Avenue, 2108 Nicosia, Cyprus
Tel: 1440
E-mail: contact@spidernet.com.cy
Website: www.domviolence.org.cy

The Domestic Violence and Child Abuse Office Criminal Investigation Department, Cyprus Police
Tel: 22 808442 Fax: 22 808277

Social Welfare Services, Ministry of Labour and Social Insurance
63 Prodromou Street ,1468 Nicosia, Cyprus
Tel: 22 406709, Fax: 22 667907
Email: central.sws@sws.mlsi.gov.cy

The Advisory Committee for the Prevention of Violence in the Family
P.O Box 24386, 1703 Nicosia, Cyprus
Tel: 22 775888, Fax: 22 775999
E-mail: familyviolence.a.c@cytanet.com.cy
www.familyviolence.gov.cy

8. Short Discussion and Recommendations for Further Work

There have been many positive developments with regard to increasing awareness and commitment towards preventing and combating violence against women - particularly domestic violence - in recent years. Both the improved legislative framework dealing specifically with family violence and the establishment of the Advisory Committee on Family Violence, have been welcome developments.

However, effective implementation of the law depends heavily on the adequate training and sensitisation of all relevant stakeholders as well as cooperation between them, i.e. police, social workers, health care professionals etc. Furthermore, the law on domestic violence [119(1)/2000 Law on Domestic Violence], which applies to persons with various relationships within the family, only refers to heterosexual couples and does not protect homosexual couples, which is an issue that has yet to be addressed by Cyprus law.²

Further, state services for victims of violence such as shelters are inadequate and are limited to the funding of one NGO that suffers from limited resources and space. Finally, underreporting may conceal the true extent of violence against women in Cyprus as women are often reluctant to report incidents of violence due to ingrained socio-cultural attitudes as well as economic inequalities.³

Emphasis has been on offering support and protection programmes, but little has been done in the area of prevention which is considered a secondary priority. Prevention campaigns have been limited to sporadic lectures, conferences, and seminars organised by individuals and/or NGOs. A systematic plan of action for the prevention of violence against women is needed that will include awareness campaigns through the media and other sources, which will be monitored as to its implementation, regularity, target group and evaluation.⁴

Another problem is the lack of systematic analysis and research which impedes a true understanding of the extent of these crimes in Cyprus and their root causes. Insufficient data and research also impede informed analysis and policy making.

There is no gender perspective in violence prevention and many relevant organisations do not have specialised trained personnel for handling violence cases. Existing services work within the framework of 'family violence' rather than 'gender-based violence' or 'violence against women'. Almost all the services working on issues of violence in Cyprus employ the definition given by the Cyprus law on family violence effectively restricting support and prevention programmes and services

² Honour Related Violence - European Resource Book and Good Practice, Kvinnoforum, Stockholm, p. 222

³ Shadow Report to the Cyprus CEDAW Report 2006, Mediterranean Institute of Gender Studies, 2006. p.6

⁴ Ibid.

to domestic violence and child abuse cases only. This, in conjunction with a lack of gender perspective and sensitivity, creates a tremendous gap in terms of gender violence prevention and support in Cyprus.⁵

It is worth mentioning that although the creation of the National Action Plan for Gender Mainstreaming 2007-2013 is a very important step towards progress, effective implementation of the policies and measures aimed at combating violence against women is still lacking. Furthermore, there are no monitoring or evaluation mechanisms to ensure effective implementation and impact.

Finally, other forms of violence against women need to be addressed in Cyprus such as rape, honour-related violence, sexual assault, trafficking and prostitution. The Government's emphasis on family violence reveals a general lack of awareness and understanding on the scope and nature of violence against women, and worse makes many of these crimes 'invisible'. Also, government responses to violence against women must take into account the needs of minority groups, particularly asylum seekers and refugees who are particularly vulnerable. To date, no research or data has been collected on violence against women in migrant/minority communities.

Recommendations

- Systematic research on the extent of these crimes needs to be conducted to better understand the real dimensions of the problem and to better inform policy and support and prevention campaigns.
- A gender perspective needs to be incorporated in all legislation, policy measures, and support and prevention campaigns.
- Other forms of violence against women urgently need to be addressed in Cyprus, such as sexual harassment, rape, and honour-related violence.
- A systematic plan of action for the prevention of violence against women should be introduced and monitored as to its implementation, regularity, target group, and evaluation.
- Awareness campaigns should be conducted, using all means available, particularly the media, to sensitise the public and empower women to seek assistance and support.
- Measures should be adopted for better coordination and communication between services.
- Education regarding sexual rights, communications skills, human rights, non-violent behaviour etc. should be incorporated into the school curriculum.

⁵ National Findings Report, Date Rape Cases among Young Women and the Development of Good Practice for Support and Prevention, Mediterranean Institute of Gender Studies, 2008. p. 46

9. References

Association for the Prevention and Handling of Domestic Violence

www.domviolence.org.cy

CEDAW - Combined third and fifth periodic reports on Cyprus

<http://www.un.org/womenwatch/daw/cedaw/reports.htm#c>

Cyprus Family Planning Association

www.cyfamplan.org

Cyprus Police-Statistical Data

www.police.gov.cy

Mediterranean Institute of Gender Studies (MIGS) - Honour Related Violence - European Resource Book and Good Practice

<http://www.medinstgenderstudies.org/wp/wp-content/uploads/hrvresourcebook.pdf>

Mediterranean Institute of Gender Studies (MIGS), *Mapping the Realities of Trafficking in Women for the Purpose of Sexual Exploitation in Cyprus*, Final Report, October 2007

http://www.medinstgenderstudies.org/wp/wp-content/uploads/migs-trafficking-report_final_711.pdf

Convention on the Elimination of All forms of Discrimination against Women [The CEDAW Convention] - Shadow Report prepared by the Mediterranean Institute of Gender Studies

http://www.medinstgenderstudies.org/wp/?attachment_id=91

Council of Europe Convention on Action against Trafficking in Human Beings (CETS N° 197)

http://www.coe.int/t/dg2/trafficking/campaign/Docs/Profiles/CYPRUSProfile_en.asp

Cyprus, 2000, "Combating of Trafficking on Persons and Sexual Exploitation of Children Law"

<http://www.legislationline.org/legislation.php?tid=195&lid=2442>

Cyprus Commissioner for Administration (Ombudsman's office), 2003, "The Entry and Labour Status of Women Migrant Artists ", *Commissioner for Administration*, Cyprus

Plan of Action for the Coordination of Actions on Combating Trafficking in Human Beings and Sexual Exploitation of Children, Cyprus, April 2005

Ministry of Interior Cyprus

<http://moi.gov.cy/content.php?id=161>

Ministry of Justice, Cyprus - Violence against Women

http://www.mjpo.gov.cy/mjpo/mjpo.nsf/dmlviolence_gr/dmlviolence_gr?OpenDocument

National Plan of Action for the Prevention and Handling of Delinquency 2005-2010.

Ministry of Justice and Public Order-Criminological Services

Public and Information Office, Cyprus

www.pio.gov.cy

Presentation on 'Action against Trafficking in Human Beings: Prevention and Prosecution', Nicosia 15-16 February 2007 by Sergeant Rita Superman, Office on Combating Trafficking in Human Beings, Police Headquarters.

The Turkish Cypriot Community

http://ec.europa.eu/enlargement/turkish_cypriot_community/index_en.htm

U.S. Department of State report on Trafficking in Persons 2007

<http://www.state.gov/g/tip/rls/tiprpt/2007>

GREECE



State-of-the-Art Report

ANTIGONE

Information Centre on Racism, Ecology,
Peace and Non Violence

GREECE

1. Introduction

The importance of the principle of equality has been stressed since the ancient Greek philosophers. Aristotle, in his *Nicomachean Ethics* Book V, asserts that equality is the basis for the establishment of a just society.⁶ The principle of the equality of the sexes was introduced in Greece by the Constitution of 1975⁷ and was established from 1981-1989 with laws⁸ that aimed to eliminate discrimination against women in all sectors of social life.

The General Secretariat for Gender Equality⁹ within the Ministry of Interior, Public Administration and Decentralisation was established with Law 1588/85, and was upgraded in November 1993 with the appointment of an Under-Secretary of the Presidency, who is responsible for gender issues and whose main tasks are the following:

- a) the promotion and implementation of legal and substantial consolidation on gender equality
- b) the proposal of necessary measures to be taken by the State for the same purpose
- c) direct cooperation with all the ministries for the reformation of legislative frameworks
- d) the dissemination of information and briefing on gender equality issues

In 1988, the Coordinative Committee of Women's Organisations and the Female Departments of the political parties were set up, together with secretariats for gender issues in the leading trade unions of the country (GSEE, OME-OTE, OTOE, ADEDY).¹⁰

During the recent revision of the Constitution (2001), paragraph 2 of article 116 was modified, in order to eliminate any deviation from the principle of gender equality and to guarantee the State's obligation to take special positive measures for the elimination of all forms of discrimination, especially against women.

⁶ Aristotle, *Nicomachean Ethics* - "Spoudi" Editions.

⁷ Article 4 Constitution 1975/1986/2001 § "All Greeks are equal before the law. Greek men and women have equal rights and equal obligations."

Article 16 Constitution 1975/1986/2001 § 4 "All Greeks are entitled to free education at all levels at state educational institutions."

Article 22 Constitution 1975/1986/2001 §1 "All workers irrespective of sex or other distinctions shall be entitled to equal pay for work of equal value."

⁸ Law 1329/83: "The Greek family law was modernised and was adapted to the constitutional principle of gender equality."

Public Clerical Code and Presidential Decree 611/77: "It is the principal legislation on access to employment in the public sector."

⁹ The Prefectural Equality Committees and the Prefectural Equality Offices were constituted by the Presidential Decree 370/89."

¹⁰ GSEE : Greek General Confederation of Labour

OME-OTE : Telecommunications Workers union

OTOE : Bank Operators union

ADEDY: The Confederation of Public Servants.

Furthermore, Law 2910/2001 provides for the obligatory participation of both sexes in the ballots for the Prefectural and Municipal Elections, with the requirement that women should make up at least one third of the members of public administration decision-making councils.¹¹

As a member state of the U.N., Greece ratified the Convention on the Elimination of All Forms of Discrimination against Women in 1983, while it was among the first 22 countries to sign the Optional Protocol to the Convention in 2001.

The recognition of equal opportunities for women, who represent 52% of the country's population, ensures their full participation in society, thus achieving greater social cohesion. The General Secretariat for Gender Equality works on the basis of the National Priorities and its Budget is part of the National Budget.

The crucial role played by the women's movement in Greece and abroad during the process of recognising and addressing gender issues should not be overlooked.

Thanks to their efforts, studies and research, the issue of violence against women was brought before international organisations and national governments. The initial focus was on the problem of domestic violence and subsequently on all forms of violence.

The following definition of violence against women was adopted during the 4th World Conference on Women that took place in Beijing in 1995, as mentioned in paragraphs 113 of the Beijing Declaration and Platform for Action:¹²

Paragraph 113 : The term "violence against women" means 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, and coercion or arbitrary deprivation of liberty, whether occurring in public or private life.

Accordingly, violence against women includes but is not limited to the following:

-violence occurring within the family

-violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work and elsewhere

-violence perpetrated or condoned by the state wherever it occurs.

¹¹ The 3rd Department of the Council of State considered the regulations in Law 2910/2001 and the revision of paragraph 2 of article 116 to be constitutionally correct, concluding that "the constitutional legislator wanted to permit the adoption of all forms of positive measures in any sector of activity of both sexes, in both individual and social rights as well as in the sector of civil rights, under the obvious condition that the adopted positive measures cannot correspond to extreme limitations that would offend individual and social rights".

¹² UN "Department of Public Information"

2. Statistical Data

The statistical data to emerge from recent official researches in Greece on domestic violence, sexual harassment and human trafficking are unpleasant but revealing.

2.1 Domestic Violence - Statistical Data¹³

56% of women sometimes or often experience abusive behaviour from their husband/companion in the form of verbal or psychological violence.

61% of women residing in sub-urban centres sometimes or often experience abusive behaviour from their husband/companion in the form of verbal or psychological violence. The equivalent percentage of women residing in urban centres reaches 58.2% and for women coming from rural areas the percentage is 48.3%.

6.58% of women, who confirm that they have experienced verbal/psychological violence belong to the age group 18-24, while in women between the ages of 55-60, the percentage rises to 13.1%.

As far as physical violence is concerned, 4.8% of women from the age group of 45-54 are affected and another 4.8% from the age group of 55-60.

By studying the categories of physical violence, sexual violence and verbal/psychological violence, it can be observed that verbal/psychological violence affects 11.22%, physical violence 3.6% and sexual violence 3.5%.

Among women who report having experienced physical violence from their husband/companion, the highest percentage involves those who have had only an elementary education (11.85%). Most of them are pensioners (17.86%), while 12.38% are in part-time occupation.

Women who are separated but not divorced are those who most frequently experience physical assaults (37.5%), while divorced women follow with a percentage of 30.5%. 58.66% of them acknowledge that this abusive behaviour from their husband/companion is violent. Among those women who experience physical violence (3.6%) only 37.1% regard such behaviour as a violent act and the same goes for those experiencing sexual abuse; only 29.5% recognise this type of abusive behaviour as being violent.

¹³ www.isotita.gr Epidemiological research November 2006 Vasso Artinopoulou "Domestic Violence" [Nomiki Vivliothiki Editions 2006]- www.enow.gr (European Network of Women) published statistical reports on domestic violence based on the use of telephone line "By your side" - Mary Simoni-Liolou "Violence, Abuse and Crimes of Sexual Exploitation against Women and Underage Children" [Editions Kifissia, pages 173-177]

As far as the presence of children during violent incidents is concerned, 49.2% of the respondents who admit to being the victims of violence indicate that their children never witness such scenes, while 28.4% admit that violence occurs sometimes or often in their presence.

Regarding the reaction of children who are present during violent incidents, the respondents report that 32.1% try to calm down the husband/companion, 21.9% of them are locked up in their rooms, while 17.5% burst into tears.

61.9% of women who experience violence report that violent incidents are not aggravated by the consumption/abuse of alcohol or substances. Substance abuse is implicated in 11.4% of instances of domestic violence.

Regarding injuries to the female-victim, the nature of the injury, whether medical assistance has been sought immediately and where such assistance has been given, 64.8% report that they have never been injured. Of those who admit to having being injured by the perpetrator, 85.3% had bruises and 41.2% only scratches. 90% of them requested medical assistance immediately.

Regarding the escalation or de-escalation of the husband's/companion's violent behaviour over time, 21% said that it became less frequent and less violent, while 24.8% stated that the behaviour did not change at all.

56.2% reported experiencing some form of violence for more than 10 years, while 20% confirmed that they had experienced violence during the past 1-5 years. 13.3% said that they had witnessed violent scenes in their own families during their childhood. 28% have previously experienced violence from former husbands/companions.

2.2 Sexual harassment - Statistical Data¹⁴

A thorough and in-depth analysis of sexual harassment has never been carried out in Greece.

Some of the available elements and data have been published by the Faculty of Paedagogy of the University of Patras, according to which 66.7% of women have experienced some form of sexual harassment in the working environment at least once and only 1.6% have appealed to Greek justice.¹⁵

¹⁴ Epidemiological research of KETHI www.kethi.gr (Artinopoulou-Papatheodorou "Sexual Harassment at Work" [Nomiki Vivliothiki, Editions 2006])

¹⁵ Based on the thesis of the graduating student of the Faculty of Paedagogy, Department of Public Education of Patras, Ms. Stafida Vassiliki, under the supervision of the Professor of Psychology, Mr. Aristotelis Kantas.

51-76% of women claim to have experienced sexual harassment at work, but only 3% of them have reported such incidents to the official authorities. 8% report the harassment to their employer. In most cases the perpetrator of the sexual harassment is a colleague of the same rank and in second-place come the victims' immediate superiors.

The most common incidences of sexual harassment involve unwelcome sexual attention, jokes, comments, questions, unwelcome staring, gestures and whistling.

24% of the incidents involve persistent pressure for a date

23% jokes/sexual innuendos

22% provocative gestures

17% pressure to start a relationship

11% undesirable physical contact - touching

3% pressure to engage in sexual intercourse

The majority (97%) of perpetrators are men.

36.7% of the victims reported that the sexual harassment occurred only once.

81.7% of the cases of sexual harassment occurred when nobody else was present apart from the perpetrator and the victim. 78.3% of the victims of sexual harassment leave their place of work, either due to voluntary resignation (86.2%) or due to dismissal (8.5%).

48.3% of women who experience sexual harassment in their working environment share this unpleasant experience with friends and family members. 44.2% of their colleagues realised what was going on, but kept their distance and did not react. 33.5% of female-victims of sexual harassment report being aware that the perpetrator had harassed other women in their working environment.

2.3 Victims of Human Trafficking -Statistical Data¹⁶

According to the statistical data of the Ministry of Public Order, some important results have been recorded in recent years, since the activation of the services for the repression of the phenomenon of human trafficking. There were 440 investigations in 2001 compared to 272 undertaken in 2000.

In 2002 the Greek police broke up 64 organised crime circuits involved in procuring and trafficking, with 184 victims.

¹⁶ Ministry of Public Order www.ydt.gr / main/section/2006 Special Law Creative Committee for the Fight against Human Trafficking. National Plan of Action against Human Trafficking - November 2006 and Mary Simoni-Liolou "Violence, Abuse, Crimes of Sexual Exploitation of Women and Underage Children" [Kifissia Editions, pages 172-174]

Between 2002 when Law 3064/2002 was introduced and 2003, the Greek police were able to apply the law in 475 cases, while 195 women were recognised as victims of trafficking. During 2004 the police dealt with 65 cases of human trafficking, 29 of which concerned crimes committed by criminal organisations. In these cases, 352 perpetrators, both Greeks and foreigners, were accused and 181 women were found to be the victims of economic and sexual exploitation.

Forty six victims were given help and protection by the state's aid and protection units and also by non-governmental organisations. In accordance with article 12 of Law 3064/2002, the public prosecutor suspended the deportation of 25 victims.

During 2006 the police carried out 70 investigations into illegal human trafficking, compared with 60 cases in 2005 and they arrested 206 suspected traffickers as compared with 202 in 2005. The authorities prosecuted 49 people and 78 traffickers were convicted, which was a remarkable increase in comparison to the 9 convictions which took place in 2005.

According to the NGOs' estimations, 13,000 -14,000 victims of human trafficking are in Greece at any given time. The Greek government has continued to apply formal procedures for the recognition of victims within the vulnerable sections of the population. According to the Memorandum of Co-operation signed with the NGOs, the police recorded 39 victims who were housed in government shelters. Some of these victims were transferred into shelters run by NGOs, where since 2006 a total of 37 victims have received assistance, in comparison with 19 victims in 2005. However, the shelters are not fully occupied and there is some concern that victims who are not officially recognised as such by the authorities face the risk of deportation.

In 2006 only 34 out of 83 recognised victims were awarded the status of full victim, while 15 victims received a residence permit to stay in Greece. According to some testimonies, even though the Greek government funded 13 NGOs to offer aid to victims, some of the NGOs reported difficulties in receiving the promised funds. Greece is a country of passage and a destination for women and children who are illegally trafficked for sexual exploitation and forced labour. Women suffering from sexual exploitation and forced labour come from Russia, the Balkans, Romania and Nigeria. There have also been reports of victims of illegal trafficking being prosecuted for penal crimes, but the Greek prosecutors withdrew the charges. During 2006 all 83 recognised victims helped with the research into trafficking, a fact that reveals progress in comparison with 2005. Since the second semester of 2006, the phenomenon of "happy trafficking" has been recorded, in which traffickers control their victims with a combination of psychological pressure and financial incentives, and physical violence is used less frequently.¹⁷

¹⁷ Introduction of Mrs. Antonia Andreakou: Police Officer, Assistant Direct, Head of the Anti-Trafficking Headquarters of the Greek Police (a Conference organised by the Athens Bar Association on "Trafficking: The Modern Slavery" 9-10/6/2007).

3. Greek Legislation

Law 3500/2006 on the confrontation of domestic violence and related provisions.

As explicitly stated in the Causative Report, the legislator's intention was to "prevent the domestic environment from being allowed to be a place of unpunished infringement of human rights...and to foster the peaceful coexistence of persons within the family setting, without interfering with the personal lives of the family members and without offending moral values and principles, as understood by Greek society".¹⁸

This law contains a number of innovations:

- It establishes the institution of judicial mediation for minor crimes of domestic violence.
- Coercion to engage in sexual intercourse without the free consent of both parties is considered to be a crime.
- For the first time the use of violence against minors as a method of discipline is explicitly forbidden.
- These measures are to apply not only to married couples, but also in cases of stable cohabitation.
- Domestic violence within a marriage is taken to be a sign that the relationship has been dysfunctional for a long time.

It is stated that the police are obliged to inform victims about all the available options for support and assistance provided by the state. In the case of judicial mediation, where the perpetrator has been instructed to make amends for his behaviour and to follow a special advisory and therapeutic programme and this does not bring good results, the perpetrator will be prosecuted for flagrant violation of the law. Cases of brutal behaviour which result in severe physical and mental injuries and/or damage to the victim's health, as well as cases involving severe threats and coercion, are to be punished much more harshly.

Law 3488/2006 : Application of the principle of equal treatment of men and women concerning access to occupation, professional education and development, terms and working conditions and other relative provisions.

Since the adoption of the provisions of Directive 2002/73/CE of the European Parliament and the Council on 23rd September 2002 forbidding any form of discrimination based on gender related to access to occupation, professional training and development, and working conditions, sexual harassment is considered to be a form of sexual discrimination.

¹⁸ The provision of penal mediation takes place in relation to Greece's obligation to adjust to the frame-decision of the E.U. Council of 15/3/2001 regarding the state of the victims in penal procedures.

According to article 4, paragraph 2 of Law 3488/2007 on equal treatment and the prohibition of discrimination, “harassment and sexual harassment amount to gender discrimination and are forbidden. It is irrelevant whether or not the person in question refuses or accepts this unfair treatment.

According to the national legislation, in cases of sexual harassment there is a division of the weight of proof. If the employee produces evidence in court regarding an act of sexual harassment, then the employer must prove that there has been no violation of the principle of equal treatment.

The perpetrator of sexual harassment may suffer penal, disciplinary and civil sanctions. These sanctions are determined in relation to the legislation and the special circumstances of each case. Acts such as verbal provocations and gestures, unsolicited proposals of sexual intercourse, touching intimate parts of the body, vulgar jokes and showing pornographic images are considered sexual harassment.

In general any form of sexual behaviour may be considered as sexual harassment if such behaviour is unwelcome. The reversal of the weight of proof is applied in all civil and administrative procedures, as well as in accusations brought before any other authority such as the Ombudsman and the Labour Inspectorate.¹⁹

The scope of this law was expanded to cover not only those who are currently in employment, but also people who are in the process of applying for a job, or professional training, or are in any form of working contract, in the public or private sector as well as in freelance professions.²⁰ This law is also applicable to those who are undergoing professional training or are candidates for professional training of any kind or form (articles 2.5 and 6). The term “sexual harassment” and terms such as “direct discrimination”, “indirect discrimination” and “harassment” (article 3) have been introduced for the first time and are in the process of being redefined.²¹

Law 3064/2002 for the elimination of human trafficking, crimes against sexual freedom, child pornography and the general financial exploitation of sexual life.

¹⁹ The labour inspectors examine every accusation, eponymous or anonymous, written or oral and every request that is made concerning the correct application of labour legislation. The accusation leads to an investigation of the enterprise that appears to be violating the labour legislation and if the violation of the provision is proven, sanctions are applied. Furthermore, if requested,, a conciliatory intervention may take place to resolve labour problems between employers and employees (article 6,7 Law 2639/1998)

²⁰ These provisions are also to be applied to naval and rural labour where special regulations are stipulated in addition to the ordinary labour legislation’s regulations.

²¹ The term of sexual harassment included in the law has been the object of severe criticism. It has been underlined that it contains evaluative terms that are not found in the penal code or in other penal laws and whose content is not always easy to evaluate precisely. Therefore, it is possible to encounter problems of ambiguity and problems in the interpretation and the application of the provision. Nevertheless, the introduction of such a term in the Greek legislation is considered to be important.

This law deals not only with forced labour but also modern forms of human slavery and in particular the trafficking of human beings for labour and sexual exploitation. Most of these crimes are considered felonies.²²

More severe penalties are foreseen, in some cases including life imprisonment, and equal protection is guaranteed to both men and women. These crimes are prosecuted ex officio.

For the first time, the possession of child pornography has been made a criminal offence and gross indecency with a minor for a fee or other material exchanges is distinguished from cases of simple seduction.

Acts of human trafficking and lewdness have been added to article 8 of the Penal Code so that these crimes can be punished even when committed abroad. Those who knowingly accept services offered by victims of human trafficking will be penalised. There are some provisions regarding the protection of the victims of such crimes. In addition, the Presidential Decree 233/2003 was published in order to aid these victims.²³

According to article 34, § 7 of Law 3274/2004: “Organisation and Function of Local Government Organisations of 1st and 2nd Degree”, illegal immigrants trafficked into Greece and forced into prostitution will not be deported if they denounce their traffickers and cooperate with the authorities in their prosecution. In such cases, with a provision by the public prosecutor or the magistrate’s court and its approval by the public prosecutor of the Court of Appeal, the victims’ deportation may be suspended until a final decision has been reached regarding the reported criminal acts.

While the deportation order is suspended, a residence permit is to be issued from the General Secretary of the Region, deviating from the provisions of Law 2910/2001. The above mentioned residence permit includes a working permit and is issued for a 6 month period, renewable until the final decision of the Court. These provisions are also applicable in the cases covered by article 12, Law 3064/2002. In articles 46 - 52 of Law 3386/2005: “Entry, Residence and Social Integration of Nationals of Third Countries in Greece”, it is stipulated that a national of a third country who has been classified as a victim of trafficking according to the public prosecutor may be granted residency permission for twelve months, provided that he/she collaborates with the authorities to combat

²² In 2002 the Anti-trafficking Team was introduced, initially with two departments in Athens and Thessaloniki in the Moral Departments of the Greek Police. Since 2006 a further 12 departments were added in the Greek region.

²³ In its 3rd article, the Presidential Decree foresees the possibility that the state may take the initiative to sign up conventions on this issue with NGO’s, since NGO’s can offer a lot, given their flexibility in dealing with these issues.

trafficking. The residency permission is renewed as necessary to facilitate the investigation or penal process.

The residence permit ensures access to work and medical assistance. Before the issue of a residence permit, the prosecuting authorities give the victims of human trafficking a period of 1 month, which may be extended when underage victims are involved, to reflect and recover away from the influence of the perpetrators of the related crimes, so that they can reach a decision to collaborate with the authorities without experiencing any undue influence.

4. Actions and Measures of the Greek Government

In recent years overwhelming efforts have been made to confront the phenomenon of violence against women, in whatever form.

This has been done not only by the establishment of appropriate laws, but also with the creation and operation of special institutions, such as OKEA (the task force set up to combat human trafficking) in the Ministry of Public Order, special advisory centres, the dissemination of printed and audiovisual material to inform and educate the public on issues of violence and other forms of abuse, plus special training for professionals such as lawyers, nurses, policeman etc.

At the same time specific places have been provided for vulnerable groups of people on state funded training courses organised by the Unemployment Office and special units have been created in the Ombudsman's Office and in the Work Inspections Office to deal with issues of gender equality.²⁴

In addition, a shelter for abused women has been created that functions in collaboration with EKKA (National Centre for Social Solidarity) and the Municipality of Athens. A SOS hotline service "197" constitutes the main guiding source for all network services which provide social aid. The hotline service operates on a 24 hour basis, 7 days a week and provides counselling, psychological support and information. It also refers callers to the other EKKA network services and to other social services for further aid.

²⁴ In its 3rd article, the Presidential Decree foresees the possibility that the state may take the initiative to sign up conventions on this issue with NGO's, since NGO's can offer a lot, given their flexibility in dealing with these issues.

5. The Role of Non Governmental Organisations

It should be emphasised that the role of Non Governmental Organisations in the struggle to eradicate violence against women is very important. NGOs are making a significant contribution, with the creation of shelters for victims of violence, with the provision of services to support and advise them, and with their efforts to raise public awareness about the problem.

One of the first organisations in Greece to publicise and work on the problem of violence against women is the Movement of Democratic Women which, immediately following the change from dictatorship to democracy, organised conferences/meetings in Athens and all over Greece.

NGOs mostly deal with issues of violence and ill-treatment of women in the following three ways:

- A) by prevention through the education and training of teachers, students and professionals
- B) by provision of support services²⁵
- C) by the common confrontation of the problem at a legislative level.

The Movement is critical of government policy on the subject of violence against women. They do not receive financial support from the state and there is no lobbying on the part of the authorities to implement legal procedures to tackle the problem.

On the issue of financial support, the NGOs denounce the absence of economic resources, but also the bureaucratic delays in the few cases where funds actually exist. There have been many suggestions from relevant NGOs and from Greek public prosecutors and representatives of governmental institutions for the creation of a unit that would be responsible for the money allocated to combat trafficking.

²⁵ In its 3rd article, the Presidential Decree foresees the possibility that the state may take the initiative to sign up conventions on this issue with NGO's, since NGO's can offer a lot, given their flexibility in dealing with these issues.

6. Short Discussion

In December 1999 the UN designated the 25th of November as "International Day for the Elimination of Violence against Women", in memory of the three Mirabal sisters who were abused and killed on 25th of November 1960 in the Dominican Republic.²⁶

This decision was taken by the UN in recognition of the fact that violence against women is a symptom of the historical inequality between men and women, which affects women at every social, economic, religious and political level. It creates one of the most powerful mechanisms of suppression and deprives women of their basic human rights and their basic freedoms.

The 25th of November is a date that reminds us that the rights of women constitute an integral and indivisible part of universal human rights and consequently they should be guaranteed and protected. Unfortunately, in Greece there is no clear and strong legislative frame to combat this phenomenon. Very few cases of violence are reported by the victims, either because they fear revenge against themselves or their children, or because other difficulties exist, such as the lack of work and difficulty in obtaining a job. It should be taken into account that it is common for the perpetrator to prevent his victim from becoming financially independent and from having close relations with her family.

Frequently victims of gender violence are unwilling to talk about their experiences, either because the reputation of the woman's companion will be damaged, or because of fear of scandal or of loneliness. A never ending circle is created, the scenes of violence are repeated, and the victim often develops an unhealthy emotional dependence on the perpetrator. This has tragic consequences for society and especially for any children who experience it in their everyday lives. It is no wonder that the cycle of violence is often passed on from one generation to the next.

Legislation to protect women who are victims of domestic violence, sexual ill-treatment and exploitation or sexual harassment, is the first step in the right direction. However, in order to eradicate all toleration of violent behaviour, it is necessary to change the mentality of Greek society by raising public awareness of the magnitude of the problem and of the fact that it concerns all of us, either because it takes place in our own homes or in the homes of our neighbours.

The understanding and acceptance of the equality of the two sexes should start within the family and continue in education, where it is essential to offer courses or subjects related to the equality of the

²⁶ In its 3rd article, the Presidential Decree foresees the possibility that the state may take the initiative to sign up conventions on this issue with NGO's, since NGO's can offer a lot, given their flexibility in dealing with these issues.

sexes, in order to create a new generation which is socially mature and sensitive. Schools should not and must not constitute a place where the reproduction of wrong stereotypes occurs.

The principal cause of violence against women is the inequality between men and women in our societies. The social environment in which we live has been structured according to the inequality of the sexes, and this makes women vulnerable. The social environment as a whole, as well as the forms in which popular culture is expressed, i.e. television, advertisements and publications, all contribute to the reinforcement of inequalities and to the tolerance of violence towards women. The total operation of our society has been structured upon the male model. Unfortunately, despite the changes of recent times, the social conventions continue to restrict women's choices and to confine them to the role of the good attending wife and mother with no will of her own.

The unequal distribution of power is based on the stereotyped roles of men and women. As a rule, men are independent and women depend on them. As a rule, men practise control and women are controlled by them. As a result, men often resort to violence to exercise control over women or, even when they do not practise it themselves, they may tolerate it when practised by other men.

According to Aristotle, equality should be granted to equals, and our society should therefore create the conditions required for the elimination of all forms of inequality.

7. Institutions and Services for Victims

Women who have suffered any form of violence can appeal for assistance from the following institutions, which can be found all over Greece:

1. General Secretariat for Youth: Nikis 11, Syntagma, www.isotita.gr
2. Municipality of Athens - Bureau for Equality Issues: Sofokleous 10, Athens (+30- 210-5244657)
3. National Centre for Social Solidarity: V.Sofias 135 & Zacharof , www.ekka.org.gr
4. Help Line: 197
5. European Network of Women, Estias 25, Ampelokipi, www.enow.gr
6. Help Line SOS 8001188881 (domestic violence), 800114400 (trafficking)
7. Medical Rehabilitation Centre for Torture Victims: www.mrct.org
8. Family Support Centre (Archepiscopate of Athens): Akadimias 95, (+30-210-3811874)
9. Social Support Centre for Women -Thessaloniki: +30-2310-276782
10. Woman's House - Serres : +30-23210-99500
11. Research and Support Centre for Victims of Maltreatment and Social Exclusion (C.V.M.E.) : www.cvme.gr
12. Abused Women's and Children's Hostel - Hraklion, Crete : www.ksenona@in.gr
13. Rehabilitation Centre for Victims of Torture and other forms of Abuse, Filippou 51, Thessaloniki, (+30-2310-555.378).
14. Information and Counselling Centres for Women :
 - Athens www.kethi@kethi.gr
 - Alexandroupoli www.info@aneta.gr
 - Amfissa www.perdiki@anfo.gr
 - Volos www.kethivol@otenet.gr
 - Hrakilion www.kethiira@otenet.gr
 - Thessaloniki www.thkethi@otenet.gr
 - Kalamata info_syy@kalamata.kethi.gr
 - Kopotini syy_komotini@kethi.gr
 - Patra www.kethipat@otenet.gr
 - Preveza syy@preveza.kethi.gr

8. References

1. Aristotle. Nichomachean Ethics, Book V. Spoudi.
2. United Nations, Department of Public Information, 1996. Fourth Universal Women's Convention. Beijing, 14 -15 September.
3. Artinopoulou, Vasso, November 2006. Epidemiological Research, "Domestic Violence". Nomiki Vivliothiki Editions. Available from: www.isotita.gr.
4. European Network of Women. Published Statistical Reports on Domestic Violence Based on the Use of Telephone Line "By your Side".
5. Liolou-Simoni, Mary. "Violence, Abuse and Crimes of Sexual Exploitation of Women and Underage Children". Athens: Kifisia.
6. KETHI. Artinopoulou, V. B, Papatheodorou. Epidemiological Research, "Sexual Harassment in the Workplace". Available from: www.kethi.gr.
7. Ministry of Public Order, November 2006. "National Plan of Action against Human Trafficking". Special Law Creative Committee for the Elimination of Human Trafficking. Available from: www.ydt.gr/main/section.
8. Andreakou, Antonia, Introduction. "Trafficking: The Modern Slavery". Conference organised by the Athens Bar Association, 9-10/6/2007.
9. Article 4, Article 16, Article 22 of Constitution 1975/1986/2001
10. Public Clerical Code and Presidential Decree 611
11. Presidential Decree 370/89
12. Law 1329/83
13. Law 2910/2001 and the Revision of paragraph 2 of the article 116
14. Law 3500/2006
15. Law 3488/2006

EGYPT



State-of-the-Art Report

Alliance for Arab Women

EGYPT

1. Introduction

Egypt has made remarkable progress in social indicators over the past decade. Enrolment in education has increased from 66.2% in 1994 to 74.2% in 2004; adult literacy increased from 52.3% to 65.7% during the same period; life expectancy at birth has also increased by 6%, and there has been a remarkable decrease in the infant and maternity mortality rate. However, there is indeed a gender gap in many aspects of life (Human Development Report 2005, p.22- 37).

Although the Egyptian Constitution calls for the equality of men and women, women are discriminated against in many areas of life. They are deprived of their human rights. The existing culture is a major factor in the "persistence of ..[the] traditional male-dominated society". Another very important factor is the poor social and economic status of women. This status not only affects women's rate of educational attainment and employment, but also their vulnerability to violence. In fact, it can also be considered a form of violence (Budell, 2001, p.33).

2. Statistical Data on Violence Against Women

2.1 Wife Battering

According to a UNICEF study undertaken in 2000, 35% of Egyptian women reported being beaten by their husband at some point in their marriage (<http://news.amnesty.org/>). Men's domination of women is widely accepted to different degrees among Egyptians of both genders. According to the 1995 Egyptian Demographic and Health Survey, this is especially true for lower and middle income women and those living in rural areas. For them, wife beating was justified under certain circumstances (Budel, 2001, p.19, Abdelhady, 2002, p.9).

Studies by El Saadawi (1980), Zenie-Ziegler (1988) and Lane and Meleis (1991) on the battering of women by their husbands and other male relatives in Egypt infer that violence is greatest in the early years of marriage. According to El Saadawi (1980), giving birth to a daughter, especially if there were no sons, may be a cause of beating (Bridge report 10, p.12).

2.2 Early Marriage

Under the Egyptian law, the legal age for marriage is 16 for girls and 18 for boys. This age difference between boys and girls in the law helps to reinforce the belief that education for girls is of lesser importance (Budel, 2001, p.24). Lack of education and the resulting lack of opportunity to join the job market eventually have long term effects on the quality of life for women and also for their children (Fawzy, 2006, p.6).

In addition, this law is hardly ever implemented. A study on Upper Egypt carried out by the Minister of Health indicated that 44% of rural women who married between 1989 and 1993 were less than 16 years old at the time of their marriage. These practices are common due to traditional, religious and even economic reasons. A bride price is a good source for improving a family's financial condition, and arranging a daughter's early marriage is a faster way to get it (Budel, 2001, p. 24).

2.3 Honour Crimes

According to a study undertaken by the CEDAW committee in 2001, more than 50% of the actual and attempted murder cases reported in Egypt were committed by family members, spouses, parents, children, in-laws; or rejected fiancés. Official statistics show that 5.4% of murders committed in 1997 were committed 'in defence of honour'. "In a four-month study for 1998, there were a total of 14 murders allegedly motivated by honour. Of those, five were motivated by mere suspicion, one case was motivated by the woman's occupation (she was a dancer), and eight were motivated by pregnancy resulting from adultery". Studies indicate that honour crimes are common in Upper Egypt, the Egyptian rural areas, and in low-income urban areas (Budel, 2001, pp.23-24).

In another study undertaken by the Centre of Egyptian Lawsuits regarding honour crimes that were reported in public newspapers during the period of 1998-2001, 79% of crimes were committed because of suspicion of ill-behaviour, 9% for adultery, 6% to conceal an illicit relation with the victim, 6% for other reasons including pregnancy due to incestuous relations with a father or a brother. Wives comprised 41% of those murdered due to suspicion of their behaviour, daughters 34%, sisters 18%, and other relatives 7% (Abdelhady, 2002, p.11).

2.4 Female Genital Mutilation (FGM)

Statistics regarding FGM are non-conclusive. A WHO study for 1995 declared an estimated 97% prevalence of FGM (Budell, p.25). A survey in 2003 by UNICEF declared the same percent for married women in Egypt. On the other hand, the Egyptian Government reported that in a study among schoolgirls by the Egyptian Ministry of Health, 50.3% of girls between the age of 10 and 18 have been circumcised (The Intelligence Daily Website).

2.5 Rape

El Saadawi (1980) notes that sexual abuse of girls by male family members is widespread, and that in such cases the girls' word is seldom believed (Bridge report 10, p.12). There are no recent data on the rates of rape in Egypt. In general, most rape cases in Egypt are not reported. This is due to two reasons. Firstly, the reputation and honour of a rape victim can often be compromised due to the attitudes in Egyptian society described above. Another explanation may be that often the rapist is someone known to the victim and consequently the victim is often reluctant to report the crime (Abdelhady, 2002, p.13). This is further exacerbated by the law, as will be shown below.

2.6 Sexual Harassment

In a study undertaken by the Centre for the New Woman and the Nadim Centre (1994), 77% of the respondents admitted to having been harassed at work. Of these, 70% stated that the harassment was of a sexual nature: sexual innuendos 30%, touching 17%, unacceptable flirting 30% (Abdelhady, 2002, p.12). A study was conducted by the Egyptian Centre for Women's Rights (ECWR) in 2006/2007 on 3,000 women in the Cairo, Luxor, New Valley, Giza and Kalubeya governorates. "98% of interviewed women report[ed] occasional to frequent harassment, irrespective of age and/or social class." Of these, only 12% took the initiative to go to the police (www.unfpa.org.eg). In another study by Ramzy and Sultan (1999), public transportation was the number one place that they were harassed, followed by the street and then in third place their homes (Abdelhady, 2002, p.12).

2.7 Disinheritance

There is a deep rooted tradition in rural areas that only male heirs may inherit, especially assets like cultivated land and buildings. This is due to the perception of women, not as individuals, but rather as dependents on a father, husband or brother (www.asyeh.com). Another related reason is that a

married woman who inherited from her family's estate would be perceived as taking assets that rightly belonged to her male relatives and giving them to her husband (www.alkhaleej.ae).

In some cases, disinheritance is undertaken legally by making a will or donating assets to the preferred beneficiary before death (Shafey, 2000, 3.20). However, in other cases, the male family members just refuse to implement the law. There are approximately 4,755 legal cases that are being filed in the Egyptian courts for inheritance rights reasons (www.alkhaleej.ae).

3. Legislative Review

3.1 The Constitution

Articles 8 and 40 of the Egyptian Constitution stipulate that men and women are equal (Budel, 2001, p.10). In addition, the Egyptian Constitution also stipulates equal rights to education in *Article 18*. (Shafey, 2000,p.3-15). However, the Constitution also includes some ambiguous clauses concerning women's rights. Under *article 9*, "The family, which is rooted in religion, morality, and patriotism, is the cornerstone of society. The State shall strive to preserve the authentic character of the Egyptian family, with the values and traditions that it embodies, while affirming and developing this character in relations within Egyptian society." *Article 11* states: "The State undertakes to reconcile the duties of women towards their family with their work in society and guarantees their equality with men in political, social, cultural and economic spheres of life, with due regard for the provisions of the Islamic Shari'a". The above mentioned articles show how important it is for Egypt to keep its own family values and traditions intact (Budel, 2001, p.11).

3.2 The Legal Framework

3.2.1 Battering

To combat domestic violence, the Government of Egypt developed *Law No. 6 of 1998*, which "criminalises the phenomenon of intimidation and the threat of the use of force or violence against a wife, offspring or parents". However this law does not provide sufficient protection for women. In Egypt wife battering is considered as a crime under only two conditions:

1. If it exceeds the accepted limits of disciplining. This decision is left to the Judge's own perception/judgement, based on the victim's social and cultural background (The national committee for NGOs for population and development, p.2).
2. If it results in certain injuries that have to be apparent at the time of filing the complaint at the police station (Budel, 2001, p.20).

It is worth noting that spousal abuse is sufficient grounds for a woman to file for divorce. However the law requires the plaintiff to produce eyewitnesses, which is a difficult condition to meet (Coomaraswamy, 2002).

3.2.2 Early Marriage

Under Egyptian law, the legal age for marriage is 16 for girls and 18 for boys. As mentioned above, this law (flawed as it is and providing a possible basis for discrimination against girls) is not even enforced (Budel, 2001, p.14).

3.2.3 Honour Crimes

Article 237 of the Penal Code states that a husband who catches his wife in the act of adultery and kills her during the act faces a prison sentence of 3 to 7 years of prison, instead of forced labour or capital punishment. A woman is not given the same lenient punishment if she does the same (Budel, 2001, p.14). She is sentenced under *Article 234 of the Penal Code* to life imprisonment or imprisonment for a period that does not exceed 15 years (The National Council for Women website, www.ncwegypt.com). "This difference is justified in Egypt by the widespread attitude that a man's honour is dependent upon his wife's virtue" (Budel, 2001, p.14).

Moreover, *Article 17 of the Penal Code* gives the judge the option of reducing the sentence given to a murderer, based on his own judgement, if he finds him not deserving such a harsh punishment. As a result, a man found guilty of honour killing may get a sentence as light as just six months. And since some trials take more than six months, he may end up going free.

3.2.4 FGM

The Egyptian legislation criminalises the performance of any medical operation by anyone who is not a physician certified to practice medicine in Egypt (Haridy, 2001). In June 2007 the Egyptian Ministry of Health announced that it is imposing a complete ban on FGM. This new ban cancelled out a provision that allowed the operation to be performed by qualified doctors in exceptional cases only (BBC, 2007).

3.2.5 Rape

Article 267(1) of the Penal Code stipulates that "Anyone who performs a sexual act (waqa's) with a woman without her consent will be punished by life imprisonment or a fixed sentence of forced labour". A sexual act performed on a woman incapable of refusing consent because she was drugged, hypnotised or suffering from a mental illness is also considered rape (Budel, 2001, p.26). *Article 267(2)* of the Penal Code gives a harsher sentence of life imprisonment with forced labour when the crime is committed by a relative of the victim, a teacher, an employee of the victim or someone who has authority over her. In cases of kidnap and rape, under *Article 290* the convicted rapist is subject to execution (Budel, 2001, p.27).

However, the law "only covers situations involving a man and a woman with the proviso of vaginal penetration by the penis". Others forms of sexual assault are addressed as indecent assaults and come under *Article 268* of the Penal Code, with much lesser penalties (Budel, 2001, p.27). In addition, *Article 17* allows for the use of judgment of the judge to give a more lenient sentence if he believes that the rapist deserves a lenient sentence (Damarany, 2007).

One very important improvement is *Article 291* of the Penal Code, which banned the dropping of charges against a kidnapper and rapist if he chose to marry the victim (concluding remarks for

CEDAW). It was reported that women tended to accept marriage to abductor rapists in order to save their honour and to mitigate the shame for their families (Budell, p.27). It is also worth noting that marital rape is not illegal in Egypt (Coomaraswamy, 2002). However, if a husband commits physical violence against his wife that leads to injuries with the intent of forcing her, this physical act is criminalised by the law (Haridi, 2001).

3.2.6 Sexual Harassment

In Egypt violence is not criminalised unless it leads to permanent injury or at least the victim requires treatment for some time (Fawzy, 2006, p.3). Consequently, up until now there is no law in Egypt that criminalises sexual harassment. The Egyptian Centre for Women's Rights (ECWR) is currently working on developing a law (UNFP website).

3.2.7 Inheritance Law

Under Law No. 77 of 1943, women are not entitled to receive an equal share of inheritance with men. The law stipulates, in general, that a woman gets half what the man inherits. In addition, the wife has the right to inherit one eighth of her husband's estate if she has children, and one fourth if she does not have children (Budell, p. 13). In addition, it is legally possible to control who benefits from an inheritance by making a will or by donating it to that person before death (Shafey, 2000, 3.20).

3.2.8 Gender Relevant Laws

Unequal treatment of women is also manifested in several laws in both the Personal Status Laws and the Penal Code (Budell, 2001, p.33). The Personal Status Law allows polygamy for men, and for a husband to divorce his wife without having to specify any reason. In addition, a divorced wife who has no children from the marriage, or no children under her custody, may be thrown out of her 'marital residence'. The law also requires a wife to obey her husband if she wants her husband to continue to provide for her. Family law also stresses a woman's role as a wife and mother, rather than as an individual. The man, on the other hand, is given the responsibility of providing for the family (Khafagy, 2005).

4. Government Measures to Combat VAW

With the beginning of the millennium, the Government of Egypt set up several mechanisms to encourage the development of Egyptian women and the improvement of their conditions.

In 2000, the *National Council for Women (NCW)* was established as the first political institution in Egypt to focus on the empowerment of women. Its mandate includes raising awareness and monitoring of the implementation of relevant international conventions, laws and policies (concluding remarks for CEDAW). The Council has also set up an Ombudsman's Office for legal assistance and receiving complaints filed by women (United Nations Information Service website).

The *National Council for Childhood and Motherhood (NCCM)* was established to be the highest political authority responsible for formulating public policy in the field of childhood and motherhood (NCCM website). One important contribution is the revised Child Law that was prepared for presentation to the People's Assembly in Fall 2007. The proposed revised Child Law stresses the approach of reform rather than punishment. The main highlights of the new law are raising the age of marriage for girls to 18 years rather than 16 years; mandating the right of every child to be issued a birth certificate; the criminalisation of FGM and holding parents responsible for their children's education and keeping them off the street (Qassem et al., 2007).

In addition, *The Ministry of Social Solidarity* operates around 150 family counselling offices and seven shelters at the national level. These provide legal and medical services. It is also worth noting that there are now budget allocations specifically for women in the national budget and in the five-year-plans. The 16th of March was designated as a National Day for Egyptian Women. The purpose of this celebration is to raise public awareness on the importance of promoting the role of women in society (Coomaraswamy, 2002).

5. Non-Governmental Measures/Actions to Prevent and Combat VAW

Violence against women did not surface on any of the NGO's agendas before the 1990s. Since then, many non-governmental women's organisations and women's rights activists have formulated innovative policies for the advancement of women in different arenas. Different methods and strategies were utilised to realise their goals. These include "provision of services, advocacy, research, publishing and scholarships" (Budell, 2001, p.15). The new millennium also saw the rise of new centres that provide rehabilitation services for victims of violence (Abdelhady, 2002, p.25).

The Alliance for Arab Women (AAW)

The Alliance for Arab Women (AAW) has been very active as a regional coordinator for Arab NGOs (NPD website). It was selected as the coordinator for Arab NGOs to prepare and participate in the 4th International Conference on Women in Beijing in 1995. AAW also presented the Arab NGOs' statement in the UN General Assembly in 2000 (AAW website). AAW has built a network of NGOs and partners and "cooperates with Egyptian and Arab organisations to provide women with basic human security through influencing policies and legislations, and through providing services and programmes within the framework of human rights" (AAW website).

Under the umbrella of AAW, a *national NGO network* launched an initiative *to combat gender-based violence*. AAW also launched a slogan "No for violence against women" for its campaign to stop violence against women in the Arab region, and organised, within this framework, a regional workshop in May 2003 on violence against women: its dimensions and repercussions (NPD website).

Association for the Development and Enhancement of Women (ADEW)

Based on the conviction that the status of female heads of households can only be improved by investing in them socially, legally and economically, ADEW offers women economic opportunities, and provides a link between them and the public and private sectors (ADEW website).

In response to physical and domestic violence, ADEW launched the *Beit Hawa Shelter* (House of Eve) project in 2003. Its aim is to provide a comprehensive refuge for abused women and children in the Greater Cairo area (ADEW National Report, 2004). The services provided are strategically designed to help the victims cope with the traumatic effects of the abuse (V-Day website).

The Association of Legal Aid for Women (CEWLA)

CEWLA provides Egyptian women with legal support and assistance in line with the Egyptian Constitution, legislation, and international treaties. Its mission is threefold: raising awareness of

legal rights and commitments; providing support in acquiring legal, social, economical, and cultural rights; and advocating for legislation and policy change (CEWLA website).

CEWLA has a programme that addresses VAW issues. This programme includes a listening and psychological counselling unit, an anti FGM project, a VAW project and a project to support family counselling offices (CEWLA website). It is worth noting that the fight against honour crimes in Egypt was started by CEWLA in 1997 (Khafagy, 2005).

Egyptian Centre for Women's Rights (ECWR)

The ECWR focusses on improving the political and legal status of women, and fighting "all forms of gender-related discrimination". It has launched a *campaign to fight sexual harassment* that targets the media, public opinion, and the Ministries of the Interior and Education. In an effort to prepare documentation and case histories to exert pressure in the mass media for the government to return the Egyptian streets to their previous state of safety, they are compiling as many stories as they can on harassment of women (ECWR website). ECWR is also currently preparing a proposal for a new law to criminalise sexual harassment in line with the Declaration on the Elimination of Violence against Women (CEDAW) ratified by Egypt in 1981 (www.unfpa.org.eg).

El Nadim Centre

The Nadim Centre was established in 1993, with the aim of rehabilitating victims of violence. It provides medical, psychological and legal assistance. It also organises and participates in major campaigns against many forms of violence, in addition to providing technical training to other practitioners in the field (NPD website).

In 2001, the Nadim Centre started a new programme for listening and psychological counselling for women victims of violence in a number of locations in NGOs in Cairo and other governorates (Abdel Hamid, 2005). It provides technical support to any NGO at local and national levels or the Arab region generally in setting up a listening unit, and has developed a hot line for support for violence victims free of charge ([www. Majdah.maktoob.com](http://www.Majdah.maktoob.com)).

6. Examples of Good Practices

In the 1990s UNICEF launched a very important project in Sohag and Qena, in addition to 16 other remote desert settlements. Based on the conviction that women can only earn their rights and self respect through socio-economic development, the UNICEF developed a comprehensive project that included reviving traditional handicrafts as a source of income, in addition to enhancing social communication and recreation in the community. The project also provided the participants with training on how to spend the money earned to ensure that their children are kept in school and all their health requirements and healthcare met. Money generated from the project made it possible for children from low income families who had dropped out of the school system to go back. In addition, the incidence of early marriage in these areas declined, since girls involved in this project became an economic asset as income-generating members of the family. Women and girls in these traditional patriarchal communities gained self-respect as they became more valued by their communities. "In 2006, many of those children who had dropped out of school and were suffering hardships in the late 80s and early 90s have graduated from universities and have their own craft production schemes" (Fawzy, 2006, pp.8-9).

In 2004, 200 girls in rural Minya, graduated from the programme known as 'Ishraq'. Since adolescent girls from low income families in rural areas are often denied access to education, Save the Children developed a program called *Ishraq* specifically to give adolescent girls basic education. "It gives out-of-school girls aged 13 to 15 safe spaces in which to learn, play, and grow. In addition to learning literacy and life skills, girls are encouraged to participate in sports and recreational activities. 'Ishraq's' benefits are extending beyond learning and sports, helping girls to make informed, positive decisions about schooling, marriage, family size, and career. Following success of the three-year pilot phase, the project is being scaled up. A range of partners, including the Egyptian Ministry of Youth, is now on board to expand the project into other rural areas so that more out-of-school girls can avoid a life of early marriage and restricted opportunities" (SC website).

7. Recommendations

- Although the Constitution calls for equal rights for men and women, it also includes some vague clauses that reinforce the traditional domestic role of women. In addition, discriminatory gender relevant laws make women vulnerable to violence as they emphasise their low social and economic status relative to men and their dependence on men for protection and survival.
- The Egyptian law does not provide sufficient protection for women. A holistic approach and a comprehensive law against gender-based violence, based on a clear definition that specifies all forms, are needed. In addition, a 'legal mechanism' that provides protection for the victim from the aggressor would encourage more women and girls to file complaints.
- It is not only the nature of the laws that compromises the woman's status, but also the red tape and the long procedures that she needs to go through to get her rights. This is further complicated by the fact that it is often biased men who receive her complaint in the police station and who judge and implement the rulings intended to ensure that women get their rights. In addition, many victims shy away from filing an official complaint against their husbands, because of either fear or shame. Including women in the police force and simplifying procedures would help to get women's voices heard.
- *Article 17 of the Penal Code* gives the judge the option of reducing the sentence given to a murderer, based on his own judgement, if he finds him not deserving such a harsh punishment. This same article is also used in cases of rape to give lighter sentences. Criteria for giving lenient sentence should be spelled out in the law and not left to the discretion of the judges.
- Legislation in Egypt stresses the fact that the family is the main unit of society, and the ideal place for children to be brought up. However, the law does not hold the families under any legal liability in case of abuse. Families should be legally responsible for ensuring that their children get the minimum required education, that the ban on FGM is followed, and for any violent acts committed within the family. The revised Child Law that was prepared by NCCM to be presented to the People's Assembly is a great addition to the favourable gender relevant laws.
- The legal age for girls to get married provides a basis for discrimination. It is indeed one of the factors that encourage families to force their daughters to drop out of school after puberty to get married. Lack of education and consequently no opportunity to join the job market eventually have long-term effects on these women's quality of life together with their children.
- In general, past efforts to ban FGM focussed on medical issues, which only succeeded in making people resort to doctors to perform FGM operations. One important reason for its persistence is the concern of families on the marriageability of their daughters if they do not

perform FGM. Consequently current strategies focus on the social aspect, by targeting whole communities rather than individual families.

- Due to social, political and economic conditions, more and more women are participating in the public domain. This enhances their status in society and puts them a step forward towards realising their human rights. However, the increasing prevalence of sexual harassment is standing in the way since it discourages women from going out. A sexual harassment law would not automatically solve the problem, but would provide a very effective framework to return Egypt's streets to their past standards of safety.
- The existing culture is one big factor for the patriarchal values that persist. The media has a very important role in shaping stereotypes and can be influential in developing new positive images of women.
- In many cases, abuse and violence are just symptoms of poverty and frustration. Projects have to tackle the root causes of abuse. Past projects that have stressed socio-economic empowerment and education as the tools taken to reach human rights provide best practices that can be replicated.

8. Useful Country Contacts

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9. References

Aryani Al, Ramzeya A. 2005. "Violence Against Women: Mechanisms and Remediation", Conference for Arab Women's Rights, Sanaa, December.

Budel, Carin. 2001. "Violence against Women in Egypt: Report prepared for the Committee on the Elimination of Discrimination against Women"; available at <http://www.omct.org/pdf/VAW/EgyptEng2001.pdf>

"Concluding Observations of the Committee on the Elimination of Discrimination against Women: Egypt" .2001, CEDAW, Twenty-fourth session 15 January-2 February 2001, Consideration of Reports of States Parties; available at: <http://www.arabhumanrights.org/countries/egypt/cedaw/a56-36-01e.pdf>

Damarany Al, Abeer. 2007. "The Death Sentence with no Parole", Al Ahram Newspaper, Wednesday July 18, p.9.

"Egypt: A Report on Genital Mutilation (FGM) or Genital Cutting (FGT)", The U.S. State Department, 2001, June 1; available at <http://www.state.gov/g/wi/rls/rep/crfgm/10096.htm>

"Egypt Situational Analysis: Womankind Worldwide 2001". Egyptian Centre for Women's Rights, 2001
Egyptian Centre for Women's Rights website; available at <http://www.ecwronline.org/>

Fawzy, Shahira A. 2006. "Socio Economic Empowerment: A Route towards Equality of the Girl Child", United Nations Division for the Advancement of Women.

The Intelligence Daily Website; available at <http://inteldaily.com/?c=147&a=2574>

"Human Development Report 2005", UNDP Publication

Jansen, Henrica A.F.M. 2007. "Challenges to Measuring Violence against Women: Training in Sexual Health Research", WHO, Geneva; available at http://www.gfmer.ch/Medical_education_En/PGC_RH_2007/pdf/Measuring_violence_against_women_Jansen_WHO_2007.pdf

Khafagy, Fatma. 2005. "Honour Killing in Egypt", The Association of Legal Aid for Women; Cairo.

Marcus, Rachel. 1993. "Violence against women in Bangladesh, Pakistan, Egypt, Sudan, Senegal and Yemen: Report prepared for Special Programme WID", Netherlands Ministry of Foreign Affairs (DGIS), March; available at <http://www.bridge.ids.ac.uk/reports/re10c.pdf>

Merry, Sally Engle. 2003. "Constructing a Global Law-Violence against Women and the Human Rights System", American Bar Foundation; available at <http://www.journals.uchicago.edu/LSI/journal/issues/v28n4/284002/284002.web.pdf?erFrom=5129156703912197011Guest>

The NGOs National Committee for Population and Development, "Violence against Women: A Field Study in Preparation for the 4th Women's World Conference in Beijing"

Nelson, Toni. "Violence against Women", World Watch Institute; available at <http://phenomenologycenter.org/course/violence.htm>

Pratt, Nicola. 2002. "Egypt: A Country Case Study", International Development Department, School of Public Policy, University of Birmingham; Birmingham, UK, September.

Qasem, Hamdy & Shemais, Yasser. 2007. "A New Law to Protect the Child in front of the People's Assembly", The Egyptian Today Newspaper, August, 16, p.3

Sakr, Naomi. 2006. "Democratisation in the Arab World Media and Women", European Parliament, document no. DGExPo/B/PolDep/Note/2006_24,

Selim, Rafiaa. 1997, "The Egyptian Woman: Present Problems and Future Challenges", Dar El Amin.

UNFPA. 2000. *The State of World Population 2000*; available at <http://www.unfpa.org/swp/2000/english/ch03.html>

The United Nations Information Service; available at: <http://www.unis.unvienna.org>

The USAID website; available at <http://www.usaid.gov>

"Violence against Egyptian Women In the Second Half of 2006". 2007, Land Center for Human Rights; Cairo, January 17; available at <http://www.wmd.org/documents/feb07DemNews16.pdf>

Zolfakar, Mona. 2005. "A Strategic Vision", The National Council For Women; Cairo, March 6.

SPAIN



State-of-the-Art Report

Association Heura

SPAIN

1. Introduction

Spain is a Mediterranean country with more than 44 million inhabitants.

The situation of women in Spain has been profoundly affected by its recent history. During Franco's dictatorship (1936 - 1975), women were legally considered in the same category as minors or disabled persons and they needed permission from their fathers or husbands to obtain a passport, open a bank account etc. During the transition to democracy, the legislation was changed in order to establish legal equality between men and women. Divorce was legalised in 1981 and in 1985 a law was passed permitting abortion under certain circumstances.

Nevertheless, equality under the law has not brought about complete equality in everyday life. Although the situation of women in Spain has changed considerably during the last thirty years, many kinds of inequality still exist. Spanish women have entered the public sphere, penetrating all the fields traditionally reserved for men such as the labour market and politics. In 2006 the activity rate for Spanish women was 49% and the occupation rate was 43%²⁷.

Changes have also occurred in the private sphere, where women are progressively changing their traditional roles. This is reflected for instance in the birth rate, which has decreased from 2.8 children per woman in 1975 to 1.37 in 2006.

In spite of this transformation, women continue to suffer discrimination, especially women with low educational levels (Puigvert 2003). Violence against women is probably the worst part of this discrimination and is still a major social problem in Spanish society.

²⁷ www.ine.es

2. Statistical Data on Violence Against Women

In 2006, 68 women were murdered in Spain by their partners or former partners.²⁸ This is just the tip of the iceberg, since violence against women is widespread. The United Nations (1993) defines gender violence as:

- (a) Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;
- (b) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;
- (c) Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

Although we have adopted this global definition, the statistics available in Spain on gender violence usually only include violence against women perpetrated by their partners or former partners.

The main source of statistics regarding violence against women in Spain is the “Macroencuesta sobre la Violencia contra las Mujeres”, a study on gender violence that has been carried out three times, in 1999, 2002 and 2006. This study focuses on six types of violence: physical, sexual, psychological, economic, structural and spiritual. Next, we present some of the data from the 2006 edition, in which 32,426 women were interviewed.

The ‘Macroencuesta’, distinguishes between 2 types of women in relation to gender violence:

- Technical violence (Type A): Women who do not consider themselves to have suffered gender violence, although their answers show that they are victims of behaviour regarded by experts as indicative of a certain degree of violence.
- Declared violence (Type B): Women who declare they have suffered gender violence during the last year.

Women Type A are those who have answered “frequently” or “sometimes” to at least one of the following questions:

²⁸ <http://www.mtas.es/mujer/mujeres/cifras/index.htm>

YOUR PARTNER...
...stops you from relating to your family, friends or neighbours.
...takes away the money that you earn or does not give you enough money to get by.
...insults or threatens you.
...decides what you can or cannot do.
...frightens you on certain occasions.
...does not take your needs into account (leaving you the worst place in the house, the worst portion of food, etc.).
...pushes or beats you when he/she gets angry.
...tells you that without him/her you would have nowhere to go; that you are not able to do anything on your own
...tells you that you do everything wrong, that you are dim
...ridicules or undervalues your beliefs (attending church, voting for a certain political party, belonging to an organisation, etc.).
...undervalues the work you do.
...undermines you in front of your children.

The 'Macroencuesta' of 2006 reveals that 3.6% of women aged 18 or over declare that they have suffered violence from someone who lives at their home or from their partner or former partner during the last year (Type B). The percentage of women that are considered to be technical victims (Type A) is 9.6%. Looking at trends over the past few years, it seems there is a tendency towards the decrease of violence, both in types A and B.

	1999	2002	2006
Violence Type A	12.4%	11.1%	9.6%
Violence Type B	4.2%	4.0%	3.6%

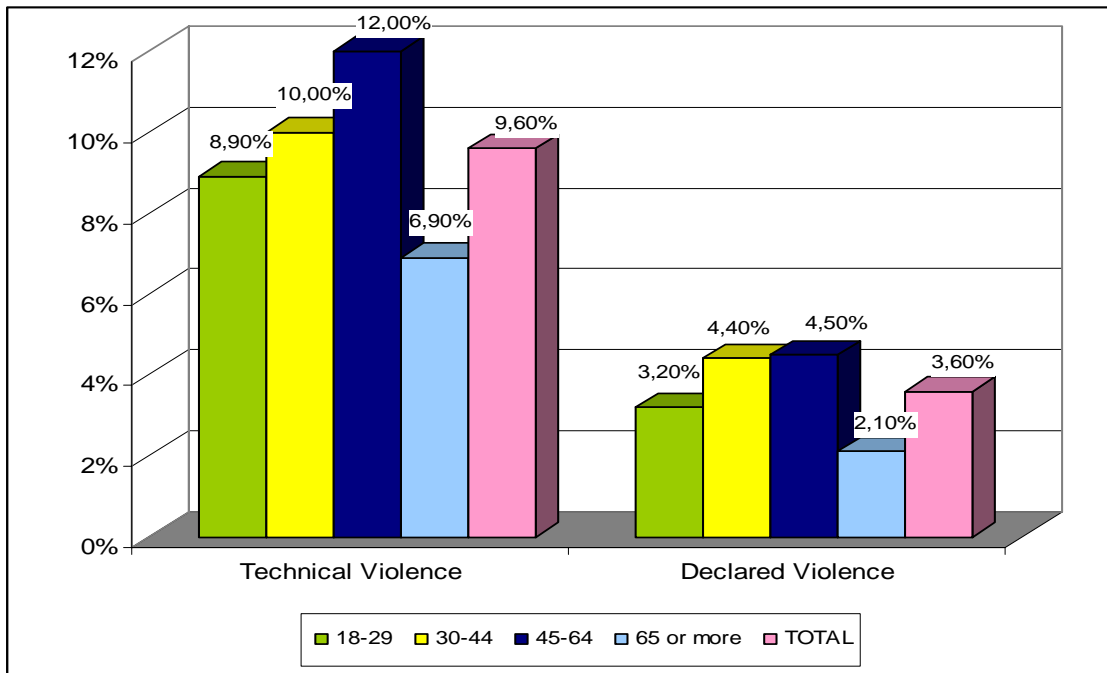
Although according to these figures gender violence seems to be decreasing, there are still a significant number of women who are victims of abuse from their partners. It is also relevant to point out that not all women suffer gender violence in the same proportion. We find that there are groups of women who are especially vulnerable to violence, such as foreign²⁹ or disabled women³⁰.

One of the main aspects revealed by the available statistics is that victims do not have a specific profile. Violence against women affects women of all ages, marital status, educational levels, etc.

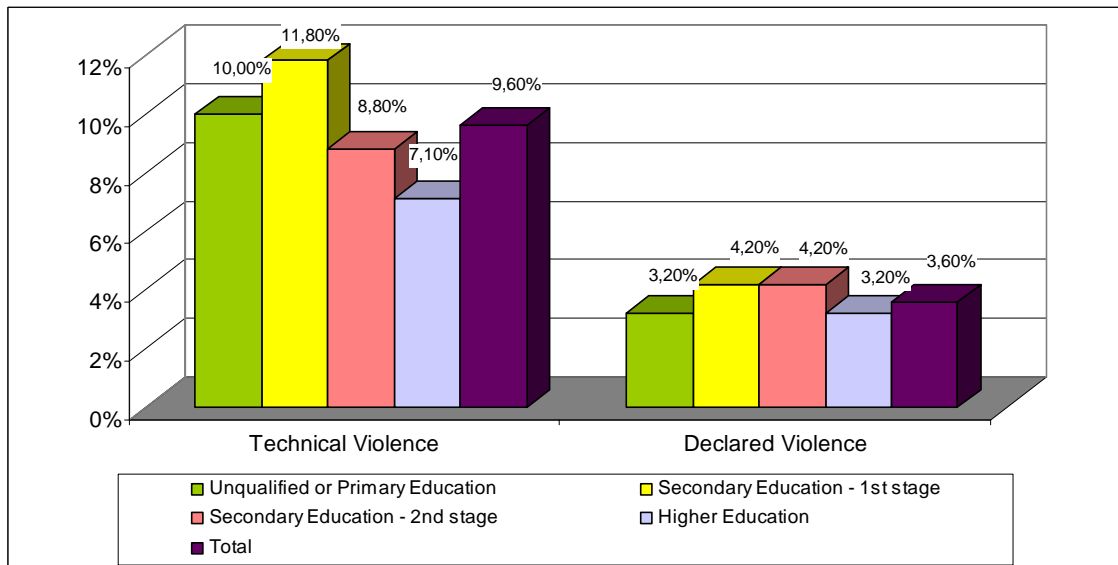
If we consider the distribution of victims according to age groups, it is noteworthy that a high proportion of women aged 18 to 29 suffer from gender violence. Specifically, 3.8% suffer from declared violence (type B) and 8.9% from technical violence (type A). These figures refute the idea that young women are free from gender violence.

²⁹ Foreign Women: 17% (type A) and 7% (type B).

³⁰ Disabled Women: 13% (type A) and 8% (type B).



If we pay attention to the distribution according to the educational level, again we find that violence affects all women, independently of their standard of education.



Regarding the consequences of violence against women, the 'Macroencuesta' asks about a series of pathological symptoms. The data indicate that the percentage of women who answer that they often have these symptoms is higher in women classified under type A (technical violence) than in the general population of women aged 18 or more, and this percentage is even higher among women classified as type B (declared violence). Therefore, we can conclude that while violence against women mainly affects victims psychologically, it also has physical repercussions.

	Women > 18	Women Type A Technical Violence	Women Type B Declared Violence
Back or joint ache	68.70%	77.00%	80.30%
Mood changes	49.10%	69.50%	76.00%
Headaches	43.30%	54.20%	60.10%
Anxiety	32.10%	54.00%	68.60%
Irritability	31.30%	52.20%	58.00%
Feel like crying without a reason	30.00%	51.70%	58.20%
Insomnia	34.30%	47.60%	53.70%
Low sexual drive	24.80%	46.40%	46.40%
Sadness for thinking you are not good for anything	18.10%	39.30%	49.20%
Permanent fatigue	15.90%	29.20%	35.60%
Flu	20.00%	23.50%	27.40%

The above data refute the idea that with the increase of autonomy for women (joining the labour market, economic independence, divorce etc.) gender violence would disappear. The available data proves that violence against women is embedded in our society and our cultural background and therefore we need to take measures in order to combat it (Oliver & Valls 2004).

As we have already mentioned, in Spain there is some confusion concerning the concept of violence against women, a term that is usually restricted to violence perpetuated by the women's partners or former partners. This is the case with the 'Macroencuesta' as well as with most statistics. Nevertheless, the UN definition is much more comprehensive including, for instance, sexual violence. The only statistics we can find on sexual violence are those provided by judicial sources, which state that in 2006, 6,387 cases of sexual abuse/assault and 409 of sexual harassment were reported.

3. Legislative Framework

In 2004, the Spanish Parliament approved the Organic Act on Integrated Protection Measures against Gender Violence (1/2004 of 28 December) with the purpose of eradicating gender violence starting from its root-cause, in other words, eliminating the situations of inequality that give rise to it.

In order to achieve this general goal, the Act proposes the following interventions:

- a) To strengthen preventive awareness among citizens, by providing the public authorities with effective instruments to fulfil this goal in the educational, social services, health, advertising and media spheres.
- b) To establish the rights of women suffering gender violence, with these rights being enforceable through the public authorities to ensure women rapid, transparent and effective access to the services provided.
- c) To improve the provision of information, care, crisis support and integrated recovery services to at least the minimum standards required under the objectives of this Act, and to establish a system to effectively coordinate existing services at regional and municipal levels.
- d) To guarantee employment conditions, in the private and public sectors, which reconcile contractual requirements with the circumstances of workers or civil servants suffering gender violence.
- e) To guarantee economic rights for women suffering gender violence in order to facilitate their social integration.
- f) To establish a comprehensive system of institutional protection whereby the General State Administration, through the Special Government Delegation on Violence against Women in conjunction with the State Observatory on Violence against Women, promotes public policies designed to offer safeguards to the victims of gender violence.

The “Act on Integrated Protection Measures against Gender Violence” is the first specific act concerning violence against women to be promoted in Spain and therefore represents an important step towards its eradication. One of the main achievements of this law is the introduction of measures concerning education, with a clear focus on the prevention of violence.

In the area of attention to victims, one of the most important measures promoted by the law is the creation of “Violence against Women Courts” which are staffed by professionals trained in gender violence. Other praiseworthy initiatives include the creation of an economic allowance for victims of gender violence or the maintenance of their job in case they need to leave their homes.

Without questioning the advances represented by this Act, some aspects of it have been criticised by women’s and social organisations. One of the main criticisms that the Act received even before its

approval was that it is limited to the violence exercised against women by their present or former spouses or by men with whom they maintain or have maintained analogous affective relations, with or without cohabitation. As a consequence of this, for instance, we find the paradox that a man who sexually assaults his former spouse would be judged in the “Violence Against Women Courts” (created by this Act), whereas if he assaults an unknown women in the street, he would be judged in the regular courts and his victim would not benefit from any of the measures foreseen in this Act.

A report published by Amnesty International in 2006 to evaluate the “Act on Integrated Protection Measures against Gender Violence” a year after its promulgation stresses the need to increase material and human resources for the implementation of the law as well as the need to expand the provisions of the law in many areas, especially in health, education, care systems, police interventions and judicial responses.

4. Government Measures to Prevent VAW

Since the promotion of the “Act on Integrated Protection Measures against Gender Violence”, the Spanish government has promoted a series of measures to combat violence against women that we summarise below.

1. Area of sensitisation and prevention:

1.1. *Activities in the educational sphere*

- a. Elaboration of teaching materials
- b. Promotion of dissemination campaigns
- c. Development of programmes addressed at preventing gender violence in schools and universities
- d. Implementation of courses and seminars for students and teachers

1.2. *Sensitisation activities:*

- a. Organisation of activities to celebrate the 25th November, International Day for the Elimination of Violence against Women
- b. Promotion of campaigns in the mass media
- c. Development of activities for the prevention of violence, information, education and sensitisation

2. *Area of social resources:*

- 2.1. Creation of Advisory Centres and Information Services
- 2.2. Creation of specific units to attend to battered women in the care of the police
- 2.3. Distribution of different electronic devices for the protection of victims
- 2.4. Centres of attention for victims
- 2.5. Elaboration of intervention protocols
- 2.6. Promotion of programmes of specialised intervention for the rehabilitation of violent men
- 2.7. Creation of programmes of economic aid for victims without economic resources
- 2.8. Creation of programmes of social and work reinsertion for victims
- 2.9. Financing NGOs for the development of programmes in favour of victims
- 2.10. Access to state subsidised housing for victims with children

3. *Area of Health*

- 3.1. Edition of specific guides and documents on how to approach the subject of violence against women

3.2. Training on violence against women for health professionals

4. Area of judicial and legislative spheres

4.1. Creation of the Gender and Domestic Violence Observatory

4.2. Judicial advice and free legal assistance for victims

4.3. Violence against Women Courts

5. Area of Research

5.1. Development of statistics on gender violence

5.2. Promotion and financing of research on gender violence

5. Non-Governmental Actions to Prevent and Combat VAW

Since its inception, the Spanish feminist movement has been concerned about violence against women. Nevertheless, there was a general belief that violence against women was a consequence of the dependency of women and that as they achieved more autonomy gender violence would disappear by itself. Therefore, not enough attention was paid to this social problem.

However, in reality it became apparent that although Spanish women were achieving important gains in the economic, political and social spheres, violence against women did not show any sign of disappearing. This led to the conceptualisation of gender violence as a phenomenon with profound cultural causes which will not be eradicated unless we take appropriate action. In this context, at the end of the nineties many organisations started to emphasise the importance of violence against women and the need to promote actions to combat it.

At the beginning of the present decade, initiatives were addressed to put pressure on the Government to introduce an act dealing specifically with violence against women. After its promotion in 2004, some of the actions continue focussing on the need to improve and expand the Act.

There are many NGOs working in the field of violence against women. Their focus of attention can be summarised in two strategies: attention to the victims and preventive socialisation.

In the field of attention to victims of violence against women, activities include psychological attention, economic support, legal advice, childcare, programmes for rejoining the labour market etc.

In the area of preventive socialisation, the focus is on educational activities that prevent violence against women. Activities include educational programmes, campaigns, forums of discussion etc.

6. Examples of Good Practices

There are many examples of good practices, but the selection included here has been compiled to take into account two of the most sensitive groups within the community, young people and women without academic degrees.

YOUTH

Campaign “Talla amb els mals rotllos” [*Put an end to bad matters*] promoted by Institut de les Dones [*Women’s Institute*] of the Catalan Government

The Centro de Atención a la Mujer [*Centre for the Attention to Women*] reveals that 80% of girls and 75% of boys think that it is possible to cause violence to somebody you love. According to the Fundación Mujeres [*Women’s Foundation*], 32.1% of boys and 14% of girls consider it normal for a boy to force his girlfriend to have sexual relations on some occasions. As a result of these findings, since 2004 the Institut de les Dones [*Women’s Institute*] has carried out an annual educational campaign to raise awareness about the issue of violence within sexual relationships.

Web page: <http://www.gencat.net/icdona/tallaindex.htm>

Forum against gender violence promoted by the Plataforma contra les Violències de Gènere [*Platform against Gender Violence*]

Every year since 2004, around the 25th November, the Plataforma contra les Violències de Gènere [*Platform against Gender Violence*] organises a two-day workshop addressed to school teachers and to young people in secondary education. The objective of these workshops is to provide a participative and reflective space for sensitisation to the issue of gender violence and to work for its prevention and eradication among young people.

Web page: <http://www.violenciadegenere.org>

WOMEN

Women’s Group of FACEPA (Federacio d’Associacions Culturals i Educatives de Persones Adultes - Federation of Cultural and Educational Associations for Adults)

This group aims to empower women to overcome social and sexual inequalities by providing a forum where women from different backgrounds, cultures and academic levels can meet on equal terms and share their ideas and experiences. The group meets on the first Saturday of each month to reflect on feminist issues and engage in dialogue. In this group women are defining their own transformation processes.

The “dialogical feminism” of the FACEPA’s women’s group has been recognised by the international women’s movement as a real example of the new feminist movement in the XXIst century. It brings together the voices of all excluded women until today, women without university qualifications, immigrant women or women from non-dominant cultures to work together for their mutual benefit.

Web page: <http://www.facepa.org/PDF/EN/Women%20group%20of%20FACEPA.pdf>

7. Short Discussion and Recommendations for Further Work

During the last decade in Spain, a lot of work has been addressed at combating violence against women. Awareness of the magnitude of the problem has increased and actions have been taken by many different groups: NGOs, national and local authorities, judiciary and police institutions, research offices, etc.

One of the most important areas in which further work is needed is in the field of preventive socialisation of gender violence and in the role that education can play towards the eradication of violence against women (Gómez, 2004).

Another field being developed in Spain is research on the existing models of attraction and their relation with violence against women. Further work is needed in this area in order to understand which of the values that are usually associated with attraction in our society are related to violence (Duque 2006).

In order to eradicate gender violence, it is necessary to reflect on the traditional hegemonic models of masculinity and to promote alternative models based more on dialogue, sensitivity etc. It is important to work on this field so that younger men can see that there are alternative models of masculinity which are not linked to violence.

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9. References

Amnistía Internacional. 2006. Más Derechos, los Mismos Obstáculos.

[http://www.es.amnesty.org/nomasviolencia/docs/informes_ai/02regiones/04europa/espana/informe_aniversario_ley_integral.pdf]

Beck-Gernsheim, E.; Butler, J.; Puigvert, L. 2003. Women and Social Transformation. New York: Peter Lang Publishing.

Duque, E. (2006): Aprendiendo para el Amor o para la Violencia. Las Relaciones en las Discotecas. Barcelona: El Roure.

Gómez, J. 2004. El Amor en la Sociedad del Riesgo. Una Tentativa Educativa. Barcelona: El Roure.

Instituto de la Mujer. 2006. Macroencuesta “Violencia contra las Mujeres”. Madrid: Instituto de la Mujer.

MTAS. 2006. Balance de Resultados de la Aplicación de la Ley Orgánica 1/2004, de 28 de Diciembre, de Medidas de Protección Integral contra la Violencia de Género.

[<http://www.mtas.es/igualdad/DelegacionGovViol/Documentos/Balance%20Consejo%20de%20Ministros%2015%20dic.pdf>]

Oliver, E. y Valls, R. 2004. Violencia de Género. Investigaciones sobre quiénes, por qué y cómo superarla. Barcelona: El Roure.

United Nations. 1993. Declaration on the Elimination of Violence against Women. Resolution of the General Assembly 48/104 of December 20th 1993. General Assembly A/RES/48/104 23 of February 2004.

Websites

<http://www.ine.es>

http://www.cis.es/cis/opencms/-Archivos/Marginales/2540_2559/e255800.html

<http://www.mtas.es/mujer/mujeres/cifras/index.htm>

<http://www.redfeminista.org/nueva/uploads/Organic%20ACT%201-2004.pdf>

MOROCCO



State-of-the-Art Report

ISIS Center for Women and Development

MOROCCO

1. Introduction

Violence affects both men and women, causing untold pain and suffering and hindering human development. As stated in the UN Secretary General's in-depth study on violence against women, "the persistence of violence against women is inconsistent with all the millennium development goals".³¹ Besides, violence against women is inextricably linked to gender-based discrimination. And although such violence goes largely unreported throughout the world, it is so widespread that it represents a major impediment to efforts to promote gender equality and empower women, and it poses hefty costs to society in general. For this reason, over the last decades both the global and the national human rights movement have stood up against gender-based violence.

This paper aims to review the Moroccan national policy regarding the issue of gender-based violence. More particularly, the paper first examines the concept of gender-based violence and secondly provides a historical overview of how the national consciousness is set up. Thirdly, the paper reviews Moroccan policy towards combating gender-based violence.

Finally, some conclusions and recommendations for action by the Moroccan government and professional bodies will be offered.

³¹ In-depth Study on all Forms of Violence against Women: Report of the Secretary General, A/ 61 / 122 / Add. 1 pg. 22.

1. The Concept of Gender-Based Violence

The definition of violence against women varies, but the one most widely accepted is set out in the “Declaration on the Elimination of Violence against Women”, adopted by the UN General Assembly in 1994, which 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.³²

This definition emphasises that gender-based violence is not limited to physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry related violence, marital rape, female genital mutilation and other traditional practices harmful to women, (e.g., non-spousal violence and violence related to exploitation). Rather it is linked to the physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, or in educational institutions and elsewhere, trafficking in women and forced prostitution, physical and psychological violence perpetrated or condoned by the state, wherever it occurs.

Additionally, within the declaration on the elimination of violence against women, the term gender-based violence is often used interchangeably with violence against women. Actually, both of these definitions indicate that violence against women is a result of gender inequality. This inequality can be described as discrimination in opportunities and responsibilities and in access to and control of resources, phenomena that are rooted in the socio-culturally ascribed notion of masculinity as superior to femininity. The UN Declaration on the Elimination of Violence against Women states that “violence against women is a manifestation of the historically unequal power relation between men and women, which has led to domination over and discrimination against women by men”.³³

Furthermore, gender-based violence³⁴ is one of a range of categories of violence. Violence in its wider sense has been defined by the World Health Organisation as:

“the intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community, that either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment or deprivation”.³⁵

32 Declaration on the Elimination of Violence against Women. New York, United Nations, 23 February 1994 (Resolution No. A/RES/48/104).

33 Declaration on the Elimination of Violence against Women. New York, United Nations, 23 February 1994 (Resolution No. A/RES/48/104). Available at: <http://www.un.org/womenwatch/daw/cedaw/recommendations.htm>

34 Gender-based violence against women is violence “directed against a woman because she is a woman or that affects women disproportionately”. CEDAW, General Recommendation No.19, 1992, UN Doc. A/47/38, para.6

In other words, violence against women gives rise to a cluster of physical and psychological consequences (including those touching on emotional and sexual health) reflecting not only the mechanism of the violence but also the interconnectedness of the human response to violence. Thus, physical violence against the individual may give rise to serious psychological reactions such as fear, anxiety or depression, while emotional and sexual abuse may give rise to physical symptoms such as chest pain and tachycardia, as well as behavioural changes such as substance abuse.

In general, the epidemic of violence directed at women and girls constitutes a major human rights scandal and a public health crisis. Around the world women are regularly beaten and sexually abused by intimate partners, family members, neighbours, and strangers. According to the World Health Organisation report (2002):

“The impact on women’s health goes far beyond bruises, broken bones or even death. As well as causing physical suffering to women, such violence has a profound impact on women’s psychological well-being, on their sexual and reproductive health and on the well-being and security of their families and communities.³⁶

Besides, the cost in human terms is huge and also has an economic dimension.³⁷ Indeed, vulnerability to violence is a condition created by the absence of or denial of rights. The Secretary General and General Assembly have affirmed that violence against women is a form of gender-based discrimination and a human rights violation; in other words, freedom from gender-based violence is a universal right that should be guaranteed in any culture.

In this respect, although violence against women has long been tolerated as a private issue or a function of culture and tradition, states, including Morocco, have an obligation to meet the standards of due-diligence to protect women from violence, to hold perpetrators accountable and to provide justice and remedies to its victims. And, in order to achieve these obligations, the states including Morocco have applied certain policies. Yet, before dealing with the Moroccan policy to combat violence against women, it is crucial to give a historical perspective of how Moroccan consciousness has been raised towards fighting gender-based violence.

³⁵ WHO Global Consultation on Violence and Health. Violence: a public health priority. Geneva, World Health Organisation, 1996 (document WHO/EHA/SPI.POA.2).

³⁶ WHO. World Report on Violence and Health. Geneva: World Health Organisation, 2002; Waters H. et al.

³⁷ The Economic Dimensions of Interpersonal Violence. Geneva: World Health Organisation, 2004

2. Historical View over the Establishment of Fighting Gender-Based Policy

Violence against women has been brought onto the Moroccan social and political agendas only very recently, mainly due to the work of women's human rights NGOs. Previously, since women had an inferior status in the Personal Status Codes, violence against women was socially justified and accepted. Until 1993, the idea of combating violence against women was not given serious consideration. Some women then met together and decided to begin the struggle against violence in a way as old as humanity; as one of them said, they accumulate a century of experience, by exchanging ideas and listening to each other's experiences, simply as women, not as representatives of any association or any political party.³⁸

The year of 1993 was distinguished by the UN Declaration of Elimination of Violence against Women, and April 3rd, 1995 was marked by the official opening of the Listening Centre (known since 2006 as the Association for Combating Violence against Women) to offer juridical and psychological guidance for women victims of male violence. The opening of this centre can be seen within an international context; the declaration of the International Committee was the first time in the history of humanity that violence against women was officially recognised as a violation of human rights. The statement at the International conference on Human Rights in Vienna in 1993 led to the international campaign to combat violence against women.

Additionally, in Morocco, a terrifying array of violent acts against women carried out by a Moroccan Officer called 'Tabet' contributed to public awareness of the problem. Despite the ambiguous prohibition of the Moroccan law, silence has been broken, and justice has said its word. Women's associations and public opinion rebelled and all proclaimed: "No more of that!". This also coincided with the activities of the Maghrib Union which established the Listening Centre and integrated it into a Maghrib network all working together against these violent practices against women. Two Moroccan figures have contributed to the visibility of the Maghrib women: Fatima Mernissi, through her outstanding book *Harem Politique*, and Omar Azziman, a Minister of Justice. Indeed both of these figures were partners in this pilot experience. This led to the founding of the first Moroccan Association to combat violence and to creating the "Annajda" listening centre and another centre called "NAJMA" founded by the Association of Moroccan Democratic Women. The Feminist Associations and the Listening Centres which provided legal guidance and psychological counselling were the first to take the initiative of talking openly about violence against women. The ultimate goal of all women's associations and civil society is to break society's silence on domestic violence.³⁹

³⁸ Casablanca, Alger, Tunis, Femmes unies contre la Violence, Analyse de l'Expérience Maghrébine en Matière de Violence subies par les Femmes, Fennec editions.

³⁹ Casablanca, Alger, Tunis, Femmes Unies contre la Violence, Analyse de l'Expérience Maghrébine en Matière de Violence subies par les Femmes, Fennec editions.

Since 1995 the Association has offered juridical and psychological guidance for women victims of violence at the centre in Casablanca. The aim of the association is to work towards the elimination of all forms of violence against women. The convention on the Elimination of Discrimination against Women (CEDAW) was first ratified by Morocco in 1993. The Committee insisted upon the necessity for the Government to show a stronger commitment towards accelerating the path to the reforms necessary for Morocco to comply with the CEDAW convention. The Committee said these reforms should not take an intolerably long time and suggested that Morocco should put in place specific mechanisms to promote women's rights. Therefore, the major advance that Moroccan women have gained between 1992-1997 is the period of *ttassis* (foundation). This period was characterised by a change in the way women's issues were dealt with and the acknowledgement that dealing with women's issues is a major factor for economic and social change. It was also accepted that women's rights are an integral part of universal human rights.⁴⁰

⁴⁰ Violence against Women : What protection?, National Workshop of Moroccan Association of People's Rights, January, 1995. Casablanca.

3. Moroccan Policy in Fighting Violence Against Women

The recent initiatives by NGOs and government practices as well as the awareness and recognition of the phenomenon of violence against women in Morocco have pushed Morocco to apply a “national strategy to fight violence against women”. This latter is based on three main approaches: Institutional, judicial and preventative.⁴¹

1. Institutional approach

The institutional approach gave birth to the creation of a State Secretary Charged with Social Protection of the Family and Childhood in 1998 (the full name is State Secretary Charged with Family, Childhood and Handicapped People), a competent national mechanism whose main concern is the integration the issue of gender in the “National Strategy against Violence” elaborated in conjunction with governmental and non-governmental organisations.⁴² This is recognised as major positive step in a significant study realised on violence against women. Moreover, a unit for women victims of violence has been created in the Hospitals *Ibn Sina* in Rabat and *Ibn Rochd* in Casablanca, with a register that specifically records the victims of domestic violence.⁴³ For the same purpose, the Directory of the Judicial Police of the National Security has put in place a “focal point on gender” and created a new special entity to fight against violence in the family within this Directory with a Superintendent of the Police at its head .

In 2000, the State Secretary responsible for the social protection of the family and children, in collaboration with international organisations: PNUD, FNUAP and UNIFEM, introduced a project dealing with the issue of “gender and development”. Gender issues were included in the programme for women and development along with the integration of women’s rights and the gender perspective of violence against women.⁴⁴

In 2001, Yasmina Baddou, Morocco’s first female Minister was placed in charge of matters dealing with women, childhood and the integration of the handicapped, and during the same year, she was

⁴¹ Plan Operationnel de la Strategie Nationale de Lutte Contre le Violence a l’Egard des Femmes, Royaume du Maroc et UNFPA, Juin 2005.

⁴² Violence against Women: What protection?, National Workshop of Moroccan Association of People’s Rights, January, 1995. Casablanca.

⁴³ Rabéa Naciri, La Violence Basée sur le Genre au Maroc, Atelier “Femmes et Hommes au Maroc: Analyse de la Situation et de l’Evolution des Ecart dans une Perspective Genre”, Royaume du Maroc, Premier Ministre, Département de la Prévision Economique et du Plan, Direction de la Statistique, UNDP, UNIFEM, ESCWA, 18-19 Mars 2003.

⁴⁴ Stratégie Nationale de Lutte Contre La Violence envers les Femmes, Royaume du Maroc, FNUAP, UNIFEM, Royaume de Norvège & PNUD, 2002.

involved in an action relative to the elaboration of a national strategy to fight violence against women which figured in PANIFD (Plan d'Action National d'Integration des Femmes dans le Development).⁴⁵

2. Judicial approach

The judicial approach is demonstrated by the ratification of many conventions, such as: The Moroccan ratification of the Convention on the Rights of the Child in June 1993, and the ratification of CEDAW (14th June, 1993) and its publication in the Official Bulletin n° 4866, 18th January, 2001, which is another national governmental step towards male-female equality (Article 2, paragraph 2 of article 9, paragraph 4 of article 15, and articles 16 and 29).

Moreover, the judicial reforms to the Penal Code (2003), Work Code (2003), and Family Code (2004) contribute, directly or indirectly, to empower Moroccan national strategies to fight gender-based violence. Indeed, the new Family Code calls for equity and equality in family responsibilities and it establishes new rights in marriage and divorce.⁴⁶

3. Preventative approach

This approach concentrates on the process of raising public awareness regarding the importance of fighting gender-based violence within Moroccan Society. From November 24th to December 10th 1998 a national campaign of sensitisation to fight violence against women was staged in collaboration with the United Nations and Moroccan NGOs. The aim of the campaign was to break the silence on juridical, social and sexual violence against women.⁴⁷ During the same year, the National Action Plan Project for Integrating Women in Development was introduced with the aim of asserting some basic rights for women against discrimination and abuse.

⁴⁵ Ibid.

⁴⁶ Plan Operationnel de la Strategie Nationale de Lutte Contre le Violence a l'Egard des femmes, Royaume du Maroc et UNFPA, Juin 2005.

⁴⁷ Strategie National de Lutte Contre La Violence envers les Femmes, Royaume du Maroc, FNUAP, UNIFEM, Royaume de Norvège & PNUD, 2002.

4. Conclusions and Recommendations

In short, though a number of relevant laws, policies, guidelines, concepts, rules and definitions have been adopted, establishing a theoretical framework for the response to violence against women, the means to implement this framework have not been successful. Actually, domestic and sexual violence still continue to be regarded as a phenomenon belonging to the private sphere which does not constitute a human rights violation or an authentic social problem that merits investigation, research and analysis.⁴⁸

Indeed, violence against women continues to be surrounded by a culture of silence due to the following reasons:

- As many laws in Morocco discriminate against women, it is hard to distinguish which type of discrimination is legal and which is a crime. As a consequence, there are serious gaps in the levels of awareness of the problem as well as in legislation, political definition and appropriate programmes focussing on the elimination of violence against women. More importantly, violence against women is not taken seriously. It is underestimated, and often it is only addressed in the private sphere.

- While the government of Morocco advances the human rights of women, the latter are still far from fully enjoying human rights on an equal footing with men. Women continue to suffer from discriminatory laws and practices even after the establishment of the new Family Code. This phenomenon may be due to many factors, among which we can cite the following:

- The persistence of a traditional male-dominated society. For example, it appears that the incidence of rape in Morocco is heavily underreported due to the social stigma attached to the loss of virginity and the difficulties women face in proving that they have been raped. The latter is due to the fact that, on the one hand, there is generally no witness to the violence and, on the other hand, the judges often confuse the proof of absence of consent to rape with the proof of a woman's sexual morality. Another fact that may discourage women from filing a complaint is the risk that if she is pregnant and cannot prove that she was raped she may be charged with having had unlawful sex. Accordingly, the Government of Morocco should repeal the evidentiary rules which place a large part of the burden of proof on the rape victim and which may even put the victim at risk of being punished for adultery.

- The illiteracy rate for women is still very high, particularly in rural areas, with the result that, although women in Morocco appear to be economically active compared to other countries in the

⁴⁸ Rabéa Naciri, *La Violence Basée sur le Genre au Maroc*, Atelier "Femmes et Hommes au Maroc: Analyse de la Situation et de l'Evolution des Ecart dans une Perspective Genre", Royaume du Maroc, Premier Ministre, Département de la Prévision Economique et du Plan, Direction de la Statistique, UNDP, UNIFEM, ESCWA, 18-19 Mars 2003.

region, they frequently occupy low-qualified jobs and are also still severely underrepresented in politics.

- Poverty and the lack of adequate structures to shelter and help women.

- Therefore, the following recommendations can be made in order to help the struggle to end violence against women:

- Greater attention must be paid to the barriers that currently prevent women and girls in Morocco from lodging complaints in relation to domestic violence.

- There must be a comprehensive policy and legislative response to the problem of domestic violence as there is no specific legislation dealing with this problem.

- The Government must urgently discuss, draft and adopt specific legislation for the prevention, prohibition and punishment of domestic violence along the lines of the guidelines submitted by the United Nations.⁴⁹ This legislation should be drafted in such a way that it covers both physical and psychological violence and provides for protective mechanisms including restraining orders.

⁴⁹ Special Rapporteur on Violence against Women to the Fifty-second Session of the United Nations Commission on Human Rights (U.N. doc. E/CN/.4/1996/53, Add.2).

5. References

In-depth Study on all Forms of Violence against Women: Report of the Secretary General, A/ 61 / 12/ Add. 1 pg. 22.

Declaration on the Elimination of Violence against Women. New York, United Nations, 23 February 1994 (Resolution No. A/RES/48/104). Available at:
<http://www.un.org/womenwatch/daw/cedaw/recommendations.htm>

Gender-based violence against women is violence "directed against a woman because she is a woman or that affects women disproportionately". CEDAW, General Recommendation No.19, 1992, UN Doc. A/47/38, para.6.

WHO Global Consultation on Violence and Health. Violence: A Public Health Priority. Geneva, World Health Organisation, 1996 (document WHO/EHA/SPI.POA.2).

WHO. World Report on Violence and Health. Geneva: World Health Organisation, 2002; Waters H. et al.

The Economic Dimensions of Interpersonal Violence. Geneva: World Health Organisation, 2004.
Casablanca, Alger, Tunis, Femmes Unies contre la Violence, Analyse de l'Experience Maghrébine en Matière de Violence Subies par les Femmes, Fennec editions.
Violence against Women: What protection?, National Workshop of Moroccan Association of People's Rights, January, 1995. Casablanca.

Rabéa Naciri, La Violence basée sur le Genre au Maroc, Atelier "Femmes et Hommes au Maroc: Analyse de la Situation et de l'Evolution des Ecart dans une Perspective Genre", Royaume du Maroc, Premier Ministre, Département de la Prévision Economique et du Plan, Direction de la Statistique, UNDP, UNIFEM, ESCWA, 18-19 Mars 2003.

Strategie National de Lutte Contre La Violence envers les Femmes, Royaume du Maroc, FNUAP, UNIFEM, Royaume de Norvège & PNUD, 2002.

Plan Operationnel de la Strategie Nationale de Lutte Contre le Violence a l'Egard des Femmes, Royaume du Maroc et UNFPA, Juin 2005.

Special Rapporteur on Violence against Women to the Fifty-second Session of the United Nations Commission on Human Rights (U.N. doc. E/CN/.4/1996/53, Add.2).

Violence against Women in the Mediterranean

Workshop & Exhibition

Cyprus, 27-28 November 2007



Workshop
& Exhibition

THE WORKSHOP



One of the main activities of the project was the organisation of a 2-day workshop that took place on 27-28th November 2007 at the University of Nicosia, in Cyprus. Every effort was made to include participants from diverse backgrounds and particularly to encourage the participation of young women who otherwise might not have had the opportunity to do so. Participants included NGO activists, journalists and women from minority groups, as well as the short-listed candidates of the photo-competition. The workshop aimed to serve as a platform for discussion and identification of areas of common concern, exchange of experiences, and to strengthen ties between women and organisations working on violence against women in the Euromed region.

Day One



During day one participants presented the results of the state-of-the-art report on the situation of violence against women in their home countries. MIGS welcomed the participants by giving them a brief overview of its activities and various projects with an emphasis on the area of VAW.

MIGS focussed mainly on presenting research conducted by the Institute on the situation of trafficking in women for sexual exploitation in Cyprus, its work on date rape cases among young women, honour-related violence, and gender violence prevention in education, as well as data from other organisations or sources on other forms of VAW in Cyprus.

The Alliance for Arab Women from Egypt presented its extensive work in the area of prevention of violence against women, as well as its support services. It highlighted its advocacy and lobbying campaigns to amend existing policies and legislations, as well as its awareness raising campaigns aimed at the general public. Participants were especially excited and interested in the showing of the short film-spots on Honour Killing & Rape which were produced in 2004 by AAW and shown on national television in order to raise consciousness. These were considered as an example of best practice in the area of gender violence prevention and awareness raising.

Association HEURA from Spain presented the situation on violence against women in Spain, providing statistical data and research results. Especially interesting was the distribution of VAW according to women's educational level, which according to statistics shows that violence affects all women, independently of their level of education, a fact which sparked debate between participants because it refuted the idea that with the increase of women's education and autonomy, gender violence would disappear.

ANTIGONE from Greece provided extensive information to the participants in the workshop on the Greek legislative framework on all areas of VAW as well as statistical data on various forms of VAW. ANTIGONE also provided details on its extensive work on trafficking in women, highlighting its involvement in a project "Vocational Training and Awareness for the Police about Trafficking Issues" whereby they provided specialised training sessions to law enforcement officials in 24 counties of Greece.

Working Groups

Following the presentations, participants split up into four Working Groups in order to discuss and report back on the following issues: Project Development for the Prevention of Violence against Women, Media and Violence against Women, How to Design an Effective Awareness Campaign on VAW, and Lobbying and Advocacy Methods on Issues of VAW. Each Working Group was to discuss each issue and present a plan of action for discussion with the other participants.

The first group discussed the development of projects for the prevention of violence against women and based their discussions on the creation of a Euro-Mediterranean Observatory on VAW that would monitor and evaluate national action plans and the implementation of legislation and other policy measures on VAW across the Mediterranean region. They discussed in detail the various steps such as selection of target groups, research and data collection methodologies, and lobbying and advocacy activities to promote policy change.

The second group discussed lobbying and advocacy strategies in relation to VAW. The group participants focussed on the issue of sexual harassment in Egypt and identified target groups and a number of possible actions that could raise awareness and help address the problem more effectively. These included identifying possible allies and partners in the government, engaging faith organisations and community centres, and using the media as an advocacy tool wherever possible.

Group three discussed how to design an effective awareness campaign on VAW, focussing on victims of violence and how women can better access support and protection services. Strategies discussed

included the distribution of postcards in key locations, as well as television advertisements targeted at a broad audience.

The fourth group discussed the media and VAW and innovative ways to promote gender equality in and through the media. Methods discussed included the creation of networks of journalists in the region sensitive to the issue of VAW, engaging the media wherever possible in activities addressing VAW, and using alternative media sources such as internet blogs.

Day Two



During day two of the workshop, representatives of The Cyprus Family Planning Association and the Association for the Prevention of Violence in the Family, two Cypriot NGOs working on violence against women, gave presentations on their work. The presentations were followed by a group discussion on common problems faced by NGOs in the participant countries. The discussion was also followed by suggestions on how to promote future cooperation between countries of the Euro Mediterranean region. One suggestion which was agreed upon by all countries was the hosting of the photo exhibition by each partner organisation in their respective home countries as an awareness raising measure for Violence against Women.

Future Cooperation

It was decided by all the participants on the final day of the workshop that each organisation would investigate the possibility of hosting the Photo Exhibition on Violence against Women in the Mediterranean in their home countries. Heura, our Spanish partners, have already implemented this idea and have organised the photo exhibition in Spain for the celebration of International Women's Day on 8th of March 2008. The exhibition attracted over 200 visitors throughout its duration.

Participants at the workshop also mentioned the possibility of forming an online group as a method of communication and possibly creating a larger network for information sharing among young women and NGOs working on VAW in the region. As a starting point, an email list would be created so that participants could keep in touch and exchange information as well as explore possibilities for future cooperation.

The workshop succeeded in creating a better understanding and greater level of awareness of issues relating to violence against women from diverse and intercultural perspectives. Finally, the partner organisations formed the basis for future cooperation on projects of similar or larger scale on issues of mutual interest.

THE PHOTO EXHIBITION



One of the most innovative aspects of the project was the organisation of a photo-exhibition with photos taken by young women from Cyprus, Egypt, Greece, Morocco and Spain, under the theme “Violence against Women in the Mediterranean”.

The exhibition was the result of a photo competition which was announced in all the partner countries during August 2007 - October 2007. Candidates were asked to take their own camera and capture powerful images representing the issue of Violence against Women from a gender sensitive perspective. Candidates were also given the option to edit the picture/s in colour or design, or even put several images together as long as they used their own work.

Each partner organisation short-listed five photographs according to creativity and originality, gender sensitivity, and ability to raise awareness on Violence against Women among a wide audience, particularly youth. Of the five short-listed candidates one final successful photographer was selected to travel to Cyprus and represent her country in a 2-day training workshop on the issue of Violence against Women in the Euro-Mediterranean region, and to participate in the final exhibition. The final winning entry is published on the cover of this publication with all short listed photographs published in the final pages.



The exhibition opened on Wednesday, 28th of November and lasted for one week at the University of Nicosia, Cyprus.



Name: Melissa Hekkers
Country: Cyprus
Picture name: TURMOIL



Name: Ioanna Katsarou
Country: Greece
Title: Deserted Space



Name: Hanaa Mohamed Abd El Monem Youssef
Country: Egypt
Title: N/A



Name: Aziza Ouguir
Country: Morocco
Title: N/A



Name: Elisabeth Mateo
Country: Spain
Title: For them...

Coordinating Partner:

Mediterranean Institute of Gender Studies, Cyprus
www.medinstgenderstudies.org

In partnership with:

ANTIGONE - Information Centre on Racism, Ecology,
Peace and Non Violence, Greece
www.antigone.gr

Alliance for Arab Women [AAW], Egypt
www.theallianceforarabwomen.org

Association HEURA, Spain
www.edaverneda.org

ISIS Center for Women and Development, Morocco
www.fatimasadiqi.on.ma

Financially supported by:

Anna Lindh Euro-Mediterranean Foundation for the Dialogue between Cultures