



EUROPEAN WOMEN'S
LOBBY
EUROPEEN DES FEMMES

European Women's Voice

The European Women's Lobby (EWL) is the largest umbrella organisation of women's associations in the European Union (EU), working to promote women's rights and equality between women and men. EWL membership extends to organisations in all 27 EU member states and three of the candidate countries, as well as to 21 European-wide bodies, representing a total of more than 2500 organisations.

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Violence against Women in the European Union



Editorial:

By Rada Boric, Member of the Executive Committee of the European Women's Lobby

It is a great pleasure for me, on behalf of all members of the European Women's Lobby (EWL), to introduce to you the very first edition of the European Women's Voice, the online thematic publication of the EWL, dedicated to research and analysis articles on a given issue. We have decided to focus the first edition of the European Women's Voice on violence against women, an issue at the core of our activities and those of our membership, which identified the struggle against all forms of male violence against women as the number one priority of the EWL over 2011-2015. Indeed, violence against women remains the most pervasive violation of women's human rights worldwide and in all countries of the European Union (EU). Every day, seven women die from male domestic violence in the EU. The EWL consistently calls for decisive ac-

tion to put an end to this phenomenon on the part of the EU, which should take a leadership role in protecting human rights, including women's rights.

The aim of this edition of the European Women's Voice is to present an update of a diversity of research and analysis addressing violence against women in the EU. The following pages demonstrate how women's rights face new challenges and new forms of violence against women have appeared, but also how women's organisations are building new horizons of action towards a Europe free from male violence against women. Testimonies and projects will open your eyes to hidden forms of violence against women, despite the illusion of a general awareness of the issue in Europe, and demonstrate the need for persistent and every-

day vigilance and action on the part of decision-makers. In addition, the articles of the European Women's Voice will provide insight into the structural nature of violence against women and highlight its deep roots in our patriarchal societies, arguing for structural solutions.

There is political momentum at the EU level for European action to end violence against women: the European Commission has committed to delivering an EU strategy and action plan, and both the European Parliament and the Council of the EU have repeatedly stated their demands for an EU policy framework on combating violence against women. The EWL has been calling for years for such a comprehensive policy framework building on the international human rights definitions of violence against women. Such a framework should encompass legally-

binding instruments to criminally address all forms of violence against women and strengthen the protection of all women, a European Year on ending violence against women to raise awareness and foster prevention, as well as substantial and sustainable EU funding to support service providers and build partnership with dedicated NGOs.

While the EU has taken the lead over the last fifty years in promoting women's rights related to employment, a strong common policy on violence against women is still missing. We hope that the political work of civil society organisations and growing evidence of the gravity of this phenomenon will lead to renewed political courage to develop strong and comprehensive policies towards the realisation of a Europe free from all forms of male violence against all women. I

hope that you will enjoy the intellectual challenge of the articles that follow, and that reading through them will convince you of the urgency of action and play a guiding role in defining engaged policies, both at European and national levels.



Key dates:

1949: UN Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others

1979: UN Convention on the Elimination of all Forms of Discrimination against Women

1993: UN General Assembly Declaration on the Elimination of Violence against Women (VAW)

1994: International Conference on Population and Development and ICPD Programme of Action

1995: UN World Conference on Women & Beijing Platform for Action

1997: EWL founds an Observatory on VAW

1999: Optional Protocol to the 1979 UN Convention on the Elimination of all Forms of Discrimination against Women

1999: Sweden criminalises the purchase of sexual services

1999: UN designates 25 November as the International Day for the Elimination of VAW

1999: EWL report 'Unveiling the Hidden Data on Domestic Violence in

the EU'

2000: UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children

2001: EWL report 'Towards a Common Framework to Monitor Progress in Combating VAW'

2003: UN Resolution on the Elimination of Domestic VAW

2004: Spain passes a model law for combating domestic violence

2005: EWL starts coordination of the Nordic Baltic Network's Working Together project (2005-2008)

2006: EP Resolution on the current situation in combating VAW and any future action

2006: Joint project of the Coalition against Trafficking in Women and the EWL on Promoting Preventative Measures to Combat Trafficking in Human Beings for Sexual Exploitation

2007: EWL report 'Reality Check: when women's NGOs map policies and legislation on VAW in Europe'

2008: EU adopts Guidelines for development cooperation on VAW and girls and combating all forms of dis-

crimination against them

2009: EP Written Declaration 'Say NO to VAW'

2010: EWL Position Paper 'Towards a Europe Free from all Forms of Male VAW'

2010: EC appoints Myria Vassiliadou, former EWL Secretary General, first EU Anti-Trafficking Coordinator

2010: EC Stockholm Action Plan committing to deliver an EU Strategy on combating VAW

2010: EP Written Declaration on establishing a European Year of Combating VAW

2010: Council Conclusions on the Eradication of VAW in the EU

2011: EU Directive on combating trafficking in human beings

2011: Council of Europe Convention on preventing and combating VAW and domestic violence

2011: EP Resolution on a new EU policy framework to fight VAW

2011: EWL launches campaign 'Together for a Europe Free From Prostitution'



Marginalisation and Othering: When ‘Violence against Women’ Becomes a Cultural Matter

By Celeste Montoya (Assistant Professor, University of Colorado, Boulder) and Lisa Rolandsen Agustin (Post-doctoral Researcher, Aalborg University)

Violence against women has been a recurring theme on the policy agenda of the European Union (EU), showing up as early as the 1980s in the form of soft law European Parliamentary Resolutions and extending into more binding texts, funding and large-scale initiatives since the turn of the Century. The issue of violence against women has been discussed and framed in many ways within the context of the EU: as a problem of male dominance and patriarchal structures in society, as a violation of women’s human rights and as a matter of public ill-health. A relatively new trend in EU policy discourse is the framing of violence against women in almost exclusively cultural terms. For example, increased emphasis has been placed on ‘customary and harmful practices’, such as honour killings and female genital circumcision.

While addressing the seriousness of violence against women belonging to marginalised groups is an important part of expanding women’s human rights, this increased tendency to frame violence against women predominantly in cultural terms contributes to an ethnocentric and deterministic understanding of both culture and violence against women. This is problematic for two reasons: on the one hand, entire groups are stereotyped into a particular (violent) image and the othering of already marginalised groups is exacerbated; on the other hand, cultural explanations tend to de-emphasise the pervasive and gendered nature of violence against women. In our research on policy development within the field of EU policies on violence against women, we have found evidence of this rhetorical framing increasingly in

the texts of policy documents as well as in particular programming practices. To examine this trend we focused on three sites of policy discourse: 1) key policy documents over the past three decades; 2) the Daphne programme, and 3) the EU accession process.

With regards to general EU policy, documents addressing violence against women have come primarily from the European Parliament (in particular from its Committee on Women’s Rights and Gender Equality – now FEMM, previously WRC) and the European Commission. These very different institutional contexts have had important implications for the way in which violence against women has been framed. The earliest policies came in the form of soft law. The 1986 ‘Resolution on Violence against Women’ and the 1997 ‘Resolution

on the Need to Establish a European-Wide Campaign for Zero Tolerance on Violence against Women' were both authored in the Parliament's WRC with strongly feminist framings of violence against women. Both refer to the pervasive and universal occurrence of violence against women. To the extent that differences between women are recognised, both Resolutions acknowledge the different positionality of women from minority groups. While there is some troubling language regarding 'female genital mutilation', the primary concerns raised are not framed in cultural terms, but relate to the situation of economic and legal dependence of migrant women on their husbands as well as their potential isolation in the host society. Both documents highlight gender inequality as the main basis of violence against women and as something that exists in all societies. However, migrant women experiencing violence are considered to be particularly vulnerable because of their dependency and isolation. Thus, breaking the violence cycle may require specific measures as it could prove to be more difficult for isolated or marginalised women to escape violence.

More recent Parliamentary Resolutions stand in sharp contrast, particularly the 2006 'Resolution on Current Situations in Combating Violence against Women and Any Future Action'. Over half of this document focuses on 'cultural violence', including 'female genital mutilation', 'crimes of honour', and 'forced marriages', couched in strong language that treats marginalised groups as cultural outsiders who may need special help until they adopt more European norms on violence against women. A 2009 Resolution calling for a Commission-run 'Say No to Violence against Women Campaign' however, appears to return to a more balanced and promising feminist framing of violence against women as a widespread and universal problem, but one that may impact

groups of women differently. Rather than focusing exclusively on 'cultural communities' it calls on Member States to have regard for 'the specific circumstances of certain categories of women who are particularly vulnerable to violence' and includes within this list 'women belonging to minorities, female immigrants, female refugees, women living in poverty in rural or isolated communities, women in prison or other institutions, girls, homosexuals, women with disabilities, and older women'.

Key policy documents from the European Commission include the 'Roadmap for Equality between Women and Men (2006-2010)', the 2008 'Guidelines on Violence against Women', and the 'Strategy for Equality between Women and Men (2010-2015)'. The Roadmap lists violence against women as one of the primary issues needing to be addressed in relation to gender equality. However, it provides a very narrow conceptualisation of violence against women, with a primary emphasis on 'customary and traditional harmful practices' in general, and 'female genital mutilation' in particular. Broader forms of violence against women (such as domestic violence) are rendered invisible. The 'Strategy for Equality between Women and Men' refers to different kinds of violence against women but emphasises 'female genital mutilation' which is singled out as the primary key action within the field: 'The Commission will adopt an EU-wide strategy on combating violence against women that will aim, for instance, at eradicating female genital mutilation.' In contradiction to these relatively narrowly framed discussions of violence against women, the European Commission's 2008 Guidelines is one of the EU's most thorough and comprehensive documents addressing violence against women, laying out explicit roles and responsibilities of EU institutions and Member States in combating violence against women... in other countries.

This document is designed to guide Member States in addressing violence against women in their external relations with other countries. This alone frames violence against women as a problem predominantly found and needing to be addressed in non-European cultures.

Analyses of the Daphne programme and the accession process provide examples of how the Commission puts the framings of violence against women into practice. The Daphne programme is, arguably, one of Europe's most important capacity-building programmes aimed at combating violence against women and children. It has provided millions of Euros to advocacy organisations and efforts across the EU, including organisations in candidate states. In Daphne, we see a contradiction in how issues are prioritised in programme documents and in actual funding allocations. We see the same trend in increasing ethnocentric cultural discourse and at the same time there is decreased funding for projects that might serve to effectively address the particular needs of marginalised groups. The shift in discourse for the most recent phases of Daphne is first and foremost seen in the broadening of the scope from a programme to 'Prevent and Combat Violence against Children, Young People and Women' to also include 'and to Protect Victims and Groups at Risk'. Accompanying this shift, legislation, annual work programmes, and calls for projects increasingly emphasise and prioritise projects aimed at addressing 'violence or abuse linked to harmful traditions, practices (e.g. female genital mutilation, forced marriage or forced sexual relationships, "honour killings")'. Diverging from this rhetorical trend are the patterns of funding allocation. Projects addressing violence against ethnic/racial minorities, migrants, and refugees reached a high point around 2001-2003, when they represented almost half of all projects funded. After 2003, a dramatic decrease is

detected and by 2008 and 2009 only 10% of projects were aimed at related marginalised groups. Thus, the rhetoric of the Daphne programme reflects the ethnocentric cultural discourse on violence against women found in other EU documents, and falls short in the one way that it could potentially address difference in a meaningful and positive way, namely through project funding.

Our research on European enlargement and the accession process also shows problematic application of cultural violence frames. An analysis of accession progress reports shows that candidate countries which are perceived as particularly different from the EU in cultural terms are scrutinised in more detail in the monitoring of policies on violence against women. This is the case with countries with different religious traditions than the majority of EU Member States, such as Turkey and the Western Balkans. These findings are related to another general trend in EU policies on violence against women, namely conceiving the problem as a foreign one which originates outside the borders of the EU. In other words, a distinction is created between the non-Europeans, who are related with violence against women, and the Europeans, who are not. In this way, European culture is differentiated from barbaric forms of violence pertaining to the outsiders or the immigrants. This implies, in turn, a cultural superiority and it makes other forms of violence against women, such as battering, seem less urgent and barbaric.

As the EU moves closer to adopting binding legislation regarding violence against women, through the address of domestic violence in the Lisbon Treaty and recent discussions aimed at the development of a European protection order and crisis hotlines, it is troubling to consider the implications this potential important legislation may have if it continues in the trend of culturalised discourse. This discourse

creates a false dichotomy between broader forms of violence against women and 'cultural' forms of violence against women. For example, domestic violence or sexual harassment are almost never discussed in cultural terms or related to particular cultural traditions or the ethnic origin of the majority. On the other hand, the impression which remains is that ethnic minority women are victims of culturally-related forms of violence but not of broader forms of violence against women, such as domestic violence for example. Exceptions to this general trend come, perhaps not surprisingly, from civil society actors: in a 2007 Position Paper in relation to the girl-child, for instance, the European Women's Lobby discusses pornography as a cultural element and a trait of European society leading to an image of girls in the public sphere which may enhance violence against women.

Now, the question remains how we can address different kinds of violence against women in policies without stigmatising certain groups. Theoretically, the challenge consists in balancing between universality and intersectionality: violence against women is a universal phenomenon because women across socioeconomic status and ethnic backgrounds can become victims. At the same time, the problem poses different challenges for women depending on their specific situation and background. Thus, leaving a violent relationship, which may in itself be a tremendous challenge, can be further hindered or facilitated by the resources, employment situation and networks, for example, which the individual woman count on. In other words, it is imperative to combine the universal protection of women's rights with the consideration of women's differentiated positions in society in our approach to the problem of violence against women. This is not least true for the formulation of policies such as those at the EU level.

In sum, recognising differences is crucial for developing policies that effectively address the violation of women's human rights through violent practices. In addressing these differences however, it is necessary to avoid cultural framings of violence against women that reemphasises the differences between insiders and outsiders, or between 'us' and 'them'. Counteracting gender inequalities while, at the same time, reinforcing other forms of oppression such as between ethnic majorities and ethnic minorities does not help women in general nor those who suffer from violent oppression. Rather, it can be considered an exclusionary form of intersectionality practice as it contributes to the creation of cultural stereotypes and the stigmatisation of certain groups. In other words, the culturalisation of certain forms of violence against women contributes to the othering of marginalised groups and it takes away from gendered understandings of violence against women by emphasising the cultural element. The aim of establishing specific programmes to target certain vulnerable groups could be overshadowed by the negative effects of cultural framings, i.e. creating prejudices towards entire collectives based on cultural assumptions.

This article is based on a common study concerning the cultural framings of violence against women in EU policies and initiatives. Part of the research was carried out in relation to the QUING project, funded under the European Commission's 6th Framework Programme.

For more information, see:
www.ecprnet.eu/sg/ecpg/documents/papers/A-K/AgustinL.pdf



New Challenges, New Horizons

Violence against women is taking on new and different forms, challenging women's organisations in their work to raise awareness on the pervasiveness of this phenomenon. We face new challenges in the way violence against women is trivialised, be it through the pornification of the public sphere, which renders public policies fighting violence against women difficult, the development of counter-productive men's movements, or the veiling of the violence inherent in the system of prostitution. Women's organisations have therefore developed new strategies to counteract these phenomena, from fostering discussion on violence against women and change in public opinion to denouncing hotels offering pornography. Today, we face new challenges for women's rights, but benefit from new horizons for action and positive change towards equality!



The Last Gasps of the Pro-Prostitution Camp in France?

Michèle Vianès, Vice-President of the French Coordination for the European Women's Lobby (CLEF), President of Regards de Femmes, France

In France, the pro-prostitution groups have at regular intervals, attempted to win over the public to their cause. Recently, two attempts have hit the headlines, both of which are clearly motivated by financial interests. One was initiated by associations of disabled people families to get the use of sexual services included in disability grants paid by the State, the other by an individual entrepreneur who has set up a company offering 'sexy French maid at home' services.

In this first case, the request for 'sexual assistants' for people with disabilities was based on a call for charity, paid charity! The pro-prostitution lobbyists were supported by politicians from the left and the right who chose to forget the quote of George Sand: 'Charity degrades those who receive it and hardens those who dispense it.'

A Member of Parliament from the President's party (right-wing) wanted to introduce a Bill that would see the salary of 'sexual assistants' covered by the disability grants paid by the state.

A conference at the Hôtel de Ville in Paris (left-wing): 'Disability: affection, sexuality, dignity', was supported by those who wanted to make official a 'right to' prostitution, which was hypocritically renamed 'sexual (or emotional) support services'.

Women's organisations strongly opposed this attempt. Roselyne Bachelot, Minister for Women's Rights was strongly against the move. Femmes pour le dire, femmes pour agir (FDFA), an association of women and men with disabilities, members of the French Coordination of the European Women's Lobby (CLEF), was not invited to take part but made their objection public with the support of the CLEF. FDFA welcomes the increased awareness of the sexual and emotional life of people with disabilities within society, but using prostitution whatever guise it might take, cannot for any reason be a solution. The answer is not additional paid services, but accessibility to professional and leisure activities for persons with disabilities, and more opportunities to meet people.

At the same time, we saw a service called 'sensual clean service' being set up. It is presented as entertainment but sens 'young sexy and sensual women' to one's home. These 'services', according to the terms and conditions, are not allowed to take place where children are present and only within the clients' homes. These 'French maids' are presented in underwear and the advertisement quite clearly suggests services of a sexual nature are on offer.¹

The conditions of these 'services' clearly show that they submit these 'employees' (presented as 'our girls') to solicitations and sexual harassment which the 'services' clearly aim at organising and encouraging. What's more, the hourly rate of €75 to €150

¹ The businessman took down his internet website following the case before the Public Prosecutor brought by Regards de Femmes and there was no longer any trace of this initiative on the internet. For more information see the following article: <http://www.lyonmag.com/article/21882/sensual-clean-services-regards-de-femmes-saisit-le-procureur-de-la-ra-publique-de-lyon>

according to the promotional material on the internet far exceeds the usual rate of pay for household cleaners.

As these services were offered in the county where the organisation Regards de Femmes is based, the association condemned the reproduction of archaic models: using money to turn women into objects and to encourage male domination – the old-fashioned out-of-date images portrayed by this type of website pollute the sexual image of young people as well as the not-so-young.

At the same time, Regards de femmes used all the legal tools available to them. The association brought these matters before the Public Prosecutor, susceptible of coming under the act of procuring, with the ensuing criminal/legal consequences for the organization of this network and their 'clients' who must be totally aware of what they are purchasing. The association also drew attention to the employment discrimination based on age, sex

and physical appearance which was advertised on the internet.

The association interviewed the Labour Inspection on the employer's compliance with the entertainment employment laws, and on the use by the 'clients', by abuse of rights or fraud, of socio-fiscal advantages for domestic workers and carers, with the pertaining risk of sanctions.

At the beginning of media coverage of this case, the businessman boasted, even threatened, that he would file a complaint against the feminists who opposed his 'freedom to set up a business', but after the case, when a procedure was very quickly put in place by the relevant legal bodies, the businessman declared having closed his website and his business.

It is therefore high-time that the French Members of Parliament propose a bill which would criminalize prostitution-users, abolish soliciting and establish effective policies for alternatives to

prostitution for anyone who wishes to get out of prostitution.

But the report and recommendations of the Parliamentary information service² on prostitution, as well as the support of the Minister for the criminalisation of prostitution-users have created an outcry by all arch-conservatives. This not only takes away a 'right' from men to use women's bodies to satisfy their sexual urges, but they are also trying to pretend that the paid women are free to make their own choices. Whereas, what is at the core of prostitution is that the sexual act would not take place if no payment took place.

It is urgent that in France today we introduce laws to prohibit payment for sexual acts if we want to fight effectively against patriarchal traditions and the violence they generate.

² Chaired by Danielle Bousquet (PS), with Guy Geoffroy (UMP), rapporteur Article du Monde ' La prostitution n'est pas une fatalité ' <http://www.daniellebousquet.fr/article/articleview/1051/1/277/>

Retro-sexism – how the media use sexist representations in an humorous way... and make them seem 'in'

Women's organisations have for decades been drawing attention to the impact of sexist advertising on people's representations of the roles and relationships between women and men. Whether consciously or subconsciously, sexist stereotypes and representations in the media, advertising and virtual spheres both reproduce the patriarchal structure of our societies and contribute to its perpetuation, through the representation of women as commodities, in male-dependent or family-dependent roles (victim or sexual object, sacrificial wife or mother...). Sexism in the media has therefore been recognised as a form of violence against women, for it trivialises attitudes that allow for men's domination over women.

There is however a new trend in communication strategies: retro-sexism. Retro-sexism consists of modern attitudes and behaviors that mimic or glorify sexist aspects of the past, often in an ironic way. In her book 'The Rise of Enlightened Sexism', Susan Douglas has drawn attention to this worrying phenomenon: 'While we think we are in on the joke, the reality is they aren't making fun of or pointing out sexism, they're doing it. Remember advertisers have one goal that's to sell you a product. [...] The easiest way to do this is to use sexist representations that replicate the status quo and don't challenge anything. Marketers love the uber ironic sexist style of advertising because they can use all the racist, sexist, misogynist imagery they want and simultaneously distance themselves from it with a little wink and a nod.'

Retro-sexism is based on the widespread belief that we have reached equality and plays with this illusion that women have equal rights to men, in order to use the sexist representations while not being accused of sexism. 'Enlightened sexism insists that women have made plenty of progress because of feminism — indeed, full equality has allegedly been achieved — so now it's OK, even amusing, to resurrect sexist stereotypes of girls and women. After all, these images can't undermine women at this late date, right?' The struggle against sexism in the media has gained renewed urgency!



#talkaboutit

Strength by Nathalie Daoust (Shortlisted for EWL Photo Competition 2010)

By Olga Persson, Association Secretary

The Swedish Association of Women's Shelters and Young Women's Empowerment Centres, SKR

In connection with a discussion regarding the media coverage of the Assange case,¹ Swedish journalist Johanna Koljonen started to tweet, openly and intimately, about her own experiences of drawing lines and negotiating grey areas in sexual situations. Hundreds of people followed Koljonen's example on Twitter under the hashtag #prataomdet ('#talkaboutit'). As a result, several Swedish magazines, newspapers and other media outlets published articles on the subject. In a matter of days, international media, such as The Guardian, Die Welt, BBC World Service, Norway's Dagbladet, Finland's Helsingin Sanomat, and others have followed suit.

When everyone 'talks about it', power structures become apparent

SKR likes #talkaboutit. When many people 'talk about it', power structures become apparent. We can then lessen feelings of guilt and shame and discuss the norms relating to gender and sexuality which follow us all the way into the bedroom.

Every day, staff and volunteers at women's shelters and young girls' empowerment centres meet people who

have been subjected to acts of sexual assault and rape which are perceived as being in a grey area. Sometimes they are expressions of a constant mental, physical and sexual violence in a steady relationship. But they may also be something which happened with an acquaintance at a party after initial mutual consent – or in a steady relationship which is otherwise free from violence and assault.

Many stories, mainly those which reach the young girls' empowerment centres, are similar to those described in #talkaboutit. They often describe an isolated assault which leaves its mark on the individual's sexuality. The overall collective perception of sexual assault leaves its mark on society and on our attitudes towards women, men, power and sex.

The most important thing for the centres is to counter the sense of guilt and shame a woman often feels over what she has been subjected to. Many women realise that they have been the victims of an assault, but they also know that their story will be met with ridicule, scepticism and accusations or blame.

The women and young girls who contact us are often unsure about their right and ability to set limits; by 'right' we mean not only the right by law, but

also the right given by those around them – friends, family, people they know, their boyfriend or girlfriend and even themselves. The people involved know that lines have been crossed, or they would not describe the situation as a grey area. In many cases, the act of assault is also an act of rape, according to the law. But the silence makes it difficult to talk about it to others. The silence prevents healing and makes the destructive power structures and norms invisible.

It is up to each of us to ensure that having sex feels right for everyone involved before, during and afterwards. #talkaboutit shows, as does the experience of women's shelters and young girls' empowerment centres, that many people are afraid of being seen as being difficult, or of making the situation worse. For this reason, it is important to understand your sexual partner's signals. Everything that follows a no, and also everything that takes place before consent is clearly given, is an act of assault. We must work hard to make sure that guilt and the fear of being seen as difficult do not prevent us from exercising our self-evident right to say stop when sex does not feel right. This applies to girls and boys, women and men. We cannot bring about change unless we talk about it!

¹ Wikileaks founder Julien Assange faces two charges of rape in Sweden.



Women's Shelters Invest in Porn Free Hotels

Roks, The National Organisation for Women's and Young Women's Shelters in Sweden

For many years Roks, The National Organisation for Women's and Young Women's Shelters in Sweden, has taken vigorous measures against pornography, as a part of the work against sexual exploitation of women. Now the organisation initiates a campaign to make it easier for customers to choose porn free hotels in Sweden and Europe. This Spring, Roks launches a brand new quality label - the logo 'Porn Free' - that hotels can use to advertise that their hotel or conference center is free from pornography.

The quality label 'Porn Free' guarantees that the hotel offers their guests a stay free from exposure to pornography on TV, DVD and pay-TV. Since 2002, guests who prefer porn-free hotels have been able to find such lodgings online, through a website hosted by Roks. This spring the work for more porn free hotels will expand. As a hotel owner, you can now promote your position by adorning your homepage with a 'Porn Free' logo.

Authorities and organisations that book porn free hotel stays can also use the logo to demonstrate that they renounce pornography.

Today approximately 150 hotels and conference centers in Sweden are porn free. Roks chairwoman Angela Beausang hopes that the new logo will revitalise the project and make the interest spread across Europe: 'Today almost all Swedish authorities and organisations book porn free for their employees and guests. We hope that this trend will find its way to the European Institutions as well. In addition, I am sure that an increasing number of individuals will seek this possibility.'

In the future, the Porn Free certification can also be used in other businesses, such as grocery stores and movie stores.

Male Domestic Violence against Women and the Threat of the Separated Fathers' Movement in Italy

By Oria Gargano, Italian Expert to the EWL Observatory on Violence against Women

Femicide in the family

In Italy, a woman is killed by her partner, former partner or a family member every two to three days. This represents the highest incidence of death from male domestic violence in the European Union. This femicide is the result of centuries of male violence against women in Italy. Figures keep on demonstrating the prevalence of such murders: in 2007, the media reported 107 incidents of this type; 112 in 2008 and 119 in 2009.¹

Interestingly, figures on violence against women on an annual basis can be found only through women's organisations, because in Italy there is no data collected by the Ministry of Interior or Ministry of Justice, or by any kind of official institution. The reported data, though impressive, is therefore not exhaustive, and reflects a lack of political interest from the public authorities. The only official research on violence against women was realised in 2007 by the National Institute of Statistics – ISTAT. According to this data, 10 million women in Italy are suffering or have suffered male violence; only 7% of them reported it, and only 2% are supported by women's groups that help women victims of violence, supporting them in re-building their lives, helping them in legal terms and providing them with rooms in shelters, if the situation is particularly dire.

The vast majority of these killings

¹ Casa delle donne per non subire violenza - Bologna

take place when a woman, with great effort and courage, decides to end the relationship with her abusive partner. Too often, a violent man does not accept being left behind and losing control over his victim.² According to our traditional patriarchal culture, it is a shame for a man to be left by his wife. Moreover, his disappointment is likely emphasised by the comments of friends and relatives, and can grow until it turns into a murderous rampage.

However, such femicide is not recognised as a clear form of male violence against women and does not lead to strong convictions rates for murderers. Italy has not yet developed a National Action Plan on violence against women, despite its ratification of several international women's rights instruments such as CEDAW and the Beijing Platform for Action.

Fathers' movements on the rise: a symptom of Italy's patriarchal identity?

In addition to this very visible form of male violence against women, many women see a new form of male domination which is subtly developing over recent years and aims at creating new forms of male control over women's lives and rights. New organisations are being set up gathering divorced fathers

² Eva Lundgren has developed research on this 'process of normalisation' of domestic violence; http://genderingviolence.soc.uu.se/Keynotes/Eva_Lundgren/

or husbands, with the purpose of developing a strong political agenda. These organisations aim at restoring traditional social roles for women and men, through revenge discourse against women, and very smartly use the recent trend of 'story-telling' in the media to gain public attention and compassion.

Such organisations use many strategies to reach their goals. The first consists of widely referring to mass media and public opinion, and using new TV shows to complain about the results of their divorce or separation procedure, arguing that they are not allowed to see their daughters and sons after the decision of the Civil, Criminal or Juvenile Court. But these separated fathers are silent on the reasons that determine the major limitations to their visiting rights: such limitations are decreed only when the father was abusive and demonstrated violent behaviour towards his partner and his child/children. Fathers' organisations abusively use the gender equality argument, by stating that children should be equally looked after by both parents, whatever has happened before the separation. In these situations, the media and the general public tend to support the 'poor man' and to stigmatise women, and the discussion focuses on how women have become too assertive, therefore putting men in a state of confusion. Italian public opinion still tends to think that 'a bad father is better than no father at all...'

Such 'equality' argumentation is broadly used in court too, when judges have to decide on parental rights and analyse the history of the couple. Such fathers' organisations support their members by developing theories on the 'symmetry of domestic violence',³ according to which perpetrators of violence are as likely to be female as male, therefore getting rid of the broader analysis of socially constructed roles for women and men and the unequal power balance that still prevails in all spheres of society.

Such vicious strategies seem to gain support amongst the public. There is already strong criticism of judges who entrust children to their mothers in such cases. Mothers are accused by their partners of lying in alleging experience of violence and of 'inventing' child abuse in order to obtain more favourable divorce conditions. This approach also impacts on the work of judges and provokes unease at the decision to prohibit a violent father to see his children; such decisions are taken in very serious cases, and judges must continue to guarantee women's rights and human rights, whatever the popular pressure. It is a crucial question of social justice.

On 30 June 2005, the European Court of Human Rights in Strasbourg ruled against a father from Naples, who was appealing the decision taken at Italian level to limit his child visitation rights due to risk of sexual abuse (he had been convicted of abusing his child together with three other men). The lobby of separated fathers considered the sentence 'scandalous', despite the evidence of the man's crime.

Moreover, 'scientific' arguments are mobilised to counteract the women's rights' perspective in trials. In many courts, during the separation, husbands' lawyers appeal to the so-called Parental Alienation Syndrome (and other similar terms).

³ See John Archer, <http://psycnet.apa.org/journals/bul/126/5/651/>

According to its author (Gardner, 1985), the 'Syndrome' is the result of 'programming' or 'brainwashing' attempts by a parent on her/his child or children, with the aim of 'denigrating' and 'vilifying' the other parent.⁴ Fortunately, academics deny that this syndrome exists and has scientific relevance or value. Unfortunately, such arguments seem to be more popular than the feminist analysis of male domination, and convince many people in a society where we tend to privilege individual emotional stories to mobilisation against societal dynamics of oppression.

As a result, some women report questioning of their complaints against violent partners and many are unsure that the law is supporting them. This is very problematic, as it shows how some individuals can challenge the implementation of the law and the perception that people have of the issue of violence against women.

Moreover, some cases result in shared visiting rights, which oblige both parents to adapt in order to allow children to spend equal time with them. This often leads to women having to change their life plans because of the need to ensure stability for the children (in particular with regards to schooling). Fathers' lobbies played a great role in the adoption of Law 54 in 2006 on 'shared entrustment' in case of separation. According to this law, children remain under the parental authority of both mother and father, and the separated parents must decide together on the most relevant issues regarding their children's life and education. Of course, this is possible only when the parents have the capacity of maintaining good relations. But this law is applied also when the father was found guilty of ill treatment, and even of child-abuse. A recent bill was drafted by the Left to exclude the implementation of this

⁴ See <http://lnx.papaseparati.org/psitalia/pas/studio-di-gardner-sulla-pas-la-sindrome-di-alienazione-genitoriale-2.html>

law in case of severe male violence, but it has not been approved. This means that fathers are prohibited to see their children only in very dramatic situations.

The solidarity given to these 'poor fathers' is so strong that the mayor of Rome has instituted 'Houses for separated fathers', mini apartments for which they pay only a very small rent of €200 per month for a fully equipped apartment, including night guard service, and the availability of a psychologist every day. This measure costs the City of Rome €346.347 per year, an amount that could be directed to preventing domestic violence. Women's NGOs see such policies as problematic because they are not accompanied by a reiteration of support to women's NGOs and service providers for women victims of male domestic violence.

The Italian institutions and politicians continue to privilege the only legally recognised form of family based on heterosexual marriage, with roles and tasks strictly divided between husband and wife, and to develop policies which aim at keeping family members together, despite significant research showing that the family is host to major violence against women and children.

This is a very dangerous time for women's rights in Italy, and the movement of separated fathers emphasises the uncertainty of the rights gained by the feminist movement. Italian culture and civilisation are likely to go back many years...



The Purity Movement in Bed with Playboy...

By Julie Bindel, Journalist, UK



Hopping mad, by Guy Bell, GBPhotos.com

What do supporters of the 'abstinence' or 'purity' movement (a fast growing campaign across Europe and the USA which is also linked to the so-called 'pro-life' campaign with a core aim to stop young people having sex unless they enter a heterosexual marriage) have in common with Hugh Hefner, head of the Playboy Empire? Neither can provide a template for decent, responsible sex education for the young people of today.

Whilst Hefner prepared for the opening of his Playboy Club in London in which women will be dressed as bunnies and expected to visually titillate,

flatter and serve male customers, proponents of sexual purity put forward the idea that girls be taught to "just say no" in order to reduce the numbers of teenage pregnancies and sexually transmitted infections.

Purity movement supporters clearly believe that girls alone should be the ones to take responsibility for themselves when research shows that many are abused and coerced into sex by boys and young men. The University of Bristol in conjunction with a UK-based children's charity found that one third of teenage girls in a relationship suffer unwanted sexual acts and one quarter

physical violence. One in six girls surveyed said they had been pressured into sexual intercourse and one in 16 said they had been raped.¹

Something needs to be done. The sexualisation of young girls and the continued normalisation of pornography within popular culture is a reality, and one we cannot brush under the carpet. The UK has the highest percentage of teenage pregnancies in Western Europe – and is second only to the United States, according to the World Health

¹ Barter, C., McCarry, M., Berridge, D. and Evans, K. Partner exploitation and violence in teenage intimate relationships, NSPCC, 2009.

Organisation.²

A sensible approach would be to improve our sex education in schools, but the anti-abortion, pro-purity lobby argue that talking openly about sex can only encourage children to experiment with it earlier. A 2010 government review of how the subject is broached in schools recommended that sex education should be a compulsory part of the national curriculum in primary and secondary schools³ but the plan provoked controversy among some faith-based groups. In the meantime, a survey of over 400 pupils, aged 14 to 17 in the south and west of England found that almost one third learn about sex from porn.⁴

The opening of the Playboy Club has pushed my feminist button every bit as hard as the purity movement and its ill-informed, unfair and sexist comments. Playboy is a multi-million pound, multi-national porn empire which makes its money out of exploiting and degrading women. Hugh Hefner, now 86 but still bragging about bedding 18 year-old women, was at the launch.

The new venue is designed in a way that looks like an ideal venue for James Bond and other suave Gentlemen. The publicist tells me that 'top A-list celebrities, sportspeople and London's elite' was there on opening night.

Playboy Magazine was founded in 1953. Its logo is now found on calendars, air fresheners for cars, children's pencil cases, clothing, women's watches, bed linen, cushions, expensive gift chocolates and mobile phone covers. Whilst magazine sales have dwindled, the Playboy brand grows stronger each year.

Playboy is a throwback to a bygone era

2 See http://news.bbc.co.uk/2/hi/uk_news/7911684.stm and <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1123322/>

3 UK Department of Health, 2010.

4 See <http://www.guardian.co.uk/society/joepublic/2009/mar/30/teenagers-porn-sex-education>

when men had their porn delivered in brown paper envelopes. But with its clever marketing strategies and now venue dedicated to its brand, it will rejoin the bigger players in perpetuating the message that women are playthings for men. The respectable image of the club will bring further legitimacy to the notion that porn is harmless fun.

The average teenager, a 2009 the survey found, claims to watch 90 minutes of porn a week,⁵ and yet porn is harmful to girls and boys, men and women. Those who use it are changed by it, as it becomes acceptable in the minds of the consumers to treat all women in the way they see the women in pornography. It becomes OK for them to view women as sexual objects. When men treat women as sexual objects, they do not relate to them as human beings and begin to think it is fine to treat them like a commodity.⁶

Teenage boys and girls often feel pressurised to have lots of sex, often emotionally detached, at a younger and younger age, and increasing numbers of young women feel obligated to please men sexually because they believe that it is their role.⁷

Many young men and boys have watched fairly hard-core pornography before they have sexual encounters.⁸ Some develop a repulsion of women's bodies on discovery that they were not as clean-shaven and perfect as those depicted in porn, and that real sex was nothing like the sex depicted in pornography. Hugh Hefner can be credited with making porn respectable.

In the 1970s and 80s – the heyday of the Women's Liberation Movement - no respected celebrity would have en-

dorsed the opening of a Playboy Club. But in these so-called post-feminist times, such an event is now viewed as something totally inoffensive and even empowering to women. Poll dancing classes masquerading as 'exercise' are marketed to girls as young as ten, and one department store in London has a range of make-up for pre-pubescent girls on display. Women are dismissing feminism as 'old hat' but queuing up it would seem, to take part in the Slut Walks that have been organised around the world in protest of a police officer's comments in which he blamed rape on the way the victims dress. Feminism should not be about celebrating a word invented by misogynistic men, but these days aspiring to be a 'slut' appears to be more popular than following in the footsteps of Suffragettes.

There are still some feminists with the right idea. Object⁹, a campaign group that protests against the 'hypersexualisation' of culture, and views porn as degrading to women, planned a demonstration outside the Playboy Club on opening night. I will be there.

Hugh Hefner once said, in an interview about the history of Playboy: "I think it simply became clear that the clubs themselves were no longer working. And we were suffering quite frankly in the 80s from a very unfriendly political climate for the magazine." He meant feminism. I want him to say that again, very soon. And I want the purity movement to say nothing at all, ever again, about girls being responsible for the sexual misconduct of men.

5 Idem.

6 See <http://www.angelfire.com/art/antipornography/facts.html>

7 Chyng S., Counterpunch, New York University, 2005

8 Johansson, T. & Hammarén, N., Hegemonic Masculinity and Pornography: Young people's attitudes toward and relations to pornography, *The Journal of Men's Studies* 15(1), 2007.

9 <http://www.object.org.uk>



Turning a Blind Eye: Hidden Violence against Women in the European Union

The women's movement has been key to ensuring that all forms of male violence against women are recognised as such, and that 'private' matters related to violence against women are addressed in public debates and policies. Despite increased awareness and, to some extent, better policies, some forms of violence against women are still not talked about, or even hidden due to prevalent taboos, fear or ignorance. It is a priority of women's organisations to make visible and clarify such forms of violence, such as that faced by Roma women, migrant women, undocumented women, women in prison, women at work or women living in post-conflict regions. It is time to open our eyes and face the pervasiveness of violence against women, in all EU member states.

Photo: Silence Nevermore by Stella Pellegrini (Finalist, EWL Photo Competition 2010)

Recognising the Rights of Undocumented Migrant Women: an Urgent Priority for the European Women's Movement

By Eve Geddie, Programme Officer

PICUM - Platform for International Cooperation on Undocumented Migrants

'The fact that these women haven't got a residence permit in Sweden does not deprive them of the rights that women have been fighting for over the past 100 years. In the struggle to reinforce and sustain all women's rights, without separating anybody by skin colour, nationality and/or citizenship, undocumented migrant women are ignored because of racial and patriarchal structures within our society.'

- 'Ain't I a Woman!' Campaign for undocumented migrant women's right to protection.¹

Promoting and protecting the rights of migrant women with an unsecure or irregular status is an urgent priority for the European women's movement. Access to basic rights and services is increasingly manipulated to control irregular migration, and across Europe, public institutions are incited to join in this oppression. Police stations, hospitals, and public administrations are common locations at which the pursuit and control of migrants' administrative status occur. Shamefully however, those providing essential and lifesaving support to survivors of violence, such as NGOs, women's shelters, and support services, are also engaged in the policing, forced destitution, and institutional violence against undocumented migrant women.

Despite their unprotected status and heightened exposure to ill-treatment, numerous administrative and financial barriers prevent undocumented women experiencing gender-based violence from accessing shelters and other support services in Europe. These difficulties significantly compound their experience of violence and also send a clear message to abusers that they are a 'zero risk' victim whom perpetrators can coerce to engage in degrading or exploitative acts, or threaten to denounce if they seek police assistance.

With nowhere to turn to for help, undocumented women are disproportionately exposed to physical and sexual abuse, and trafficking for forced labour or sex. By sanctioning the removal of support, protection and justice for victims on grounds of their status, national governments and public institutions are actively fostering a culture of impunity, sending a clear message to perpetrators that undocumented migrant women warrant neither humane nor impartial treatment as their irregular status supersedes their most fundamental human rights. Such policies are incoherent with human rights principles and also risk undercutting positive initiatives existing elsewhere in society to combat discrimination and address gender-based violence and exploitation of women.

Under the principle of non-discrimination, undocumented women are entitled to the same treatment and rights as national or resident women

and should be treated as women first and foremost. The only concern of the public administration, the police, the hospitals, and most importantly of women's shelters and support services, should always be the best interest of migrant women as outlined in international human rights standards.

The current impunity existing for violence and human rights abuses against undocumented migrant women and girls is incoherent with the obligation of feminist organisations to address gender-inequalities. There is an urgent need to reaffirm the right of all women, providing equal support and protection regardless of the status of the victim. Discriminatory practices existing in services to support survivors of violence must urgently be identified and removed. Those failing to support migrant women on grounds of their administrative status are compliant in the physical, sexual and psychological abuse of this group by those who take advantage of their limited options.



¹ Available in English, Swedish and Spanish at <http://aintiawomankampanjen.wordpress.com/>

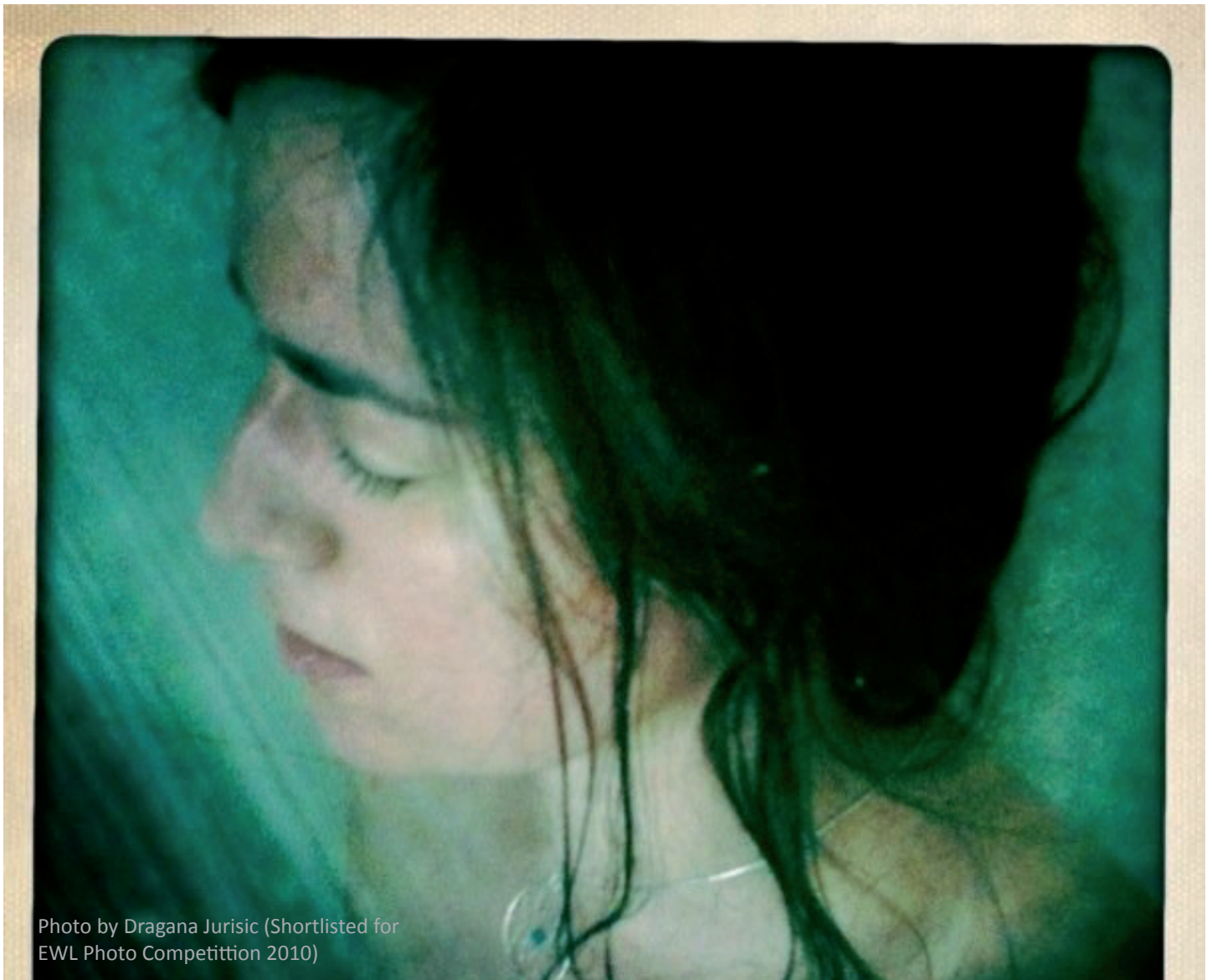


Photo by Dragana Jurisic (Shortlisted for EWL Photo Competition 2010)

Married Migrant Women and Fear of Loss of Legal Status in Finland

MONIKA - Multicultural Women's Association is an umbrella organisation for several associations of women of ethnic minorities, founded in 1998. We aim to support integration and participation of immigrants and to prevent alienation and violence. The Association works to promote health and social well-being by supporting women, children and families of immigrant background, to whose needs the basic services cannot respond adequately.

Anchali came to Finland on holiday, invited by a relative who has a permanent residence in the country. She left her home town in Thailand and was ready to spend a nice time with her family. When she arrived,

she met a Finnish man on the internet, who was interested in meeting someone. They started a relationship and after a very short time they got married. They filed in an application for a visa on the grounds of marriage

and gave it to the immigration police.

Anchali, as she told us later, thought that 'things were different here and all men were good in Europe'.

The violence started at once. Anchali was not given a key to her home and was left alone there without money. Her husband beat her and raped her, sometimes forcing her to have sex several times a day. One of those times, she got pregnant. When her husband found out, he threw her out of the house, threw her clothes into the rubbish and filed for divorce.

After suffering this horror at home for three months, a friend helped her to come to our shelter for migrant women run by the Multicultural Women's Association (MONIKA). But Anchali's problems were far from over: the social services did not want to pay for her stay in the shelter, since she did not have a social security number because her residence permit had not yet been granted. After some negotiation, they gave her permission to stay in the shelter and agreed to cover her expenses. On the other hand, the health services never agreed to see her.

The lowest point came when Anchali received the deportation letter one month after coming to the shelter. Despite the fact that she had found the strength and courage to go to the police to report the violence, the police chose to believe her husband, who told them that the relationship was a fake, that he had received money to marry her and that the coming baby was not his – she had, he claimed, been with many men since her arrival in Finland. Nobody seemed to be interested in taking the investigation further and the police decided to initiate the deportation process.

To this point, we have helped Anchali to find a lawyer who has appealed the deportation. She is still in our shelter, waiting for the court decision, hoping for a fair trial and for time to pass, because once her baby is born she can prove that her husband is the father. The authorities will then have to grant her a residence permit.

Migration through family ties is by far

the most common form of migration to Finland. In 2009, such migrants represented 42% of the total number of visa applications received.¹ More than a third of these were on the grounds of marriage. Despite this obvious fact, for many years, especially during the 1990's, most public attention dedicated to migrants in Finland has focused on asylum seekers and refugees (a much smaller group), their growing number and the amount of Finnish resources needed to meet their needs.

When finally the political debates were starting to give more attention to other groups of migrants, the topic of marriages of convenience seemed to be the biggest concern for many. Once again the possible misuse of Finnish resources was on the agenda. As Anchali's case shows, and other cases frequently encountered by the NGO MONIKA in their Resource Centre and shelter, Finnish authorities have become extremely interested in proving the authenticity of marriages between Finnish citizens or persons residing in Finland and migrants. This interest seems to be so big, that in many cases it is given precedence over the right to receive a fair trial or the importance of identifying a criminal who will most likely repeat his crimes (in our shelter we have seen the pattern of aggressors that pick up one migrant woman after another, to abuse them and then report them to immigration, trying to get them out of the country and unfortunately succeeding in many cases).

Even when the marriage is proven to be 'true' according to the authorities, the residence permit of the migrant will be dependent on their spouse for a long period of time. To start with, the migrant is usually granted a residence permit for a year, and if everything goes fine and the couple is still together, a four-year residence permit will come later. This means that what has been called the 'two-year rule'

¹ Finnish Immigration Service, <http://www.migri.fi/netcomm/content.asp?path=8,2754,2762>

in Sweden or the 'three-year rule' in Norway, has become the 'five-year' rule in Finland. In practice this means that many women do not report the violence because they know that most likely they will be deported if they do not have enough evidence to prove the violence in court and they do not have a child with a person of Finnish nationality or with a permanent residence permit.

On the other hand, in the MONIKA shelter we have seen in 2010 positive results coming from the courts, with migrant women winning their cases and being granted residence permits on grounds of compassion. While they stay with us, we encourage migrant women to collect the evidence they have about the violence they have suffered, we go with them to the police to report the crimes when they choose to do so, assist them in finding a lawyer and accompany them through the always frightening trial process, giving them as much information as possible about Finnish immigration laws and the possible risks they will be facing. Unfortunately, we can never be sure about the outcome, since it is not clearly stated in Finnish law (unlike in Swedish or Norwegian law) that those women who have suffered domestic violence do not have to fear losing their residence permits.

In the NGO MONIKA we believe that human rights should never be dependent on residence permits and it is extremely important to speak up and bring these issues to the light, making them more visible to policy makers. A reform of the law in which specific statements about domestic violence are included, the abolishment of the 'five-year' rule and more services for undocumented migrants are urgently needed.

MONIKA - Multicultural Women's Association has founded the following units:

* The Women's Resource Center Monika (2001) offers low threshold services, guidance and counseling for immigrant women who have suffered violence, honor-related violence, victims of human trafficking and those threatened with a forced marriage.

* Mona Home (2004) - shelter for immigrant women and children.

* Women's House (2009) offers a social environment for immigrant women and children.

Find more information about NGO MONIKA on our webpage: www.monikanaiset.fi

More information:

Some data and statistics about residence permits, asylum or refugees, citizenship and deportation from the Finnish Immigration Service: <http://www.migri.fi/netcomm/content.asp?path=8,2754,2762>

A very interesting discussion on immigration policy debates in Finland, hidden discourses and silenced domestic violence by Saara Pellander: <http://static.sdu.dk/mediafiles//E/6/D/%7BE6D84BCA-9487-4BC4-82EB-7EB8B60757FD%7DPaper%20Saara%20Pellander.pdf>

The Finnish Aliens Act, with amendments up to 2010, unofficial translation: <http://www.finlex.fi/en/laki/kaannokset/2004/en20040301.pdf>

An Increased Number of Immigrant Wives Seek Support in Women's Shelters in Sweden

Roks, The National Organisation for Women's and Young Women's Shelters in Sweden

They come to Sweden with dreams of love and prosperity. The reality they face is completely different.

Every year thousands of foreign women are granted a time-limited residence permit in Sweden on the basis of a relationship with a Swedish man. An increasing number of these women are seeking support in women's shelters. In a new report, Roks, the National Organisation for Women's and Young women's Shelters in Sweden, highlights the phenomenon and proposes concrete measures to overcome the problems.

The difficulties for these women have been known for a long time: even though they are exposed to violence both physically and mentally, they often fall right through society's safety net. Partly because they risk being deported if their relationship is broken, partly because they often lack knowledge about their rights in Sweden.

The majority of these women who seek help at shelters come from Thailand. Other common nationalities are Russian, Iraqi, Filipinos and Iranian. The men have both Swedish and foreign origins.

Roks proposes a series of measures to make the situation of these women less vulnerable:

Firstly, the criticised 'two-year rule' must be abolished. According to this rule a relationship needs to last longer than two years before the migrant can be granted a permanent residence permit. The two-year-rule turns women into prisoners in their own homes. If the relationship ends before the two years have passed, they are normally deported from Sweden. These women have left everything behind, they often come from poor backgrounds and some risk being exposed to honour-related violence if they return, says Roks chairwoman Angela Beausang.

Secondly, Roks suggests that the authorities should do follow-ups on marriages and common law marriages in order to find out whether the relationship is serious. Signs of the opposite could be that the man has had several previous relationships of the same type, or that the couple married shortly before the application for the residence permit.



Butterflies by Linda 2007/U-Yurn/PhotoVoice, from Change the Picture: a self-advocacy project with vulnerable women

Violence against Women and Penitentiary Centres

By Nuria Francoli Sanglas, Mar Camarasa Casals & Laura Sales Guterrez, SURT Women's Foundation, Spain

Women inmates represent less than a 10% of the total prison population of the EU Member States. A low female ratio in the prison population is the most common characteristic of all penitentiary systems in Europe. Consequently, women inmates are one of the most invisible groups of our societies. But behind this invisibility hides an even less known reality: inside European prisons there is an overrepresentation of women who have suffered gender-based violence before their imprisonment.

Women inmates constitute a socially

excluded group that experiences multiple and serious economic, social and cultural disadvantages even before entering prison. The results of the research carried out in the framework of the Women, Integration and Prison project¹ showed, for example, that most of women inmates had a very low educational level, that a substantial number had no schooling at all, and

1 Cruells, M., Igareda, N. (2005). MIP. Women, Integration and Prison. SURT Association, Barcelona. www.surt.org/mip. Project funded under the Fifth Framework Programme, European Commission.

that in some countries, a high percentage had poor reading and/or writing abilities. In England and Wales, 74% of women in prison had left school at the age of 15 or 16, and 39% had no qualification. In France, 8% of women inmates defined themselves as illiterate, and 39% of them declared that they had only received an elementary education. Regarding the situation in the labour market before incarceration, all data showed that a substantial number of women inmates were either inactive or unemployed before their imprisonment or held precarious and/or low-skilled jobs. In Hungary,

37% of women inmates had no occupation before their imprisonment, 8% were unemployed, 6% received social benefits for health reasons and 14% were working at home. In Italy, only 12% of imprisoned women said that they were employed before their imprisonment. In Spain, 45% of women inmates were working before their incarceration in sectors such as domestic services and street vending, while 29% were working at home and 11% were unemployed. Concerning their family situation, data showed a significant percentage of lone mothers among women inmates. In France, 60% of imprisoned women were single mothers. Finally, it is also important to highlight the importance of drug addictions and (mental) health problems among women inmates. In England and Wales, 40% of female prisoners had received support or treatment for a mental or emotional problem in the 12 months prior to their entry into prison and 15% of women inmates had previously been admitted to a mental hospital. In France, 32% of women inmates said that they had frequently taken drugs in the 12 months prior to their imprisonment. In Italy, 21% of women inmates were described as addicted to drugs.

In addition to all these social exclusion factors, violence against women becomes an aggravating factor in the process of social exclusion of incarcerated women and their path towards crime.

It is already known that violence against women has multidimensional effects on women's lives. Such violence deteriorates women's physical and psychological health, it might lead to social isolation, and it might also require women to leave home. Moreover, gender-based violence has also economic effects on women's lives. In this sense, violence against women constitutes a social exclusion factor. In the case of women inmates, the effects of suffering gender-based violence adds to the situation of social exclusion described above, in which many women are immersed before entering

prison. As a result, their vulnerability increases, while their opportunities to develop survival strategies decrease. It is this risk situation that might lead to committing a crime. In this regard, the results of the Women, Integration and Prison² project shed light on the strong link between the experience of violence against women and the beginning of criminal activity.

In order to better understand the link between violence against women and women's criminal activity, it might be useful to briefly analyse the characteristics of the criminal activity of women. In this sense, the results of a research study carried out in 2007 by the Quaker Council for European Affairs on 'Women in Prison',³ show that female delinquency varies from country to country. However, the study stated that in 10 out of the 23 countries analysed, drug offences were the most common crimes for which women were imprisoned. In five countries property-related offences were the most common and in three, homicides. When looking at studies carried out in Spain⁴ (a country not analysed in the above-mentioned study), the situation is quite similar. In Spain, the most common offence in which women are involved are public health offences and, specifically, drug trafficking. In Spain, the percentage of women committing violent crimes is low. Looking at the data, it can be said that, in a great number of cases, women are in prison due to economic-related offences. In this sense, one of the hypotheses is that criminal activity constitutes a survival strategy. As stated

2 Cruells, M., Igarada, N. (2005). MIP. Women, Integration and Prison. SURT Association, Barcelona. www.surt.org/mip. Project funded under the Fifth Framework Programme, European Commission.

3 The Quaker Council for European Affairs (2007). Women in prison. A Review of the Conditions in Member States of the Council of Europe. Available at: www.quaker.org/qcea

4 Yagüe, Concepción (2002). Mujer; Delito y prison. Un Enfoque diferencial sobre la delincuencia femenina. Revista de estudios penitenciarios, número 249. Ministerio del Interior.

before, violence against women places them in a situation of (risk of) social exclusion. The Women, Integration and Prison project points out another possible connection: women imprisoned as accomplices of violent partners who oblige and blackmail them into committing offences. On the other hand, there are also women inmates who are in prison due to a violent crime against their former abuser.

In 2005, the SURT Women's Foundation carried out research to analyse the incidence of violence against women among the female population of Catalan penitentiary centres. The results confirmed what was already suspected: 88.4% of the women inmates had some experience of gender-based violence before imprisonment, whereas in Catalan society the percentage of women who suffer such violence during their lifetime is 26.6%⁵. The statistics showed a clear over-representation of women inside prison who have suffered gender-based violence at some point in their lives.

Despite the high prevalence of experiences of male violence among women inmates, there was, and still is, a lack of in-prison programmes tackling the consequences of this violence. Several documents reiterate international commitment to eradicate all forms of violence against women and to put in place a comprehensive and effective policy framework to combat such violence. This commitment has been expressed in international frameworks (CEDAW, Beijing Platform for Action) and also in the European arena: Council of Europe Recommendation Rec(2002)5 on the Protection of Women against Violence; the Stockholm Programme (2009); the European Parliament Resolution on

5 Enquesta de Violència Masclista de Catalunya 2010 (Catalan Survey on Violence Against Women). Initial results available at: http://www20.gencat.cat/docs/interior/Home/MS%20-%20Programa%20de%20seguretat%20contra%20la%20violencia%20masclista/Elements%20Home/Banners/Documents/Presentacio%20RESULTATS_EVMC.pdf

the Elimination of Violence against Women (2009); the Women's Charter (2010) and the European Commission Strategy for Equality between Women and Men (2010-2015). These documents also recommend States to develop strategies to prevent and combat violence against women and to offer support to those women who have suffered such violence. However, little has been done to offer support to women inmates. As a result of research carried out within the Daphne SPREAD project,⁶ in-prison treatment programmes addressed specifically to women inmates who suffered violence against women before entering prison are only available in three EU Member States, namely Spain (with an independent programme in Catalonia) the UK (England) and Romania.

In Catalonia, the current in-prison programme was initiated in the framework of the ALTRA project.⁷ The programme is called 'Support programme for women inmates who have suffered violence against women'. It is a psychotherapy and psycho-educational programme. The main aim of the programme is to offer a space to support imprisoned women who have suffered gender-based violence before imprisonment. The gender specific objectives of the programme are: a) to facilitate the identification of situations/relationships based on violence against women and provide resources to deal with them; b) to foster awareness of how the gender system is related to unequal relationships that may result in violence against women and how this situation damages the rights of women; c) to offer the possibility to work on the consequences of having suffered violence against women, and to bring women near psychological support in order to promote access to this support, if needed,

6 SPREAD. Spreading throughout Europe expertise and intervention programs with men perpetrators and women survivors of violence against women who are in prison. www.surt.org/spread. Project funded under the European Commission Daphne III programme.

7 ALTRA. Tackling gender violence in prison. SURT, 2006-2008. www.surt.org/altra

after release; and d) to restore the damaged feminine identity and to promote the strengthening of self-esteem and empowerment. The participants are women who have suffered gender-based violence before imprisonment. However, the programme is also open to any other women who might be interested in the issue. Thus, in this sense, it is also a prevention programme. Women's participation is voluntary and their involvement does not influence directly the conditions of their sentence.

In the UK, the National Offender Management Service has developed a set of gender-specific standards for women's prisons, drawing on existing best practices. The standards were published on April 2008 in a new Prison Service Order (4800) on Women Prisoners. They cover all areas of regime provision and should enhance the significant improvements that have already been achieved in the care and management of women prisoners and planning for their resettlement. The document is divided into different 'pathways to resettlement' and one is specifically dedicated to 'Supporting women who have been abused, raped or who have experienced domestic violence'. The document gives gender-specific guidance on action that should be developed inside prisons.

In Romanian prisons, a programme for victims of domestic abuse is being implemented. It is a psychosocial care programme on preventing domestic abuse in conjugal and family relationships. The programme aims at reducing vulnerability to domestic abuse, informing women of their rights, providing alternatives and identifying solutions to come out of the domestic abuse cycle. The programme offers psychotherapy and psycho-educational support.⁸

In order to foster the development of new in-prison programmes dealing

8 More detailed information on the characteristics of the programmes can be found at: www.surt.org/spread

with violence against women, within the SPREAD project, minimum quality standards⁹ on in-prison intervention were defined. It is known that the reality of the penitentiary context and the social and legal situation might be different in each country. Therefore, in order to have successful interventions, the in-prison programmes must adapt to the specificities of the context where they are implemented. However, in order to carry out coherent interventions and ensure quality, a set of minimum standards for the implementation of in-prison interventions was developed. The programmes should be based on the following recommendations:

a) The programmes should be implemented on a permanent basis.

b) It is essential that professionals implementing programmes have appropriate knowledge on gender issues, violence against women and the penitentiary system.

c) The penitentiary centres where the programmes take place need to dispose of adequate space and resources.

d) The programmes need to go beyond the traditional approach of in-prison programmes tackling violence against women, i.e. programmes based on psychological intervention, where violence is considered an individual problem rather than an issue of structural discrimination due to the patriarchal system in which we live in, and impulse and anger control programmes, which forget the gender dimension that lies at the root of violence against women.

e) The programmes should be implemented by external staff in order to guarantee confidentiality and foster a trustful atmosphere. If this is not possible, programmes should be implemented by internal social or health-care professionals with adequate knowledge and expertise.

9 The whole document on the Minimum Quality Standards is available at: www.surt.org/spread

f) Professional supervision should be provided to those implementing the programmes.

g) The programmes should be evaluated and all participants should be part of follow-up activities and monitoring.

h) The programmes should be financed by annually allocated funds from the state budget.

In-prison programmes working with women who have experienced violence before entering prison are necessary for different reasons. First of all, women inmates should have the same rights as women outside prison. Thus, in the same manner as women outside prison, women inmates should have access to support and therapeutic

programmes. These programmes are necessary to recover from violent experiences, to recover self-esteem and to achieve empowerment. Moreover, these kinds of programmes may also help prevent future abusive and violent relationships.

These needs have been stressed by the Council of Europe Recommendation on the European Prison Rules: 'all authorities shall pay particular attention to the requirements of women such as their physical, vocational, social and psychological needs' (Prison Rule 34.1).¹⁰ Moreover, this Recommendation

¹⁰ Council of Europe Recommendation Rec(2006)2 of the Committee of Ministers to member states on the European Prison Rules. Available at: <https://wcd.coe.int/wcd/ViewDoc.jsp?id=955747>

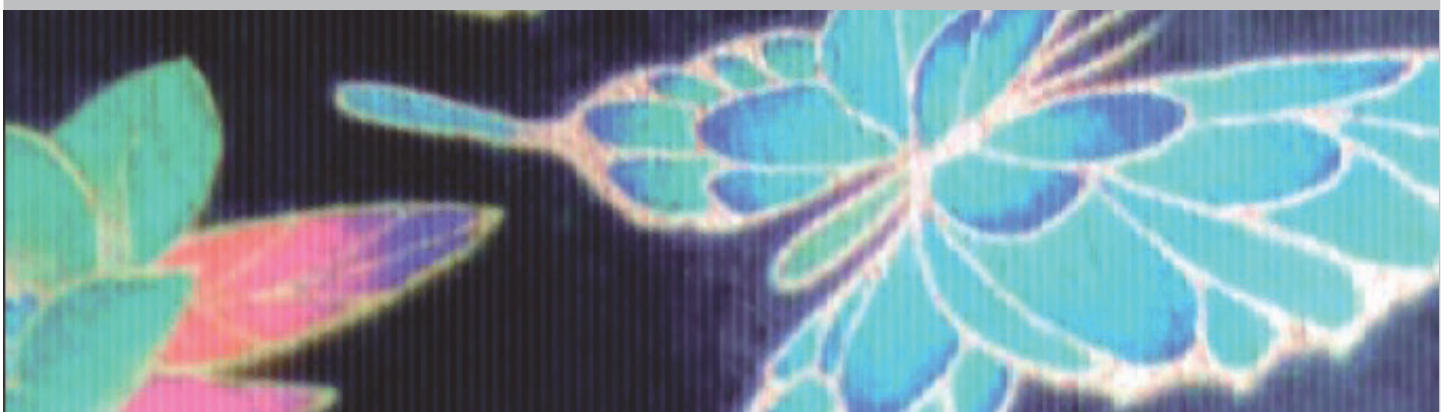
also points out 'that particular effort shall be made to give access to special services for women' (Prison Rule 34.2), making special reference to the fact 'particular attention shall be paid to the need of prisoners who have experienced physical, mental or sexual abuse' (Prison Rule 25.4). In order to comply with the Council of Europe Recommendations, all European prisons should develop in-prison programmes to deal with the extensive gender-based violence experienced suffered by women inmates prior to their imprisonment.

Many women in and out of prison self-harm. Although only 5% of prisoners in the UK are female, women account for almost 50% of reported cases of self-harm in prison. As women, we're not born wanting to hurt ourselves, not born feeling bad about ourselves or struggling to let our feelings out. But things happen to us that leave us feeling that we deserve to be hurt, just for being female and for being young or Black or poor or any of the other identities women have.

There are, of course, many ways a woman can hurt herself. Feeling like she's worthless might mean that she ends up in a series of abusive relationships or numbs herself with drugs, alcohol and other addictions.

For some women, injuring themselves seems like the only way to deal with painful emotions, the only way to get through their life or through their time in prison. When I was employed by the Writers in Prison Network to be a writer-in-residence in a women's prison, women told me over and over again about their early experiences of abuse, humiliation, abandonment, violence or threats of violence – experiences that left them with unbearable feelings that seemed impossible to face. One result of these experiences is that women blame themselves and hurt themselves before someone else can.

by Leah Thorn, extract from the Introduction of Leah Thorn (Ed.), *Release: Women in prison write about self-harm and healing*, 2011





Women's Sexual Rights in Europe - Discreet but Strong Reactionary Pressures

By Pierrette Pape, EWL Policy Officer & Project Coordinator

Sexual rights are a component of human rights: they are an evolving set of entitlements related to sexuality that contribute to the fulfillment of the freedom, equality and dignity of all people. However, women's sexual and reproductive health and rights are not given enough political attention and face challenges that too often lead to their violation. Recent years in Europe have seen the development of policies or social change which effectively reduce women's enjoyment of their rights:

- Cases of conscientious objection, when doctors refuse to perform abortions, rose in Italy from 58% in 2005 to 72% in 2008. In some regions (Sicily, Rome, Campania, Veneto), it is higher than 80%.
- Sex/sexuality education, which is about promoting respectful and equal relationships between girls and boys and deconstructing stereotypes about

sexuality and sexual 'roles' of women and men, is criticised in many countries, in particular by religious groups. In some countries, such as Slovakia, such courses are often part of a religious curriculum, and many information materials are produced by anti-choice groups.

- The new Hungarian Constitution – scheduled to enter into force on 01 January 2012 – poses a grave threat to women's sexual and reproductive rights, as it includes a sentence on the protection of the fetus from conception; it therefore opens up the possibility of a tightening of the procedure in Hungary regarding access to abortion and is also likely to call into question the legality of other fertility and contraception methods and services.
- The economic crisis has been used as a pretext for financial attacks on services attached to women's sexual and reproductive health, and many recovery

plans have resulted in governmental funding cuts to family planning organisations, as has been the case in France for example, leading to difficulties in managing the basic tasks of supporting and counseling women and girls.

All EU Member States are also signatories to the Cairo Programme of Action, adopted at the 1994 International Conference on Population and Development, according to which reproductive rights rest on the recognition of the basic right of all couples and individuals to decide freely and responsibly the number, spacing and timing of their children, and to have the information and means to do so, including access to health care, legal and safe abortion, and reliable, safe and affordable contraception. Such commitments need to be back on the agenda. There can be no regression for women's basic rights!



Abandoning Forced Marriages: a Challenge for the Modernisation of the Roma Community



By Teodora Krumova, Centre Amalipe, Bulgaria

Early marriage in the Roma community a topic which is currently attracting the attention of the so-called 'general public' in Europe. In fact, that which is generally described under the heading of 'early marriage' is actually cohabitation and the establishment of a family and not marriage as such, because in

many cases a legal act of marriage is impossible.

It is clear that early marriages have a very negative impact on the lives of women and girls, to which European societies should be alert. The practice of early marriage is often com-

bined with 'arranged marriage' and even 'forced marriage': usually, it is the parents who initiate this form of cohabitation for their children. Even more often, early marriage leads to a curtailment of education, limiting social development and self-realisation. Early marriages are usually followed by

'early births' as far as, at least within traditional Roma families and marginalised families, the married woman is expected to prove her fertility: her role in perpetuating the family line is highly appreciated but if she cannot fulfil this role she has to bear the heaviest of stigmas. Moreover, early marriages are often accompanied by different forms of domestic violence, high divorce rates and health problems among young mothers.

On the other hand, the practice of early marriages is often related to an undue stigmatisation of Roma communities as a whole. Early marriages are seen as curious, exotic and incomprehensible, a remnant of a marriage model of origins external to our European societies, typical rather of the people who live east of the 'Trieste-St. Petersburg line' (as defined by John Hajnal). This 'exoticism' is used to justify a wider vision of Roma communities as 'backward' and unable to provide a positive model of child development. In Europe we tend to (consciously or otherwise) forget that early marriages were also not long ago typical of the majority of societies to the east of Trieste-St. Petersburg line, and for all of European peoples little before that. We tend to also neglect the fact that not all Roma groups, families and social groups practice early marriages.

In spite of the wide public interest, early marriages have rarely been a subject of discussion within the Roma community. Roma NGOs, formal and informal leaders and activists avoid this issue because they are afraid to further entrench the stigma suffered by the community, and often because they themselves are unsure that the practice can be ended. This lack of engagement represents another challenge to the ending of the practice of early marriage and all the accompanying negative effects.

The project 'Prevention of early/forced marriages'

In this context, the Centre for intereth-

nic dialogue and tolerance 'Amalipe' (Bulgaria), Liga Pro Europa (Romania) and the Association for social support of Europe - ARSIS (Greece) carried out in 2010 a survey within the project 'Prevention of early/forced marriages' supported by DG Justice of the European Commission (in the framework of the Daphne Programme 2009). The project lasted one year and in this time-frame could not have as its goal the complete abolition of the practice of early marriages. Its aim was more modest: to analyse the situation, raise the question in the Roma community and in front of the relevant institutions, and to implement on the ground several prototypes of activities for the prevention of early cohabitation. We believed that this could accelerate the process of ending early marriages and working towards the modernisation of the Roma community, as well as to foster a comprehensive policy in this direction – at national and European level.

The project approached the issue of early marriages on the assumption that the practice is not a fundamental and unchangeable part of Roma culture nor a specifically 'Roma' tradition, and that abolishing the practice will not endanger Roma identity. Early family establishment is a patriarchal, not a Roma tradition: all peoples in their pre-modern development have founded families at early ages. The practice, which today is being called a 'Roma tradition' as it is prevalent among some Roma groups in Bulgaria, Romania and Greece, was typical among the ethnic Bulgarian, Romanian and Greek peoples just two to three generations ago. Beyond that, the practice of early marriages has already disappeared within some Roma groups in these countries without leading to assimilation and loss of identity.

The project also approached the issue of early marriages mindful that the Roma community should be an active participant in efforts to abolish this patriarchal tradition. The actions of institutions and authorities external to and not recognised by

the community are not sufficient; the community's informal authorities, educated representatives and so on have to be involved. This is not only a moral and a human rights issue, but also a question of effectiveness.

Last but not least, the project approached the issue of early marriages with the idea that the abolition of the practice will enable the self-realisation of the affected young Romani women and will support the complete modernisation of the Roma community.

Survey results

The survey conducted by Center Amalipe highlights that the Roma community is in a period of transition. The average age to start cohabiting in the Roma community is between 18,4 and 18,8 years. The most significant and distinct factor for the early start of matrimonial cohabitation and marriage is education. The higher the education levels, the later the marriage or start of matrimonial cohabitation. For example, at the age of 16, nearly 50 percent of Roma with only primary or lower education already have a partner, while amongst the Roma with university degrees this proportion is reached only at the age of 25. Another influential factor is the economic situation of the household. The age of the first cohabitation and first marriage is proportional to the household's average monthly income and average living area per household. The study also revealed significant differences between sub-groups in the Roma community. The Rudari Roma (Romanian language speakers), for instance, tend marry or cohabit later than the average, whereas the average ages for members of the Millet group (Turkish speaking Roma) are younger than the average.

Patriarchal attitudes towards family and marriage among Roma are still very strong. At the same time there is a serious trend to overcome these attitudes. It is getting progressively more unacceptable that parents decide whom their children will marry:

52.2 percent of the respondents think that young people should decide on their own, as against 34.5 percent who accept the idea of parental arrangements. The patriarchal practice of paying a dowry ('babaak') meets broad disapproval among the Roma community. Even if the girl is a virgin, this practice is supported by only 17.9 percent of the interviewed and 69.1 percent of the respondents reject it. In

addition, 47.3 percent of respondents indicate that even if the young people are in love, they should have to wait until the age of 16 before marriage, with 30.1 percent feeling that they should found a family only with parental consent. A very minor segment of Roma will accept the start of such partnerships before the age of 14 years.

The study clearly shows that the stan-

dard household construction within Roma communities is the nuclear family (parents and their unmarried children), and not, as is widely believed, the so-called 'extended family' (parents and one, two or three married sons and their children). This is a clear indicator of the progress of modernisation in the Roma community.



A Personal Story...

I'm Rayna and I'm 38 years old. I live in the village of Kostandovo, but I'm from Rakitovo, Bulgaria. I chose to get married at the early age of 15, because I liked my husband and because at that time I didn't think about the consequences and how hard my life would be.

My husband and his family didn't allow me to continue my secondary education, because he went to serve in the army and I had to be on my best behaviour in the community. I really wanted to do something in the field of fashion, but people wouldn't approve of a married woman 'wandering around'.

I got pregnant fast and during the pregnancy I attended some seamstress classes. Soon I had my first boy and when I finished my maternity leave, I started working in a sewing workshop. I became one of the best seamstresses; my boss and colleagues respected me. I worked there for 17 years.

I have 3 boys who are already married and have children of their own.

Throughout these 23 years of marriage, I had difficulties taking care of my 3 children, my husband and his family. I was working and thinking of how to provide for their future.

Early marriage is one big mistake, because your whole life passes by in a rush – taking care of children, thinking about their future. Your private life is pushed to the background and you turn your back on yourself.

For Roma people, the transition from childhood to adulthood is missing. During the time we have to develop, get to know oneself and prepare for life, we start families, but we are not ready for this.

I appeal to all young girls not to be in a hurry to marry and to continue their education, so that they can develop themselves.

I could have become a designer, because I had talent, but all I became was a seamstress...

Violence against Women in the Work Place

Between 40 and 50 per cent of women in the European Union reported some form of sexual harassment in the work-place. Sexual harassment at work is the only form of violence against women which is covered by EU legislation. Since 2002, sexual harassment is defined as discrimination on the ground of sex and therefore prohibited. However, a research paper found that in the 31 European countries surveyed, female employees are significantly more exposed to workplace bullying than their male colleagues.

The European-wide organisation Mental Health Europe has conducted a two-year project to raise awareness on the mental health impact of violence against women at work. They

found that violence and harassment at work have immediate effects on the concerned women, including a lack of motivation, loss of confidence and reduced self-esteem, depression and anger, anxiety and irritability. In the same way as with stress, these symptoms are likely to develop into physical illness, mental health problems, tobacco, alcohol and drug abuse. These symptoms may culminate in occupational accidents, invalidity and even suicide.

However, violence against women at work is very much hidden and not recognised as such: whilst a growing number of women are taking on managerial jobs, they are still faced with problems connected to exclusionary or

undermining behaviour from men who may consider them a threat. In these cases, as in other spheres of society, sexual harassment is frequently used as a tool of control, benefiting from patriarchal structures and behaviours, coupled with liberal values (such as competition, profit-led activities, etc.) on the labour market, which trivialise male violence at work or in situations related to work and therefore make it very difficult for women to detect and denounce such violence.

Sources: UN Factsheet 2006 & European Foundation for the Improvement of Living and Working Conditions (2007) 'Women and Violence at Work'

Conflict and the 'Other Violence'

By Susan McKay, Chief Executive of the National Women's Council of Ireland

The conflict in the North of Ireland is over, but the other violence, domestic and sexual violence against women and children, continues, and many of its victims still feel as excluded from access to justice as they did when there were armed men on the streets. This was the message from a seminar organised by the National Women's Council of Ireland in conjunction with Foyle Women's Aid and Peace Centres, in Derry in December 2010.¹

The seminar was called 'The Other Violence', and it brought together police, civil servants, probation staff, social services personnel, workers from refu-

ges and feminist advocacy services and human rights activists from both sides of the Irish border.

Derry, the North's second city, is just a few kilometres from the border with Donegal. As is well acknowledged within the EU, this North Western border region suffered serious disadvantage during the conflict, and there is still a lack of investment in its infrastructure. There is, for example, no women's refuge in Leitrim, Sligo or Cavan.

As Chief Executive of the National Women's Council, I chaired the seminar. It was a particularly important event for me. I am from Derry, and in

1982, was one of a group of feminists who set up Northern Ireland's Rape Crisis Centre. What we found, when we opened the doors to our tiny offices in Belfast, was that the political violence had masked an extraordinary level of violence against women.

From 1968 to 1998, when the Good Friday Agreement was signed, the newspapers were full of news of 'the Troubles', footage of bomb blasts and cordoned-off streets was on the television every evening. The rape, beating and even murder of women were hardly reported at all. In those days, foreign journalists would sometimes, during visits to the north,

¹ www.nwci.ie



Fiona Neary, Director of the Rape Crisis Centres Network in Ireland (RCNI) & Professor Tom O'Malley from the Law Department at the National University of Ireland, Galway. Both were speakers at a seminar on cross border work on domestic and sexual violence in Galway in March 2010.

decide to look for something different, and some would come to us.

Too often, they would have pre-conceived ideas. Could we put them in touch with a Catholic woman raped by an RUC man?² A Protestant raped by an IRA man?³

Cases of rape committed against 'enemy' women did occur, of course. But they were rare and there did not appear to be any systematic use of such violence. The truth was, most rape, like most other forms of violence against women, was carried out by men who were part of the victim's own community, or even family. Many women were raped by men who had guns, legally or illegally held – but mostly these men were their husbands, their brothers, their fathers, their neighbours, the man from two streets away in their tightly knit area.

2 The Royal Ulster Constabulary was the almost entirely Protestant police force in Northern Ireland.

3 The Irish Republican Army took up arms against the Unionist state, claiming that civil rights for Catholics could only be achieved if the partition of Ireland into two states was ended.

In the context of the Troubles, having sexual relationships outside of your own community was liable not to be tolerated and carried a high risk. The IRA 'tarred and feathered' young women it called 'soldier dolls'. This was a ritualistic humiliation during which the victim, if she was believed to have been dating a British soldier, was tied up in a public place, tar was poured over her and feathers were then scattered over her.

Loyalist paramilitaries – militant Protestants who took up arms in support of maintaining the Unionist state of Northern Ireland – shot dead people in 'mixed' relationships, meaning relationships between a Catholic and a Protestant. Northern Ireland was a patchwork of largely religiously segregated areas, with Republican paramilitaries exercising considerable social control in certain Catholic areas, while Loyalist paramilitaries had equivalent power in some Protestant areas. Members of the security forces lived in Protestant areas.

Most crimes of sexual and domestic violence were not reported to the authorities. It was not acceptable to

call in the police in many communities – particularly in Republican communities since the Royal Ulster Constabulary had bad history and was perceived to be a unionist force. Those giving information of any kind to it were seen as 'touts' and might be punished accordingly. To a lesser degree, this was also the case in Loyalist communities. Paramilitaries did not want the security forces in their areas. They dished out their own punishments – including kneecappings and shootings of those offending against other members of the community – but they were highly selective, and turned a blind eye in cases of domestic and sexual violence when the offenders were men who supported their cause.

Northern Ireland really was an armed patriarchy. Many women were quite simply denied access to justice. Crimes against them were relegated to the 'private' world of the home and the family, so a man could be seen as a hero in the community even if he was beating or raping his wife or children. Children grew up seeing violence against women and children as part of life. A couple of generations of men grew up seeing such violence as something that could be carried out with impunity – many, naturally, abhorred this situation; others exploited it.

The conflict is well and truly over, despite the sabre rattling of a few extremists. But today, in Derry, the new, religiously mixed Police Service of Northern Ireland (PSNI) will be called out once every 21 minutes to deal with an incident of domestic violence. And, according to Marie Browne, director of Foyle Women's Aid, communities are still dominated by men who try to keep the police out, so that many women are still trapped in abusive situations.⁴

Foyle Women's Aid took a brave stand during the conflict, insisting that if a woman needed protection, she had to be allowed to involve the police, and

4 www.foylewomensaid.org

this work continues. In effect, the feminist advocates faced down the 'hard men' who had designated themselves as the gatekeepers of their communities. In Derry, Women's Aid had the support of progressive PSNI officers. This work goes on, and is bearing fruit. However, it needs major investment.

The border remains problematic. Domestic and sexual abusers have become adept at using it to escape justice. Different laws apply in the two jurisdictions. A man convicted in the North can go 'on the run' in the Republic. Extradition proceedings are unwieldy and slow. Men who are subject to exclusion or barring orders may move to the other side of the border which will leave them within a few miles of their family, and they can then continue the harassment and abuse with impunity.

The situation is changing. The PSNI and An Garda Síochána (the police of the Irish Republic) now co-operate extensively, and work is ongoing between Probation Services and Social Services on both sides of the border. Sexual offenders have successfully been monitored on an all-island basis, and some who have fled across the border have been re-apprehended and brought back to court.⁵

⁵ See www.crossborder.ie, Journal of Cross Border Studies No 4 March 2009, p67. Dealing With Cross Border Sex Offenders – Learning

However, the legacy of the conflict remains powerful for the women and families who were hurt by the 'other violence', and for those living in neglected border areas where services are few and far between. The need for resources to fund rape crisis and domestic advocacy services in the North West border area was stressed at the Derry seminar, but it was also recognised that in a time of recession, it is going to be very difficult to obtain such funds domestically.

Niamh Wilson of Domestic Violence Advocacy Services, based in Sligo on the southern side of the border told the seminar that already, in the Republic, non-governmental organisations running services for women and children have experienced cuts of 10% or more, despite rising demand. She said that the recession has led to a significant increase in domestic violence.⁶ National Women's Council of Ireland members who provide frontline services have noted increases in demand of between 30 and 40% in the last 18 months.⁷

For these reasons, the seminar con-

from the North's Multi Agency Approach, by Susan McKay.

⁶ See EWL/Oxfam report, An Invisible Crisis? <http://www.womenlobby.org/spip.php?article182>

⁷ www.domesticviolence.ie, www.safeireland.ie

cluded that there is a strong case for seeking funds from EU sources to bolster the work of women's support services. This will require the building of alliances and partnerships with statutory authorities on both sides of the border, as well as identifying ways in which cross border co-operation can be developed and improved. The 'Other Violence' seminar marked the start of this work. It is hoped that by the end of 2011, a full proposal for a comprehensive cross-border project will be ready for submission.

The National Women's Council of Ireland will work on this with our members on both sides of the border, with COSC (a new governmental agency whose name means 'Stop' in Irish, set up to address domestic, sexual and gender based violence in the Republic), and through the EWL Irish Observatory. We appreciate the support already given by Peace Centres.

After the conflict, it was rightly observed that the decommissioning of weapons needed to be matched by a decommissioning of mindsets. The same is true in relation to domestic and sexual violence. The 'other violence' must no longer be seen as private, irrelevant to wider society. No man who rapes or beats his wife or child should be seen as any kind of hero.



Annette McGavigan, a 14 year old who was killed during the Derry violence in 1971



Structural Violence Calls for Structural Solutions

Violence against women is not accidental: it is structural, and therefore needs structural solutions to make societies safe for women. Ending violence against women is one of the condition for the achievement of de facto equality between women and men. The structural nature of violence against women is in its links with women's poverty; the lack of services and support for women victims of rape; a system of prostitution in urgent need of abolition; the relegation of domestic violence to the private sphere; or criminal trafficking in women. Again and again, women's organisations and allies need to explain why violence against women is a cause and consequence of inequality between women and men, and therefore requires structural change, not just selective and peace-meal measures. Political will, courage and resources are key to ending violence against women.

Photo: Working Girls by Aurore Martignoni (2nd Prize, EWL Photo Competition 2010)



Photo: Dignity by Claudia Morais (Submitted to EWL Photo Competition 2010)

Domestic Violence in Post-Communist Countries: How Long Will it Remain a 'Family Matter'?

By Agnieszka Nakielska, Network of East-West Women (NEWW) Poland

The following findings are based on the final publication of the project 'The South Baltic - Domestic Violence against Women Free Zone' which contributed to cooperation and exchange of good practices on ways of opposing and preventing domestic violence against women between civil society organisations, local governments and institutions like police and crisis intervention centres, in Poland, Lithuania, Sweden and Kaliningrad.*

A pervasive lack of data and awareness on domestic violence against women

In Russia, a woman dies every hour at the hands of a relative, her partner or her former partner. This figure comes from an NGO source, as the Russian government does not compile official statistics on incidents of domestic violence. The Kaliningrad Region also lacks such data. International reports indicate that the Russian government has not initiated any legislation to combat domestic violence. Moreover, the Russian legal system does not provide for restraining, protection or barring orders. Although in 2006 a draft federal law 'Prevention of Domestic Violence' was proposed, it was not made available for consultations with NGO workers and State Duma committees. There is no specific definition of domestic violence in Russian legal acts and domestic violence is not recognised as a separate crime. Despite the fact that the Constitution of the Russian Federation guarantees equality of rights and freedoms for all citizens, regardless of sex, race, nationality, language, origin, property and official status, place of residence or religion, the Russian Criminal Code is completely gender-

blind. Violence in the family is usually considered as 'violence in the private sphere' (bytovoe nasilie). The term 'domestic violence' (domashnee nasilie) is used by women's organisations only. Russian authorities claim there are approximately 250,000 violent crimes committed against women annually; however, many cases of domestic violence are not reported to the authorities, making it difficult to ascertain concrete figures.

In Lithuania there is no specific law which penalises domestic violence. Despite Lithuanian law penalising crimes against public peace (such as violence in a public place), and allowing for direct prosecution of perpetrators through the office of the public prosecutor, there is no legal definition of violence in the private sphere. Statistic shows that two out of three women have experienced physical, psychological and sexual violence from their male partner. Between two and 20 percent of victims of domestic violence dare seek help in the law enforcement institutions or women's non-governmental organisations. A great majority of women in Lithuania still lack self-awareness and self-confidence, sexual education and information on equal opportunities policy.

Sweden is by many regarded as a society in which there is a relatively high degree of equality between women and men. There is, however, a considerable imbalance in the power relations between women and men. The most extreme example of such an imbalance is the occurrence of men's violence against women. The number of police reports filed for assault against women increased by 40 percent during the 1990s. The number of cases, when assault resulted in the death of the victim in 2009 was 95, which is an increase of about 50 percent compared to 2008. 'Dark numbers' (estimated non-reported domestic violence statistics) are high. Many women are ashamed of reporting that they are abused and others leave the relationship instead of making a notification. The number of unreported cases is estimated to be ten times more than the reported offences and some research suggests that nearly half of all women have been victims of abuse during their lifetime.

In Poland, domestic violence is more common than street violence. Battering a family member is the third most common crime in Poland after theft and assault. As evidenced in statistics, most cases are withdrawn or cancelled in the course of the investigation, because the victims withdraw their complaints. The Centre of Women's Rights conducted a study to examine the reasons for which victims are reluctant to press charges. Eight issues came up as major reasons for women to withdraw their complaint: practicality (both victim and perpetrator have to live together); children and their welfare; Intimidation by the partner; love for the partner and hope he will change; economic issues; disbelief and disillusionment with the justice system; shame and fear of social ostracism; religion.

It is interesting to note that in an EU country like Lithuania, and a Russian province like Kaliningrad, which shares

borders with the European Union, there are no statistics or data available on domestic violence against women. Even if such data exist in Poland and Sweden, they nevertheless do not reflect the reality as they sometimes lack a gender perspective and because of the prevalent social stigma on women victims of male domestic violence.

Post-communist gender blind policies on domestic violence against women

The main reason for this situation is that domestic violence is still considered to be a private family matter in Russia and in many post-communist countries. Patriarchal values maintain unequal relations between men and women. Although domestic violence is not accepted as a social norm, traditional values may justify violence against women. One of them might be traditional lack of acceptance towards any interference in family affairs: for example 43 percent of Russians say that domestic violence is a private matter, and one-third of them blame the victims for 'inciting' the violence at home. There are also many stereotypes about violence against women in modern post-communist societies, which impact upon violence against women. The most popular are the following: women who suffer violence have low level of education and low income level; violence against women happens in dysfunctional families living in rural areas; violence against women refers to physical or sexual harm only; women are the ones provoking violence against them; women must be obedient to their husband and save their marriage.

According to the data of a Lithuanian sociological research project initiated by the Lithuanian Ministry of Social Security and Labour, the majority of victims of domestic violence are middle-aged women, who have a secondary education and average income. Violence against women

is equally prevalent in both urban and rural areas. Psychological and economic violence against woman happens significantly more often than physical or sexual violence. An additional factor of violence against woman is perpetrator's intoxication from alcohol.

In the former Soviet Union, the problem of domestic violence was concealed: it was claimed that violence did not occur in soviet society and, if it did, it was committed by sex maniacs or mentally ill persons. Consequently, there were no statistics, and the problem was contextualised as an issue of social pathology and crime.

Three factors explain the differing prevalence rates of domestic violence when comparing situations in different countries: deprived economic living conditions, traditional attitudes toward women and children and general tolerance of violent behaviour in a given society, appear to be prevalent in post-communist countries. In terms of social advocacy, societies in Central and Eastern Europe not only are inexperienced with democratic self-government and civic mobilisation, but they also have developed an 'allergy' to organised feminism.

There has been a wide-scale rejection of the Soviet model of women's 'emancipation' and a concomitant romanticisation of home life and traditional gender roles. Whereas many social policies were strong during communism, domestic violence was ignored by the authorities. Sometimes it was captured under the criminal statute of 'hooliganism'. According to interviews with social workers, psychologists, lawyers, police officers and activists, there were no services, such as shelters for victims of domestic violence. This situation leads to problematic effects such as almost chronic housing shortages and made it almost impossible for women to exit abusive relationships.

A critical need for support to NGOs and generalised access to services

Nowadays in those post-communist countries where governments provide some support to victims of violence, shelters and centres for psychological and medical help are run by NGOs. The governments provide minimal funding to these organisations in Romania, Poland, and Lithuania. In Kazakhstan and Moldova, one shelter was set up and sponsored by governmental funds. In both countries, these centres were transferred to the supervision of NGOs.

In Slovenia, the Czech Republic and Russia, the governments provide funds to many shelters on a systematic basis. The government of the Czech Republic succeeded in expanding the network of shelters for women victims of violence to 107 centres in 2004. There is a serious lack of trainings and seminars for police officers, prosecutors, as well as medical services regarding dealing with domestic violence cases. Only in Poland, a well-known programme known as 'Blue Card' provided good training and technical support to police officers. Even in those countries which develop their methods and institutional and legal background for combating domestic violence, rural women do not have adequate access to governmental provisions and assistance against violence.

International human rights instruments determine that violence against women both in public and in private life is a violation of human rights. Therefore, there is a strong need for cooperation and exchange of good practices on ways to prevent and combat domestic violence against women. This cooperation should be introduced between civil society organisations, local governments and institutions like police and crisis intervention centres. It is crucial to make people more aware of the effects of domestic violence on life of society as a whole. Male domestic violence

should be seen as a public problem, and not only a family matter.

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Female Sexual Mutilation



In France, women's associations have developed a novel approach to the question of female genital mutilation, in order to better take into account the impact of these practices on women's sexuality, beyond the simple physical mutilation. In choosing to speak of 'female sexual mutilations', these associations highlight the structural character of this form of male violence against women and the necessity of eradicating it from the perspective of gender equality.

Female sexual mutilations, together with any other form of mutilation, are a criminal matter in France. Sentences are harsher if the mutilation is perpetrated on a minor and/or in if instigated by persons in authority, such as a parent.

The qualification of 'sexual' allows for prosecution on return to France if the offense is committed abroad by persons habitually resident in France.

Physicians are under the obligation to report any cases of female sexual mutilation to the authorities.

Women's associations raise awareness on the health and legal risks of female sexual mutilation. They also help excised women to access reconstructive surgery of the clitoris, which has helped many women to feel whole again.

Photo from Amnesty International END FGM European Campaign

Poverty, Social Exclusion and the Gaps in the Domestic Violence Victim Support System

By Susana Pavlou, Director & Christina Kaili, Project Coordinator, Mediterranean Institute of Gender Studies, Cyprus



Photo: Deserted Space by Ioanna Katsarou

This article is based on two qualitative research projects carried out by the Mediterranean Institute of Gender Studies in 2010, focusing on the links between domestic violence against women and poverty and social exclusion, as well as on the victim support system in Cyprus. The projects were funded by the European Commission's Daphne III Programme and the Cyprus Government within the framework of the European Year to Combat Poverty and Social Exclusion.¹

1 Examining the Links between Domestic Violence against Women and Poverty and Social Exclusion, <http://www.medinstgenderstudies.org/news/new-project-to-examine-the-links-between-domestic-violence-and-poverty-and-social-exclusion/> and REACT to Domestic Violence: Building a Support System for Victims of Domestic Violence, <http://www.medinstgenderstudies.org/news/react-to-domestic-violence-building-a-support-system-for-victims-of-domestic-violence/>

Recent trends in domestic violence in Cyprus

The prevalence of reported domestic violence has risen dramatically in the last decade. Incidents of reported domestic violence to the police show a disturbing upward trend with reported cases almost doubling in the last 4 years.² Similarly, reports to the only NGO providing services to victims of domestic violence have tripled over the years 2004-2009. Despite it not being defined as such by the Cypriot legislative and policy framework, domestic violence is a gendered phenomenon and inextricably linked to gender (in-)equality and unequal power relations between women and men.

Although the increase in reporting

² Cyprus Police, Statistic Office, Research and Development Department, 2009

rates can be partly explained by increased awareness and a relatively good legislative framework (on family violence only) the lack of prevalence studies hides the fact that violence against women is, as elsewhere, one of the least reported crimes. This is due to ingrained socio-cultural attitudes that render violent behavior normal and acceptable, persistent economic inequalities between women and men, a lack of confidence in the ability of the relevant authorities, a total lack of resources for women victims of violence, fear of social stigmatisation, and a general culture of victim-blaming in relation to violence against women.

Even more discouraging is the high level of 'attrition' in the course of investigations and prosecutions of male domestic violence. A very high number of cases reported do not develop

into criminal investigations, and even fewer proceed to court.³ Half of those that do make it through the legal process are suspended, interrupted, withdrawn or rejected by the courts. The conviction rate is also appallingly low.⁴ Of the number of cases recorded in court only 38% resulted in a conviction (66% of the total number judged by the courts) and 34% of cases resulted in acquittals. Also discouraging are the nature of the penalties imposed on the perpetrators of domestic violence. The majority of the penalties imposed were fines (74%), with 21% resulting in imprisonment and/ or a suspended sentence, and 5% probation.⁵ The overwhelming preference is thus for imposing monetary fines and financial guarantees, which do not provide any real deterrent to perpetrators and are not preventative on a wider social level.

Poverty and social exclusion have a woman's face

Poverty and social exclusion in Cyprus, as elsewhere in Europe, have a woman's face and is the result of pervasive inequalities between women and men. Women's marginalisation in the labour market, with women dominating the lower paid sectors of health and education, domestic work, and non-market service;⁶ underrepresentation in political and public life, with only 14% women's representation in the House of Representatives; the persistent wage gap between men and women which translates into reduced

pensions;⁷ and the lack of adequate child care services,⁸ are all factors that render women poorer and more vulnerable than men regardless of age or social group.

The research results revealed that violence against women exacerbates women's risk of poverty and social exclusion. Male violence constitutes a major obstacle to women's access to various tangible and intangible resources, and has serious implications on various aspects of their lives. Lone parenthood, affecting the vast majority of women who participated in the research study, in itself increases the risk of poverty by one third. Women victims of male violence also found themselves inactive, unemployed or underemployed either due to coercion by the violent partner or due to poor health as a consequence of violence.

'My husband, ex-husband... he did everything so I'll never have anything... never have nothing on my name, never have even good salary... he is the boss...'
Victim of male domestic violence

Most women interviewed were subject to psychological and physical violence, but also economic violence with their income monitored and controlled by their partners. In some cases, women had been forced to give their partners power of attorney, giving them the right to manage all their financial affairs and personal property.

One of the most important issues raised by the victims interviewed was the lack of affordable and accessible child care services to facilitate access to the labour market which in turn diminishes their ability to generate an independent and adequate income after exiting a violent relationship. Furthermore, women did not have information on or access to vocational training programmes that would provide them with the skills required to access better paid employment. Social inclusion and (re)integration programmes are not an integral part of the victim support system and are only available to women if they meet criteria for public assistance. Many women confessed that, even if receiving public assistance, their income was not sufficient to meet their basic needs and the needs of their children.

A number of the women that participated in the study were of migrant background and experienced additional obstacles related to their lack of independent migration status. This would result in delays in accessing public assistance including income support and housing. The lack of affordable childcare, and the absence of supportive social networks such as family and friends, contributed to their further exclusion from the labour market and their dependence on welfare benefits.

Support system fails to provide women with what they need

The research also revealed tremendous gaps in the victim support system. Women categorically expressed their dissatisfaction with available sup-

3 Attrition refers to the process by which reported cases are lost from the legal process, and thus do not result in a criminal conviction. See Kelly, L. & Lovett, J, 'Different Systems, similar outcomes? Tracking attrition in reported rape cases in eleven countries,' European Briefing, April 2009, CWASU

4 Veis, C. (2010) The Criminal Investigation of Domestic Violence Cases: Challenges and Issues, Analysis Report, Inspection of Cyprus and European Law, Vol. 11, Δικαιονομία – Law Publishing, p.6-11

5 Ibid, p.9

6 According to Eurostat, in 2005, Cyprus had the highest gender segregation in employment in the EU.

7 The striking gender pay gap in Cyprus stood at 23.9% in 2009 and is among the highest in Europe.

8 The childcare system in Cyprus remains inadequate despite governmental commitment to provide childcare facilities for 90% of children between 3 years of age and the mandatory school age by 2010. Currently, there is no public scheme covering children until the age of five (the compulsory school age) and this gap is filled mainly by private schools at considerable economic cost to households.

port provisions, particularly those provided by the Social Welfare Services who are the main providers of victim support in Cyprus. Victims claimed they were treated with apathy and lack of sensitivity and professionalism by welfare officers and experienced lengthy delays when applying for public assistance. Women, mainly of migrant background staying in the NGO run shelter, confessed that they felt anxious about their future and uncertain as to how they would stand on their own feet once their time in the shelter expires. Women pointed to the need for additional psychological support and empowerment programmes as well as measures that would facilitate their access to the labour market, including low-cost quality childcare services. The lack of effective support structures is also related to the high incidence of attrition in domestic violence cases as expressed by a representative of the police:

'Many domestic violence cases are suspended because of one vital factor, the deep deficit in the support framework for domestic violence victims. Once a case leaves the police, there is a question mark as to whether there is substantial support for the victim. It takes 1-2 years or more for a case to be completed. What happens to the

victim during this time? Typically support and treatment exists but it is not structured in a specific context, with supportive structures to help the victim cope with the difficulties that arise after a complaint.' (Representative, Domestic Violence & Child Abuse Office, Criminal Investigation Department, Cyprus Police Headquarters)

The research also revealed that there is lack of trained and experienced professionals in front-line services which poses serious questions as to the quality of services provided. Furthermore, none of the services evaluated incorporated a gender perspective in their work, and demonstrated a lack of understanding of the dynamics of violence against women. None of the service providers interviewed recognised the link between domestic violence against women and inequality between women and men, and all adopted the legal definition of family violence which is gender blind. Stereotypical attitudes and 'victim-blaming' prevail among those who have responsibility for protecting victims, which means that not only are victims denied the support they need but that perpetrators can exercise violence with impunity.

Another issue that arose is a lack of co-

ordination among services providers, the fact that state shelters and other facilities specifically designed for housing victims of domestic violence are non-existent, and only one NGO-run shelter is currently in operation with only 12 places for women and their children. If the number of women's shelters is an indication of a state's political will to address male domestic violence, then it is obvious that this issue is not being addressed as a political priority in Cyprus.

What do women want?

Domestic violence and poverty and social exclusion are highly gendered phenomena and must be interpreted within the broader social framework of gender inequality and traditional power relations between women and men. When addressing domestic violence against women, the links between women's marginalisation and male violence must be recognised and systematically addressed if we are to tackle the root causes of violence against women. Within this framework, the support system must not only provide women with adequate psychosocial support but aim to provide those opportunities that will help women regain control over their lives and live in dignity free from violence.



Women's Aid Campaign, Ireland

Addressing Rape in the Czech Republic: Quality of Services for Rape Survivors

By Jitka Čechová and Hana Jandová, Gender Studies & Persefona, Czech Republic



Rape, although considered the most serious crime after murder, is paid very little attention in the Czech Republic. This has dire consequences, with rape survivors being given little support, the issue being trivialised and the generation of a variety of myths which clearly contribute to the double victimisation of rape survivors, etc. In response to the inadequate levels of appropriate and comprehensive care for rape survivors in the Czech Republic, the NGO Gender Studies conceived of a project aiming to support women rape survivors, in cooperation with the civic association Persefona: 'Stop Rape: The Programme for Rape Survivors' Protection'.¹

According to both domestic and foreign experts, only 3 to 10% of rape cases are reported to the police (the rate is even lower for rapes by an intimate partner or by a relative than for assault by a stranger). According

to police statistics, 586 rape offences were reported in the Czech Republic in 2010. Comparatively, in Sweden, a country of approximately the same size, the number of reported cases is about six times higher. In addition to the problem of being severely under-reported, the attrition rate of rape offenses is also very high: the criminal proceedings get laid aside, are discontinued, or are never even initiated. The statistics unfortunately tell us nothing about the reasons behind this high attrition rate. Out of the 500 to 600 rapes reported annually in recent years, only approximately 150 perpetrators have been convicted. The fact that a third of these prosecutions result in parole (i.e. the perpetrators had been found guilty but never served a day in prison) is appalling.

Critical gaps in the process of addressing rape

So far, there has been no in-depth, reliable research on the issue of rape

in the Czech Republic. Such research should include the gathering of data and information on rape, in particular on the prevalence of these crimes, the number of complaints lodged with the police (including those dismissed without investigation) and the number of complaints that result in prosecutions.

There is no state strategy (be it a National Action Plan or other comprehensive document) tackling the issue of rape. From the perspective of criminal procedure, Czech law is deplored for its insufficient protection of the victim. As Langhansová and Kristková have noted, the Czech criminal procedure 'does not take into account...the psychological and moral harm suffered by the victims by the violation. The victim is viewed either as a witness, i.e. a source of evidence, or as the aggrieved person who can claim compensation for material or bodily harm.' In line with this view, the Code of Criminal Procedure only offers legal aid free-of-charge if the aggrieved person peti-

¹ For more information, see www.stopznasilneni.cz

tions the court for compensation and if she proves a lack of financial means to cover her own legal assistance, for instance. As a result, many victims of violent crimes participate in criminal proceedings with no legal support or aid. The fact that the Code of Criminal Procedure interprets the victim's damages only in terms of material or bodily harm is a related problem. It provides no means of compensating immaterial – emotional or psychological – damage, effectively rendering compensation impossible. The insufficient protection of the victim in criminal proceedings has an especially negative impact on victims of violent crimes.

Another barrier to addressing interpersonal violence lies in the requirement of victim's consent with criminal proceedings. If the perpetrator is the husband/wife, a domestic partner or another close relative, the prosecution of certain crimes cannot start or sometimes cannot continue without the consent of the victim. Even though at first sight this provision seems to afford autonomy to the victims and respect for their right to decide about the course of the prosecution, in reality it burdens the victims with the responsibility for prosecuting a close person and exposes them to pressure under which they often revoke their consent (and a consent once revoked cannot be granted again.) The legislators have tried to address this issue by adopting Section 163a of the criminal code that allows exceptions in situations where the victim gives or withdraws consent under obvious pressure or threat, or if she clearly acts from a subordinate or dependent position. How far this provision really protects the victims who are under pressure from their abusers is questionable.

The provision for witness anonymity, in the sense that his/her identity and personal data are not disclosed (even though the aggressor knows the appearance of the victim, he/she does not have to know his/her name, address or have information about his/

her personal life), is only used very rarely in sexual violation cases.

The victims are not informed about where to turn for further help. The police fail to sufficiently direct them to different psychological or legal clinics that work with victims of sexual violation. To a certain extent, this is due to the fact that there are not many such organisations; still, the victim does not learn about the existing ones from the police. The lack of mutual trust between public authorities and the non-profit sector may be viewed as one of the reasons for this.

Many medical doctors have little or no practical experience with rape survivors. The risk that important evidence of injury and harm might not be well recorded is fairly high. The attitude of medical staff to patients who happen to be survivors of rape varies greatly from one institution to another. There are differences in treating survivors with respect, in levels of interest in what has really happened to survivors, as well as in the condition of medical facilities with regard for instance to confidentiality. We have also noticed a range of attitudes among medical staff about the right way of communicating with survivors; whether with regard to medical (gynaecological) examination, inquiring about their needs or about referrals to follow-up care. We also register a lack of practical experience in working with victims of sexual violation. This causes differing qualities or insufficient legally-admissible evidence.

Inadequacies both in training and in personal predispositions of police officers who deal with rape survivors have been noticed. Usual techniques to increase the survivor's sense of safety and comfort, such as the presence of a close, supportive person or a psychologist, or assuring the survivor of confidentiality, are not used. The police typically issue only verbal instructions as a point of procedure, not paying much attention to whether the

survivor really understands the information. The survivors are usually not informed of the steps in the prosecution process and may be confused. A particularly frequent issue is victims not being given sufficient notice of the release of perpetrators from prison. Another problem is that sometimes the police do not have contact lists for follow-up care, or do not use them. As a result, the survivors are not referred to services specialised in helping them such as legal or psychological counselling centres for violence survivors or gynaecologists.

Insufficient knowledge has grave effects on our success in addressing rape. Educational opportunities for professionals are not utilised (due to lack of motivation, financial means or insufficient support by the employer). As far as the general public is concerned (including potential rape survivors and their family and friends), the levels of awareness of rape are extremely low and are also subject to stereotypes. Most people still believe that women are sexually assaulted when they are out alone at night; that most rapists hide in dark alleys, waiting for a stranger to walk past; that rape is an impulsive, uncontrollable act of passion, that sexual assault is provoked by the victims, by their actions, behaviours, or by the way they dress; etc. These prejudices also play a role in preventing women from reporting rape: case reports show that many women prefer to contact specialised NGOs rather than police. Unfortunately, there are very few specialised providers of comprehensive care that provide free direct psychological and legal counsel to rape survivors in emergency situations.

Concluding remarks

Identified critical gaps in the process of addressing rape underlie and reinforce the traumatic experience of rape survivors. Essential legal norms are in place but they are not implemented. Existing legal norms must be better uti-

lised and some need to be improved. It is necessary to foster an emphatic and well-informed approach of all professionals who come into contact with rape survivors. Training all relevant professionals would prevent secondary victimisation. Other inadequacies are found in the successful detainment of the aggressor.

The vital issue for survivors is trust. Survivors are first violated by sexual aggressors and consequently, they are hurt by the inadequate means used to assist them. It is clear that changes in the law, in the system and in awareness are not only necessary but pos-

sible so that trust in all the institutions meant to serve rape survivors is established. Survivors must believe that help is available to them whether they decide to report the crime or not. The notion that rape is an offence that is indefensible must be accepted throughout society independently of specific institutions. For this to be true, we must carefully protect the rights of rape survivors and offer them quality help.

Sources:

- Below the Surface: Rape-related Facts and Myths within the 'Stop Rape: The Program for Rape Survivors' Protection' project

- Czech CEDAW shadow report Barbara Havelkova, A Few Reflections on the Legal Provisions on Rape, 2010

- Jitka Čechová & Hana Jandová, 'Shortcomings in Rape Survivor Care

- Quality of Services for Rape Survivors in the Czech Republic', 2010

Happy, Healthy Women, not just Survivors

By Associate Professor Jan Coles and Dr. Raie Goodwach, Medical Women's International Association

A history of sexual trauma is associated with poor long-term social wellbeing and physical and mental health outcomes, an increase in risk behaviours and early death.

The history is often not disclosed and although survivors are more likely to use health services than non-victimised women, they may often not receive the treatment they need and require. Although there is research about psychological trauma and the impact on child and adult survivors, there is a dearth of research detailing an integrated holistic understanding of the psychosocial, physiological and socioeconomic impacts experienced by survivors of sexual violence over the lifespan.

The Happy Healthy Women Report¹ advocates for a long term holistic model of care for survivors of sexual as-

1 Australian Women's Coalition, Australian Federation of Medical Women, and Victorian Medical Women's Society, Happy Healthy Women: Not Just survivors. Advocating for a long-term model of care for sexual assault survivors. 2010, AWC: Sydney.

sault based on recommendations from a National Summit with community organisations, medical educators and professional organisations, researchers and doctors.

In advocating for a long-term model of care, we are seeking healthcare services that survivors of sexual assault can readily access across a lifetime. In order to provide such a service, to potentially one third of the female and one sixth of the male population, it is logical to use existing healthcare services and base service provision in primary care.

Current primary care services do not meet most survivors' needs; healthcare providers may not have the skills or the time to respond appropriately and most providers do not inquire about a patient's history of sexual abuse. Survivors may not recognise the association between their current health problems and their past sexual abuse and often do not disclose their sexual abuse to their healthcare providers.

Primary care is changing, to better meet the needs of the population, chronic care models of care are being implemented for conditions like diabetes, with better long-term outcomes for patients. Wagner's chronic care model better links community and medical services, and aims for informed active patients and a prepared and proactive healthcare team.²

Such a model could inform the development of better long-term care for sexual assault survivors through better community and health professional education, establishing better linkages between community and healthcare services, providing traditional medical and alternative options as part of holistic management (e.g. dance therapy, music therapy, meditation), greater accessibility, opportunities for early intervention and continuity of care across a lifetime.

2 Wagner, E., et al., Quality improvement in chronic illness care: A collaborative approach. Journal of Quality Improvement, 2001. 27(2): p. 63-80.



Prostitution is Violence against Women - Let's Refuse any Part in it!

Photo by Rozenn Quéré - EWL Campaign "Together for a Europe Free From Prostitution"

By Pierrette Pape, EWL Policy Officer & Project Coordinator

All organisations working with prostituted persons are aware of the level of violence they are subjected to on a daily basis; and are fighting for this violence to be recognised as such, for complaints made by prostitutes to be addressed and for their attackers to be judged and punished. As the vast majority of people in prostitution are women, violent attacks in prostitution are, in the main, attacks against women, even though male prostitutes are also subject to some types of violence. Faced with this violence, social workers on the ground have developed opposing visions of the policies that need to be put in place to improve the day to day life of prosti-

tutes and to reduce the violence they are subjected to. Some believe that it is the working conditions of prostitution that are at the root of the problem and that if they are improved (by providing places with better protection, relaxing the laws and granting a legal status to prostitutes), it would reduce the risk of violence for prostitutes. For the EWL and its members, it is the very existence of the system of prostitution which enables violence against the prostituted person to take place and, in order to reduce violent attacks in prostitution, we need to abolish the system of prostitution because it, in itself, is a form of violence against women.

Violence against women in prostitution

An international survey¹ undertaken by five NGOs in four countries (France, Austria, Spain and Italy), with the financial support of the Daphne Programme, highlights the multiple forms of violence suffered by prostituted women:

First of all, physical violence, which is mainly perpetrated by the prostitute-users, but also by procurers, traffickers and brothel owners. In the international research study undertaken

¹ Femmes et migrations en Europe, strategies et empowerment, Cabiria, 2004.

by Melissa Farley², 73% of prostituted persons interviewed stated that they had been subject to physical attacks during prostitution and 62% reported that they had been raped. Between one third and half of the women raped were raped repeatedly. Street prostitutes were subject to a higher level of violence and assault but working as a prostitute in an enclosed space was not enough to avoid rapes and attacks. Prostitute-users were the most common attackers regardless of the type of prostitution. Almost all physical attacks were of a sexual nature. The presence of alarm bells in the brothels to call for help is an emblematic example of the latent violence of the system of prostitution.

For many women in prostitution, violence is part of their everyday life and it is often one of the factors behind women getting involved in prostitution. In a study carried out in Quebec in 2003 on women street prostitutes,³ a quarter of the women interviewed reported having been subject to marital violence before getting involved in prostitution. The Feminist Collective against Rape in France⁴ reports that since the launch of a free telephone help-line (Viols-Femmes-Information, (Rape-Women-Information) in 1986), whereas the people answering the phone did not ask any questions on this point, more than 380 people (including 88% of women) spontaneously declared that they had been or were still involved in prostitution.⁵ In this group, all of them had been subject to serious sexual violence during their childhood, all of them were pushed

into prostitution by someone close to them. We can see from these cases a clear link between rapes (in the plural) during childhood, domestic abuse and getting involved in prostitution. This was described by Virginie Despentes as 'Rape makes the best hookers'.⁶

There is little discussion about the mental health consequences associated with repeated violent attacks. Approximately 68% of people interviewed by Melissa Farley⁷ met the criteria for a diagnosis of Post Traumatic Stress Disorder, also suffered by victims of torture or soldiers fighting in wars. The researcher Judith Trinquart studied the psychological and physical consequences of prostitution: the main psychological traumas, which take the form of psychological detachment, are a result of being subjected against their will to repeated sexual relations.⁸ Finally, a Canadian report on prostitution and pornography concluded in 1985 that women prostitutes had a mortality rate 40 times higher than the national average.⁹

Prostituted persons are also victims of 'political abuse' through repression by the state, which on the one hand adopts laws directly attacking prostituted persons, while furthermore denying rights to prostituted women or those who have experiences intolerable institutionalised violence. In France, the law on passive soliciting has made the situation for prostitutes worse as it has forced them to move into more isolated and dangerous areas and portrays prostitutes as delinquents. Abuse from the police-force is widespread. Rape by police officers hit the headlines in September 2007 in France with the trial of seven po-

lice officers who were found guilty of raping four young foreign prostitutes. The report of the proceedings notes that: 'the facts are not an isolated case but represent widespread practice amongst the members of their division'.¹⁰ And when the prostituted persons are brave enough to complain, the outcome is often not in their favour, as the majority of complaints lodged do not end in conviction or are turned against them. One example of this was a case of rape and sequestration which took place in Toulouse (France) in 2004 where the outcome was that the attacker had to pay... 100 euros for the price of the 'service'. In 2001, again in France, the Montpellier Court of Appeal freed a man accused of raping a prostitute: a 'work-related accident' according to the assistant public prosecutor.

Another form of violence against prostituted persons is the public eye – insults, humiliating words, robberies, racist prejudice, as well as abuse from the media. A newspaper reported the story of the man who had to pay for the 'service' for having raped and locked up a prostituted woman thus: 'Bizarrely, the prostitute made a complaint of rape because she had not been paid'.¹¹ Bizarrely! The same approach was taken in April 2009 for another case¹²: 'A 20-year old from Toulouse was taken in for questioning after robbing a prostitute but also got a free sexual service under threat of a knife'. 'A free sexual service under threat of a knife' is not someone deciding not to pay – it is called rape.

Violence is widespread in prostitution. This is not a coincidence. What happens in prostitution is not unique or different. It is part of what is happening for all women in our societies. If we focus on violence against women in prostitution, we must make the link with women in general, to keep an

2 Melissa Farley et al., 'Prostitution in five countries: violence and post traumatic stress disorder', *Feminism and Psychology*, 8, 1998

3 Dominique Damant et al., « Trajectoires d'entrée en prostitution : violence, toxicomanie et criminalité », *Le journal international de victimologie*, n°3, avril 2005

4 <http://www.prostitutionetsociete.fr/societe/sexisme-egalite-hommes-et-femmes/cfcv-le-viol-un-moteur-pour-la>

5 On 5 April 2011, 40392 rape victims and victims of other sexual attacks had called the freephone number « Viols-Femmes-Information » ; <http://www.cfcv.asso.fr/>

6 In King Kong Théorie, Grasset, 2006

7 'Violence against women and post-traumatic stress syndrome', *Women and Health*, 1998

8 See the thesis of Judith Trinquart : <http://ecvf.online.fr/IMG/pdf/Trinquart.pdf.pdf>, an dits manifesto : <http://stopauxviolences.blogspot.com/2010/01/article-du-dr-judith-trinquart-non-la.html>.

9 Special Committee on Pornography and Prostitution, 'Pornography and Prostitution in Canada', 1985

10 <http://www.prostitutionetsociete.fr/politiques-publiques/droits-des-personnes/sept-crs-juges-pour-viols-sur-des>

11 La Dépêche du Midi, 7 October 2004

12 La Dépêche du Midi, 13 April 2009

overall view of society and to not exclude the sector of prostitution from the rest of society and the balance of power at play, whether it is sexist/patriarchal, racist, classist or neo-liberal/capitalist.

The system of prostitution is a form of violence against women

The system of prostitution is not one that is external to society; it is an integral part of what we have created and what we continue to create every day. Violence against persons involved in prostitution is directly related to violence against women more generally. These acts are not isolated but rather the result of a patriarchal and historical system institutionalising the domination of women by men and the unequal social relationships between women and men. Violence against women is both the cause and the consequence of inequality between women and men; and women's vulnerability is not only a symptom of violence against women, it is also associated with the omnipresent discrimination in our patriarchal societies.

The issue of prostitution is directly related to equality between women and men and it is important to keep reminding ourselves of this link and to include it in the fight for women's rights and above all the right of all human beings, whether women or men, to live without violence.

Over the last sixty years, the women's movement has made it possible to achieve rights which had been denied (or never granted) to women: the right to vote, the right to education, the right to financial independence by demanding access to a personal bank account, the right to equal pay for equal work, the right to divorce, the right to contraception, to abortion, the right to maternity and parental leave, the right to stand for election. In short, there have been many steps forward but many of these exist in law but not enough in practice. Today, there is an

illusion of equality where many people think that equality is a day-to-day reality for all women and that feminists are exaggerating. The statistics and facts however prove that equality is not a reality. Men are still in the majority in decision-making positions across the board. It is men who for centuries have passed laws which are unequal or which are not favourable to women. Of course, men did take part in the changes and the laws which have changed things in favour of equality between women and men, but patriarchal structures still have a strong influence on their implementation or prevent other laws from being developed. The phenomenon of violence against women is an emblematic example: while rape is recognised as a crime in more and more countries and there is an increase in awareness amongst women of their right to report offences, women's associations report persistent impunity of perpetrators of this violence.¹³

The recognition, in politics, of the structural nature of violence against women, i.e. the fact that these attacks are a tool of male domination, was very difficult to achieve. In Europe, it was only from the 1950's that countries started becoming aware of this crime and to recognise it as such. Next came the recognition of marital rape as a crime and the abolition of the marital right to sexual intercourse, which only occurred very recently for some countries (1990 for France for example). Something we took for granted is not so straightforward. Is it easy nowadays to talk about being raped, beaten or sexually harassed in work? How many more remarks of the type 'she was looking for it' do we have to hear? Even when the victim was wearing tight jeans... (a reference to an English case in 2011¹⁴).

¹³ CWASU, Different systems, similar outcomes? Tracking attrition in reported rape cases in eleven countries, April 2009

¹⁴ <http://www.dailymail.co.uk/news/worldnews/article-1270113/Youre-guilty-rape-Those-skinny-jeans-tight-remove-jury-rules.html>

After the fight against the 'droit du seigneur', incest, sexual harassment and rape, the system of prostitution remains a place where men can continue to use their domination and violence against women while pretending that all parties are consenting. Money however does not create or guarantee equality. Paying for a sexual act is the same as imposing it, of course not with physical violence, but through money, i.e. financial domination. While we know that in Europe the poorest people are women, it is essential to make the link between the inequality between women and men and access to financial resources and work, with men's control the bodies and sexuality of women. Therefore, paying for a sexual relation is a type of violence, as it is part of a relationship which is intrinsically unequal between two people, most often between a man who has the money and a woman who needs it.

Prostitution in itself with its commercial nature servicing male domination is therefore a form of violence against women: money makes women's bodies a commodity which the prostitute-user takes full possession of, going beyond what is prohibited by society in its efforts to realise equality between women and men and fight against violence against women.

If indeed these acts of physical and psychological violence occurred in another context, they would be considered as sexual attacks, cruelty, abuse and rape. Why is it that when they occur within prostitution, they are not considered as such? Is it the money that makes them different?

Prostitution, a man's affair

Let's talk now about men, who are often left out of the debates and invisible when we speak of prostitution. And yet, they are the majority of 'buyers'. And as we know well, the market always seeks to meet demand and this includes a demand for 'sexual services'. It is rare that we question the origin of

this demand – as if it was not to be questioned. And yet, what brings men to pay for sexual relations, or to be violent with prostituted women, whether they are prostitute-users, traffickers or brothel owners?

The sociologist Saïd Bouamama demonstrated elements of the answer in the survey which he conducted in 2004 on 'clients'¹⁵: revenge, the wish to find a place to be able to dominate and hating women are the motivating factors pushing men towards prostitution. A study completed in Great Britain in 2009¹⁶ found that for a quarter of all men interviewed (27%), the concept of rape as applied to a prostituted woman is simply 'ridiculous'. Prostitutes 'cannot be raped'. Once he has paid, the prostitute-user feels like he, in some way, is entitled to do whatever he wants. Furthermore, using prostitutes seems to produce in some men an unequal perception of the relationship between women and

men, where violence has become banal: 54% of clients admit to having displayed aggressive behaviour of a sexual nature towards a partner who was not a prostitute.¹⁷ One example of an ad for a Spanish strip club: 'She won't say anything if you sleep with one of her friends. She can wait for you twelve hours a day and still be ready; she won't ask you where you are coming from, nor who you have been with; you can ask her whatever you want and she won't get angry. If you don't understand what she is saying, it's not important.' What kind of a relationship between women and men can we expect in a society which tolerates this type of 'market'?

These facts clearly show the persistence of strong patriarchal images in our societies where men have the right to control the bodies and sexuality of women, to have access to them whenever and however they feel like it. Nevertheless, policies at all levels (both national and European) claim to want to fight violence against women and produce many declarations of intent to this purpose. But how far are

we prepared to push the analysis of the origins of this violence? Is it possible to fight against this male violence while at the same time allowing men access to the bodies of some women?

We all agree that we have to fight against violence in the world, violence against women and against prostituted persons. Yet, the very existence of the system of prostitution in the 21st Century brings up this question: what type of image are we projecting of our societies which accept to buy and sell some of their members? It is urgent that we condemn this violence against prostituted persons but at the same time we must continue to see it within the context of the ongoing violence of men against women, which proves that prostitution is a tool of a patriarchal society. The recognition of the system of prostitution as violence against women and its abolition is a prerequisite for achieving true equality between women and men.

15 <http://www.mouvementdunid.org/Les-clients-en-question-Enquete-d>

16 Melissa Farley, Julie Bindel and Jacqueline M. Golding, 'Men who buy sex. Who they buy and what they know. A research study of 103 men who describe their use of trafficked and non-trafficked women in prostitution, and their awareness of coercion and violence', Prostitution Research and Education et Eaves, 2009

17 Montoo, Mac Ree, 'A comparison of the male customers of female street prostitutes with national samples of men', International Journal of Offender Therapy and Comparative Criminology, 2005

Main source: 'Prostitution: Violence with no name', Prostitution et Société (a quarterly publication by the Mouvement du Nid), n°168 and 169, January – June 2010



**STOP
DEMAND
END PROSTITUTION**

**"I felt guilty. I had used her.
You shouldn't pay a woman,
I classed it as just as bad as rape"**

A Scottish male, 2008. (Challenging Men's Demand research)

End Prostitution Now is a campaign led by Glasgow City Council which aims to raise awareness of the harm caused through prostitution and put the focus on the buyers of sex - the DEMAND - who have in the past been invisible from public debate.

The Effects of Different Legislative Approaches to Prostitution on Persons in Prostitution, and Society in General

By Andrea Matolcsi, MONA Foundation for the Women of Hungary

In Europe, there is currently a big debate regarding whether the regulation or the abolition approach to prostitution is more protective of women's rights, including the rights of prostitutes. Regulationists consider that prostitution is a job; in regulationist systems the organising of prostitution is legalised as are venues of prostitution such as brothels; procuring is de-facto decriminalised. Abolitionists on the other hand consider prostitution a form of violence against women; in abolitionist systems, procuring and prostitute-users are criminalised (but not the prostitute).

This article compares the situation in two EU countries which have opted for regulation with that of Sweden, which has taken an abolitionist approach. It shows that existing research, as well as contacts with local social workers and law-enforcement officials, support the argument that regulation worsens the situation of persons in prostitution in terms of their physical and mental health and social standing, while legislation based on an abolitionist approach has positive effects in these areas.

Regulation in Germany and the Netherlands

The Netherlands lifted its ban on brothels in 2000. In 2002, Germany decriminalised procuring for purposes of prostitution, widened the legal basis for establishing brothels and other prostitution businesses, lifted the prohibition against promoting prostitution and gave women the right to contracts and benefits in prostitution establishments. Since then, in both countries, government, police and NGO reports have found the following:

The situation of women in prostitution has not improved. Despite the new law in Germany, most prostitutes still work under poor conditions. The majority of the money they earn goes to pimps and 'managers'.¹ In the Netherlands, the number of prostitutes with pimps has not decreased.²

1 Emilija Mitrovic, Working in the sex industry: Report on the findings of a field research 'Social change in dealing with prostitution since the new legislation's entry into force on 1.1.2002', 2004, p. 3.

2 A.L. Daalder, Prostitution in the Netherlands Since the Lifting of the Brothel Ban, WODC (Research and Documentation Centre, Dutch

Prostitutes interviewed in Germany do not consider the new law to have improved their legal, social or economic situation.³ According to the Dutch government-commissioned Daalder report of 2007, prostitutes' 'emotional well being is now lower than in 2001 on all measured aspects, and the use of sedatives has increased.'⁴

Women in prostitution are not provided with adequate alternatives. In the Netherlands, the above-mentioned 2007 study found that 'only 6% of the municipalities reported that their policy pays attention to the subject of the possibilities to leave the prostitution business.'⁵

Abolition in Sweden

In 1999, Sweden took a very different approach, being the first country to pass a law criminalising those who purchase or attempt to purchase sexual services. It is important to note that the law does not punish persons in prostitution in any way. This reflects the Swedish approach, which considers prostitution to be a form of violence against women and therefore a gender equality issue, and asserts that there can be no real gender equality as long as there is prostitution. In 2010, the Swedish government released a report⁶ evaluating the law since it came into effect. The evaluation found that:

The prevalence of prostitution has declined. The number of persons, mainly women, in street prostitution in Sweden has

Ministry of Security and Justice), 2007, www.wodc.nl/images/ob249a_fulltext_tcm44-83466.pdf, p. 13.

3 Sozialwissenschaftliches FrauenForschungsinstitut an der Evangelischen Fachhochschule Freiburg, The Act Regulating the Legal Situation of Prostitutes – implementation, impact, current developments, 2007, http://www.turnofftheredlight.ie/wp-content/uploads/2011/02/Germany-prostitution-report_englisch.pdf; and Emilija Mitrovic, Working in the sex industry.

4 A.L. Daalder, Prostitution in the Netherlands Since the Lifting of the Brothel Ban, p. 15.

5 Ibid.

6 En utvärdering. Förbud mot köp av sexuell tjänst (SOU 2010:49) (1999-2008). <http://regeringen.se/content/1/c6/14/91/42/ed1c91ad.pdf>. Summary in English: Government Offices of Sweden. Evaluation of the ban on purchase of sexual services [online] (2010). www.sweden.gov.se/sb/d/13358/a/149231.

halved since 1999, while in the neighbouring countries of Denmark and Norway – in which the prevalence of street prostitution was about the same as in Sweden before it introduced its 1999 ban – the number increased dramatically, and by 2008 was estimated to be three times higher than in Sweden.⁷ It should be noted that there is no evidence of an increase in sex tourism by Swedish men going abroad to purchase sexual services,⁸ and therefore of the increase in street prostitution in neighbouring countries as being caused – or at least significantly contributed to – by a demand from Swedish ‘sex tourism.’ The government report goes on to state that, in addition to the reduction in street prostitution, there is also no evidence of an increase in indoor prostitution in Sweden. Although there was an increase in prostitution through the internet, this trend can be seen in all countries; furthermore, the number of individuals sold for prostitution purposes via the internet increased to a greater extent in neighbouring countries. The report concludes therefore that ‘the halving of street prostitution that took place in Sweden represents a real reduction in prostitution (t)here, and that this reduction is also mainly a result of

the criminalisation of sex purchases.’⁹ Indeed, according to a 2008 study, the number of Swedish men who have bought someone for the purpose of prostitution decreased from 13.6% in 1996 to 7.8% in 2008, and a number of respondents stated that the ban on purchasing sexual services affected them to the extent that they no longer bought sexual services at all.¹⁰

The conditions for persons in prostitution have not worsened. Regarding another concern voiced before the introduction of the law, the inquiry did not find that social workers and authorities had more difficulties in accessing persons in prostitution or that the situation for persons in prostitution worsened as an effect of the ban.¹¹

Conclusion

No doubt inspired by the positive effects of the Swedish legislation, Norway and Iceland in 2009 both passed laws banning the purchase of sexual services, and Ireland and France are currently considering doing the same. Law-enforcement officials in Norway have reported similar positive effects of the law in the approximately two years that it has been in effect, including the reduction of prostitution, as well the fact that it is now easier for

the Norwegian police to monitor the industry and catch pimps and traffickers.¹²

Beyond the circle of those involved in the system of prostitution, it should also be noted that the legal situation has a strong impact on respect for women’s rights and gender equality more widely. For example, the experience of the US state of Nevada clearly demonstrates that tolerance for prostitution has an impact on social tolerance for violence against women. Nevada is one of the few US states to have legalised prostitution in some of its counties. In 2007, rape rates were over five times higher in those counties with legalised prostitution than elsewhere. This data does not support the myth that legalised (regulated) prostitution may reduce sexual as-

7 Ibid., p. 35.

8 Gunilla S. Ekberg, Kasja Wahlberg, ‘The Swedish Approach: A European Union Country Fights Sex Trafficking’, Solutions Journal, Volume 2: Issue 2: Mar 02, 2011, <http://www.thesolutionsjournal.org/node/895>

9 Ibid., pp. 35-36.

10 Gunilla and Wahlberg, ‘The Swedish Approach.’

11 Ibid., pp. 37-38.

12 Presentation by Birgitte Ellefsen, Head of the Coordination Unit for Victims of Trafficking (KOM) in Norway at the conference ‘Legal and institutional conditions for combating prostitution and trafficking for the purpose of sexual exploitation—Hungarian and international experiences’ organised by MONA Foundation for the Women of Hungary in Budapest, Hungary on March 9, 2010. A summary of the presentation can be found in: Legislation, rights protection and assistance. Development of Inter-disciplinary Cooperation in Hungary to Combat Prostitution and Trafficking for the Purpose of Sexual Exploitation and to Support Victims (Project Summary), MONA Foundation (2010), http://www.mona-hungary.hu/kepek/upload/2010-11/Legislation_rights%20protection%20and%20assistance_MONA%20Foundation.pdf, pp. 20-21.



saults by providing a legitimate outlet for men's 'sexual desires'; rather they support the assertion that legalised prostitution may increase a woman's risk of sexual victimisation, irrespective of whether she is directly involved

in prostitution herself.¹³ It is time that

¹³ Chrystal Ruggieri, Terance D. Miethé and Timothy C. Hart, Rape and other Sex Offenses in Nevada, 1990-2007, State Data Brief, University of Nevada Las Vegas, July 2009. CACS 2009-01-03EN, <http://www.unlv.edu/centers/crimstats/SDBs/Rape/Rape%20in%20Nevada%20v4.pdf>.

we take a stand for the abolition of prostitution, for the sake of those who are consistently and brutally exploited by this system, for women and society as a whole.

The Urgency of a Gendered EU Action on Tackling Trafficking in Human Beings

By Pierrette Pape, EWL Policy Officer & Project Coordinator and Andrea Matolcsi, MONA Foundation for the Women of Hungary

Trafficking in women for sexual exploitation in the sex industry remains the most dominant form of trafficking in Europe today. While women are also trafficked for labour exploitation, in particular for exploitation in domestic work, the most prevailing form of trafficking in women and girls remains for the purpose of sexual exploitation. According to a 2009 UNODC report, globally, women are reported to be victims in approximately 79% of trafficking cases (this includes all types of trafficking).¹ Furthermore, UNODC data shows that in 85% of cases where women were reported to be the victims of trafficking, they were trafficked for sexual exploitation and in 2% of the incidents for forced labour, while 13% of cases included both types of exploitation.²

It is important therefore to recognise that trafficking in human beings is a highly gendered phenomenon, and that women and men are being trafficked into different situations. The 'push' and 'pull' factors for trafficking

in women into the sex-industry are different from the push and pull factors that fuel trafficking for labour exploitation in, for example, construction work and in the agricultural sector. Among the push factors making women vulnerable to trafficking and exploitation are poverty, gender inequalities and violence against women. Among the pull factors, there is the demand for trafficked women in the destination countries through the expansion of the sex-industry, mainly prostitution markets and the porn industry.

Growing momentum for a gender-sensitive EU approach to trafficking in human beings

The EU has recently decided to devote more political work to the issue of trafficking by appointing an EU Anti-Trafficking Coordinator. The EWL met with Ms Myria Vassiliadou to discuss the lack of an EU gendered approach in the field of trafficking in human beings. 'The EU recognises trafficking in women as a form of gender-based violence and putting an end to it is a priority of EU policies in the fields of gender, development cooperation and human rights. With the adoption of the Strategy for Equality between Women and Men 2010-2015 which includes

an end to gender-based violence as a priority area last year and the Anti-Trafficking Directive which recognises the gendered nature of trafficking in March 2011, there is growing momentum for a gender-sensitive approach to trafficking in human beings. I believe that the recently adopted Directive incorporates a very comprehensive and holistic approach whereby the EU is sending a clear message of zero tolerance to criminals while placing the trafficked person at the centre. The Commission will ensure that this approach is integrated in all policy areas relevant to trafficking. It is important to foster every stakeholder's awareness of the role of gender in increasing vulnerability to trafficking, fuelling exploitation and influencing the effectiveness of assistance and support.'

For the EWL, having a gender-sensitive approach also includes ensuring that gender-disaggregated data is collected, that services are tailored to the needs of women victims (e.g. including access to reproductive health services), that women's rights NGOs are involved in all aspects of support and assistance for victims, including identification and development of services, and that there is a gender perspective in training for professionals dealing with trafficking (e.g. police,

¹ UNODC, Global Report on Trafficking in Persons (2009), p. 11.

² Kristiina Kangaspunta, Mapping the inhuman trade: preliminary findings of the database on trafficking in human beings, Forum on Crime and Society, vol. 3, Nos. 1 and 2, December 2003.

social workers, health and education services).

Both the European Union Directive on trafficking³ as well as the Council of Europe Convention on Action against Trafficking in Human Beings⁴ recognise that demand reduction, albeit in more general terms, should be part of an integrated strategy against trafficking. In terms of trafficking for sexual exploitation, many actors are reluctant to recognise that there is a link to the demand for women in 'prostitution markets' in the destination countries. Without the demand for women in the sex-industry, there would be no business for pimps, and as a result no need for a 'supply' chain. No demand, no supply, no trafficking.

Decriminalisation of procuring and increase of trafficking in women: an obvious relationship

Increasingly, evaluation reports on the models that regulate prostitution show that in those countries where the focus is to curb the demand, trafficking in women for sexual exploitation is less prevalent than in countries that have legalised/institutionalised prostitution as a form of work. There are different strategies to curb the demand in the sex industry, which include targeting the pimps and brothel-owners, raising awareness and changing of attitudes, as well as establishing administrative penalties for buyers or criminalising the purchase of sexual services.

For example, in 1999 Sweden became the first country to criminalise the purchase (and attempted purchase) of sexual services. A 2010 government evaluation of the effects of the law found that the scale of trafficking

in Sweden is 'in considered to be substantially smaller in scale than in other comparable countries. According to the National Criminal Police, it is clear that the ban on the purchase of sexual services acts as a barrier to human traffickers and procurers considering establishing themselves in Sweden.'⁵ At the same time, government and NGO reports show that in countries where prostitution is regulated (e.g. pimping, brothels are legalized), such as in the Netherlands and Germany, trafficking and organised crime surrounding the sex industries there has increased.⁶ According to a 2009 report by the German Federal Police,⁷ investigations into cases of sex trafficking have increased by 70% over a 5 year period (2005-2009). A federal government evaluation found that the German Prostitution Act has failed 'to reduce crime in the world of prostitution.'⁸ In 2008, the National Dutch Police carried out a study⁹ on human trafficking

5 En utvärdering. Förbud mot köp av sexuell tjänst (SOU 2010:49) (1999-2008). Summary in English: Government Offices of Sweden. Evaluation of the ban on purchase of sexual services [online] (2010), p. 37.

6 Regarding the Netherlands, see: A.L. Daalder, Prostitution in the Netherlands Since the Lifting of the Brothel Ban, WODC (Research and Documentation Centre, Dutch Ministry of Security and Justice), 2007, and Korps landelijke politiediensten, Schone Schijn: De signalering van mensenhandel in de vergunde prostitutiesector [Keeping Up Appearances: The Signs of Human Trafficking in the Legalized Prostitution Sector], KLPD, Driebergen, 2008. Regarding Germany, see: Sozialwissenschaftliches FrauenForschungsInstitut an der Evangelischen Fachhochschule Freiburg, The Act Regulating the Legal Situation of Prostitutes – implementation, impact, current developments, 2007; Emilija Mitrovic, Working in the sex industry: Report on the findings of a field research 'Social change in dealing with prostitution since the new legislation's entry into force on 1.1.2002', 2004.

7 Bundeskriminalamt: Bundeslagebild Menschenhandel 2009.

8 Janice Raymond, 'Trafficking, Prostitution and the Sex Industry: The Nordic Legal Model', 21 July 2010.

9 Korps landelijke politiediensten, Schone Schijn, cited in Gunilla S. Ekberg, Kasja Wahlberg, 'The Swedish Approach: A European Union Country Fights Sex Trafficking', Solutions Journal, Volume 2: Issue 2: Mar 02, 2011.

in the legalized prostitution sector. The researchers estimated that 50 to 90 percent of women in legalized brothels were 'working involuntarily.' Based on these estimates, the Amsterdam legal brothel sector alone would 'employ' 4,000 victims of human trafficking annually. The report also stated that 'The idea that a clean, normal business sector has emerged is an illusion...'

The need for an EU financial commitment to implement its political stance

Trafficking exists because exploitation is profitable. According to a 2007 Europol report,¹⁰ the global profits from trafficking were 31,6 billion US dollars, while profits made from victims of sexual exploitation were 27,8 billion US dollars. Trafficking and the exploitation of human beings require minimal financial or other investment and produce a big profit. Victims are recruited through outright violence, but also deceit, emotional/psychological coercion and debt bondage, methods which are low cost or cost-free in terms of money, but also in terms of time. It doesn't take long to recruit women and girls into prostitution, especially those who are young, have a weak social support network, lower levels of education, few employment perspectives, little to no alternatives for survival,¹¹ a background of physical and/or sexual abuse and/or neglect,¹² and in general belong

10 Europol, Trafficking Human Beings in the European Union: a Europol Perspective (2007), p. 4

11 In a 2003, 9-country study, 9 out of 10 women in prostitution interviewed wanted to exit the system of prostitution but felt unable to do so because they have no other options for survival (Farley, M. et al (2003). Prostitution and Trafficking in Nine Countries: An Update on Violence and Posttraumatic Stress Disorder. Journal of Trauma Practice, Vol. 2, No. 3/4, 2003, pp. 33-74.

12 Large numbers of women in prostitution report having been victims of violence prior to entering prostitution, including sexual, physical and verbal abuse by family members, acquaintances and partners. One study on childhood sexual abuse in adult life showed that people who reported childhood rape compared with people who did not were four



to marginalised groups in society, e.g. ethnic minority and migrant women.

While pimps and traffickers are making huge profits on little investment, the EU is not devoting many resources to the fight against trafficking in women and violence against women. What is available, however, needs to be better used. Myria Vassiliadou gives information about the available funding provided by the EU: 'One of the main tools of the European Commission in preventing trafficking in women and protecting its victims is the financial support it offers. Of particular importance to addressing trafficking in human beings is the ISEC funding programme of DG Home Affairs on the Prevention of and Fight against Crime. Further, there is the DAPHNE programme which aims specifically at the prevention of, and the fight against, all forms of violence occurring in the public or the private domain against children, young people and women, including trafficking in human beings, through preventive measures as well as support and protection

times more likely to be working as prostitutes (Ziegler S, et al., (1991). Adult survivors of childhood sexual abuse and subsequent risk of HIV infection. *American Journal of Public Health*, 81(5)).

for victims and groups at risk. Other funding is available for actions in third countries, including in the European neighbourhood. Examples are the European Instrument for Democracy and Human Rights, the Investing in People programme and the Thematic Program for Migration and Asylum.'

Despite the variety of options, organisations have consistently been pointing out the complexity of EU funding, its fragmentation and lack of sustainability. Myria Vassiliadou offers the following advice: 'The financial support offered by the EU is a powerful tool, yet many organisations are apprehensive of or feel they do not have the capacity for the complex and time-consuming process to get funding. Many organisations have implemented impressive and valuable projects but I believe we should be widening the pool of organisations we fund further as this would be beneficial to EU policy, the organisations involved and, most importantly, the victims of trafficking in human beings. I would therefore like to really encourage you to seek EU financial support if you believe there is a need for a certain project or you have an innovative idea and your organisation can bring its experience to bear. We need your expertise, originality

and understanding of the situation on the ground to move EU policy forward and to fight the crime of trafficking in human beings.'

In a context of animated discussions surrounding the EU financial perspectives after 2014, women's organisations fear a reduction of EU support for actions aiming at combating violence against women and trafficking in women. For example, the Daphne Programme, which is an essential tool to support actions to end violence against women, including trafficking in women, should be strengthened, with more funding made available and a stronger emphasis on violence against women in addition to its other target groups of children and young persons; despite this, its existence currently seems threatened due to arbitrary budget reductions. Any genuine EU action to eradicate trafficking in human beings has to provide concrete financial support, so that it does not remain an empty declaration. We hope that the EU's decision to appoint an EU Anti-Trafficking Coordinator is a sign of a genuine European political will to commit the necessary resources – including financial – to truly and effectively tackle trafficking in women.

EWL Actions and Projects on Violence against Women

EWL lobbying for EU action on violence against women

The European Women's Lobby is lobbying to see a comprehensive EU policy framework on eliminating violence against women in Europe, including the establishment of a European Year to end violence against women. The EWL has therefore initiated a broad European advocacy movement to this end, gathering NGOs and decision-makers. This European Coalition will be active in lobbying relevant decision-makers to ensure that the voice of its members will be heard. Check out our website for more information!

EWL campaign 'Together for a Europe free from prostitution'

The EWL is running a campaign at European level to raise awareness on prostitution as a form of male violence against women, and advocating at EU level for the abolition of the system of prostitution. Check out for campaign material on the EWL website, including the video clip by Frédérique Pollet Rouyer and Patric Jean!

EWL lobbying for the ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence

The EWL believes that the EU should ratify the convention finalised in 2011, together with all EU Member States of the Council of Europe.

EWL Barometer on National Action Plans on violence against women

The European Women's Lobby has been working in close cooperation with the experts of the EWL Observatory on violence against women to come up with an original mapping report (Barometer) of National Action Plans on violence against women. The Barometer provides a European overview of national actions on violence against women and compares European countries with regards to their commitment to eradicate violence against women. In this context, the EWL Barometer reflects women's organisations' call for concrete policy action at European level to build a Europe free from all forms of male violence against women.



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